

the question under discussion, he stressed that the USSR had always favoured the implementation of the principles of self-determination, freedom and national independence of countries and nations under colonial domination, or in colonial or semi-colonial dependence on imperialism.⁵⁵⁷

QUESTION OF RACE CONFLICT IN SOUTH AFRICA

Decision of 23 July 1970 (1549th meeting) : resolution 282 (1970)

By letter⁵⁵⁸ dated 15 July 1970, the representatives of Algeria, Burundi, Cameroon, Central African Republic, Congo (Democratic Republic of), Dahomey, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, India, Ivory Coast, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Pakistan, People's Republic of the Congo, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia requested an urgent meeting of the Security Council to resume consideration of the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa with a view to examining in particular the situation arising from violations of the arms embargo called for in Security Council resolutions 181 (1963), 182 (1963) and 191 (1964). Despite these resolutions, the letter added, a number of Member States continued to furnish South Africa with all types of aircraft, helicopters, heavy arms and other equipment which were being used for the imposition of its racist policies and for military aggression against freedom-loving peoples. The information on the extent of these violations had been provided over the years in the reports of the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa, including the most recent communication⁵⁵⁹ from the Chairman of the Committee to the President of the Security Council.

of measures in connexion with the problem of Bahrain, which related to a type of situation that could lead to complications in international relations. It emphasized that under the United Nations Charter, decisions on matters connected with action by the United Nations relating to the maintenance of international peace and security should be taken by the Security Council. In his reply (S/9738, OR, 25th yr., Suppl. for April-June 1970, pp. 143-144), the Secretary-General stated that his position on the exercise of his good offices had been set forth in his letter of 7 March 1969 (S/9055, OR, 24th yr., Suppl. for Jan.-March 1969, p. 110). However, the Secretary-General felt that it might be useful to call attention to one aspect of the question. From time to time, States Members approached the Secretary-General directly, asking for the exercise of his good offices, because they considered that a difference between them might be capable of an amicable solution if dealt with at an early stage quietly and diplomatically. If the proposals were fully consistent with the purposes and principles of the Charter and in no way impinged upon the authority of the Security Council or any other United Nations organ, he felt obligated to assist Member States in the manner requested. To do otherwise would be to thwart a commendable effort by Member States to abide by the principle of peaceful settlement of disputes. The good offices in Bahrain entailed only a fact-finding mission, and a report thereon would be presented to the Council, so that any substantive action would be taken only by that organ.

⁵⁵⁷ 1536th meeting, paras. 73-86. For texts of other relevant statements, see: *ibid.*: China, paras. 125-126; Colombia, para. 89; Finland, paras. 131-132; France, paras. 154-158; Nepal, paras. 120-122; Pakistan, paras. 143-150; Sierra Leone, paras. 94-97; Spain, paras. 63-66; United States, paras. 53-56; Zambia, paras. 111-116.

⁵⁵⁸ S/9867, OR, 25th yr., Suppl. for July-Sept. 1970, p. 106.

⁵⁵⁹ S/9859 and Corr. 1, *ibid.*, pp. 75-76.

The failure of the Security Council to denounce the violations had encouraged other States to reconsider their commitment to the observance of the embargo. The violations of the embargo had enabled the Government of South Africa to amass considerable military power, which it used not only to impose its racist policies but also to flout the decisions of the United Nations with regard to Namibia, Southern Rhodesia and the Portuguese-occupied Territories of Angola and Mozambique. In addition, its military power was being employed to threaten the sovereignty of neighbouring independent African States. Any further weakening of the arms embargo would have grave consequences both for the United Nations and for the peoples of southern Africa and would seriously prejudice relations between African States and those States who were contravening the embargo. Subsequently, the representative of Chad associated himself with the above request for a Council meeting.⁵⁶⁰

At the 1545th meeting on 17 July 1970, the Security Council included the item in its agenda⁵⁶¹ and considered the question at the 1545th to 1549th meetings between 17 and 23 July 1970. The representatives of India, Mauritius, Somalia,⁵⁶² Ghana and Pakistan⁵⁶³ were invited to participate in the discussion.

