

*Recalling* the principle that no State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State.

*Recalling also* the inherent and lawful right of every State, in the exercise of its sovereignty, to request assistance from any other State or group of States.

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

*Gravely concerned* at the acts of aggression committed by South Africa against the People's Republic of Angola and the violation of its sovereignty and territorial integrity.

*Condemning* the utilization by South Africa of the international Territory of Namibia to mount that aggression.

*Gravely concerned also* at the damage and destruction done by the South African invading forces in Angola and by their seizure of Angolan equipment and materials.

*Noting* the letter of the Permanent Representative of South Africa regarding the withdrawal of South African troops.

1. *Condemns* South Africa's aggression against the People's Republic of Angola;

2. *Demands* that South Africa scrupulously respect the independence, sovereignty and territorial integrity of the People's Republic of Angola;

3. *Demands also* that South Africa desist from the utilization of the international Territory of Namibia to mount provocative or aggressive acts against the People's Republic of Angola or any other neighbouring African State;

4. *Calls upon* the Government of South Africa to meet the just claims of the People's Republic of Angola for a full compensation for the damage and destruction inflicted on its State and for the restoration of the equipment and materials which its invading forces seized;

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

Explaining the reason why he had abstained in the vote the representative of the United Kingdom said that his Government had consistently opposed all forms of external intervention. South African intervention was rightly condemned in the draft resolution. But in his view all foreign intervention in Angola was wrong and should be condemned. Therefore, he found the draft unbalanced. He also had reservations concerning the use of the term "aggression" since, with the withdrawal of South African troops from Angola, it applied to a situation in the past. As to the questions of restitution and compensation for damages the Security Council was not the appropriate forum for such consideration.<sup>1127</sup>

Similar views were expressed by the representative of France.<sup>1128</sup>

At the end of the meeting a procedural discussion concerning the presidency over the Security Council took place, since the meeting continued beyond midnight ending on 1 April 1976 at 12.15 a.m.<sup>1129</sup>

#### THE SITUATION IN SOUTHERN RHODESIA

**Decision** of 6 April 1976 (1907th meeting): resolution 388 (1976)

On 15 December 1975 the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia submitted to the Security Council a special report (S/11913) containing a recommendation for the expansion of sanctions against the illegal régime in Southern Rhodesia. The report stated that the Committee had considered a wide range of proposals to that end, but had managed to reach agreement, subject to reservations entered by certain delegations, on the recommendation that insurance, trade names and franchises should be included within the scope of mandatory sanctions against Southern Rhodesia.<sup>1130</sup>

At the 1907th meeting on 6 April 1976, the Security Council decided to include the Committee's special report in its agenda, which was adopted without objection.<sup>1131</sup>

At the same meeting the President of the Security Council announced that, as a result of intensive consultations on certain recommendations contained in the special report, agreement had been reached on the text of a draft resolution (S/12037), which had been sponsored and submitted by all 15 members of the Security Council. The draft resolution was adopted unanimously at that meeting as resolution 388 (1976). The text of the resolution reads as follows:

#### *The Security Council.*

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

*Reaffirming* that the measures provided for in those resolutions, as well as the measures initiated by Member States in pursuance thereof, shall continue in effect.

*Taking into account* the recommendations made by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in its special report of 15 December 1975 (S/11913).

*Reaffirming* that the present situation in Southern Rhodesia constitutes a threat to international peace and security.

#### *Acting under Chapter VII of the Charter of the United Nations.*

1. *Decides* that all Member States shall take appropriate measures to ensure that their