At the 1545th meeting on 17 July 1970, the representative of Mauritius,* speaking as Chairman of the African group at that time, stated that, in spite of the arms embargo imposed by the Council, the South African Government had continued to receive arms and military equipment as well as spare parts from a number of countries and had been able to receive licences, technical assistance and foreign capital for an expanded manufacture of arms, ammunition, military vehicles and other equipment. The views of these States that the embargo covered only arms which could be used for internal repression and for imposing *apartheid* and that, consequently, they could provide South Africa with the arms and equipment it needed for its external defence was no longer valid, inasmuch as South Africa had committed itself not only to a policy of repression of the organized opposition to its own racial policies but also to a policy of military and economic support of the white minority régimes elsewhere in southern Africa. South Africa and Southern Rhodesia had been conducting against the combined forces of the liberation movements of South Africa and Zimbabwe a guerrilla warfare in which South Africa had been using arms and equipment supposedly supplied for its external defence. Furthermore, South Africa had repeatedly threatened the independent States of southern Africa for their support of the opponents of *apartheid*. The African States therefore called for a complete and mandatory embargo on arms, ammunition, military equipment and vehicles to South Africa, not only because the military build-up of South Africa enabled her to defy the United Nations but also because it constituted a serious threat to international peace and security.⁵⁶⁴

At the same meeting, the representative of Somalia,* who was Chairman of the Special Committee on *Apartheid*, stated that, contrary to the hopes that had been raised by establishment of the arms embargo and by

⁵⁶⁰ 1545th meeting, President (Nicaragua), paras. 11-13.

⁵⁶¹ *Ibid.*, preceding para. 10.

⁵⁶² *Ibid.*, para. 10.

⁵⁶³ 1546th meeting, para. 13.

⁵⁶⁴ 1545th meeting, paras. 17-38.

the renewed commitment of the permanent members of the Security Council to take appropriate action to persuade South Africa to abandon its racist policies, the political situation in that country and the neighbouring Territories had deteriorated since the Council last considered it in 1963 and 1964. At that time, the Council had described the situation as "seriously disturbing international peace and security"⁵⁶⁵ and several Council members, including the African and Asian members, had considered the situation dangerous enough to warrant action under Chapter VII of the Charter. Subsequent developments had made the situation a clear threat to international peace and security, as evidenced by the intensification of racist and repressive measures, the deployment of South African military units in Southern Rhodesia and by further collaboration between South Africa and the Portuguese colonial régimes in Angola and Mozambique. Correspondingly there had been an increase in resistance to those measures by the liberation movements in southern Africa. With these developments in mind, the Security Council should specifically inquire how the South African Government had been able to acquire the military and economic power to carry out its internal and external aggressions with impunity while it was subject to an arms embargo. It was necessary that the arms embargo be strengthened by eliminating the loop-holes to which some States had resorted in justifying their continued supply of arms and equipment to the South African authorities and that universal adherence to the embargo be secured.⁵⁶⁶

A number of representatives also expressed their concern at the reported intention of the Government of the United Kingdom to resume sale of arms to the Pretoria Government.⁵⁶⁷

At the 1548th meeting on 22 July 1970, the President (Nicaragua) called the Council's attention⁵⁶⁸ to the draft resolution⁵⁶⁹ which had been submitted jointly on 21 July by Burundi, Nepal, Sierra Leone, Syria and Zambia.

The representative of Zambia, in introducing the draft resolution, stated that it was intended to reaffirm previous Security Council resolutions on the arms embargo and to strengthen it by incorporating measures contained in operative paragraph 4.⁵⁷⁰

At the 1549th meeting on 23 July 1970, the draft resolution, in its revised form,⁵⁷¹ was put to the vote and was adopted⁵⁷² by 12 votes to none, with 3 abstentions. The resolution⁵⁷³ read as follows:

⁵⁶⁵ Resolution 181 (1963), eighth preambular para.; resolution 182 (1963), ninth preambular para.; resolution 191 (1964), fifth preambular para.

⁵⁶⁶ 1545th meeting, paras. 59-61, 66-74, 103-111.

⁵⁶⁷ For text of relevant statements, see: 1545th meeting: Mauritius,* paras. 33-38; Somalia,* paras. 77-81; India,* paras. 94-95; Zambia, paras. 128-129; 1546th meeting: Ghana,* paras. 31-32; Sierra Leone, paras. 99-105; Pakistan,* paras. 155-156; 1547th meeting: USSR, paras. 18-20; Poland, paras. 69-75; Burundi, paras. 83-111; 1548th meeting: China, paras. 23-24; Zambia, para. 27-28.

⁵⁶⁸ 1548th meeting, para. 4.

⁵⁶⁹ S/9882, OR. 25th yr., Suppl. for July-Sept. 1970, pp. 113-114.

⁵⁷⁰ 1548th meeting, paras. 31-33.

⁵⁷¹ S/9882/Rev. 2. The revision included replacing the words "constitutes a serious threat to international peace and security" in the seventh preambular paragraph with the words "constitutes a potential threat to international peace and security". See 1549th meeting, para. 6.

⁵⁷² 1549th meeting, para. 29.

⁵⁷³ Resolution 282 (1970).

"The Security Council,

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

"Reiterating its condemnation of the evil and abhorrent policies of *apartheid* and the measures being taken by the Government of South Africa to enforce and extend those policies beyond its borders,

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

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

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

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

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

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

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

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

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

"4. Culls upon all States to strengthen the arms embargo

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

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

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

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

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

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

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

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

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

REVIEW OF THE INTERNATIONAL SITUATION

Communiqué of 21 October 1970 (1555th meeting):

In a note⁵⁷⁴ dated 19 October 1970, the Secretary-General, in accordance with the final paragraph of the consensus⁵⁷⁵ expressed and approved by the Security Council on 12 June 1970, issued the following provisional agenda of the first periodic meeting of the Security Council which he had drawn up, in consultation with the members of the Council, and which had been approved by the Council's President:

“1. Adoption of the agenda

“2. Review of the international situation.”

The first periodic meeting of the Security Council, its 1555th meeting, was held in private on 21 October 1970. In accordance with rule 55 of the provisional rules of procedure of the Security Council,⁵⁷⁶ the following communiqué⁵⁷⁷ was issued by the Secretary-General at the close of that meeting in place of a verbatim record:

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

“2. At the meeting the Secretary-General delivered a statement on the international situation. The representatives of the member States of the Security Council had a general exchange of views on current

issues affecting international peace and security. They pledged their full support for seeking peaceful solutions to outstanding international disputes and conflicts in accordance with the principles and purposes of the Charter of the United Nations.

“3. In reviewing issues currently before the Security Council, members of the Council also consulted on how to contribute to a peaceful political settlement in the Middle East. They reaffirmed their conviction that Security Council resolution 242 (1967) of 22 November 1967 should be supported and carried out in all its parts, and that to this end all concerned should fully co-operate in a concerted effort to promote the establishment of a just and lasting peace in the Middle East.

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

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

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

“7. It was agreed that the date of the next periodic meeting of the Security Council will be determined through consultations between the members of the Council.

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

SITUATION IN THE INDIA/PAKISTAN SUBCONTINENT

INITIAL PROCEEDINGS

By a report⁵⁷⁸ dated 3 December 1971, the Secretary-General brought to the attention of the Security Council the efforts he had so far made in regard to the further grave deterioration in the situation along the borders of East Pakistan and elsewhere in the subcontinent which, in his view, constituted a threat to international peace and security. The Secretary-General noted that while he had kept the President of the Security Council informed of these efforts under the broad terms of Article 99 of the United Nations Charter, he felt that the initiative on this matter in the Security

⁵⁷⁴ S/9965, OR, 25th yr., Suppl. for Oct.-Dec. 1970, p. 28.

⁵⁷⁵ 1543th meeting, paras. 2 and 3. See also chapter I, Case 2.

⁵⁷⁶ S/96/Rev.5 (1969).

⁵⁷⁷ 1555th meeting, para. 1. See also Decision of 21 October 1970, OR, 25th yr., Resolutions and Decisions of the Security Council 1970, p. II.

⁵⁷⁸ S/10410 and Add.1, OR, 26th yr., Suppl. for Oct.-Dec. 1971, pp. 80-85.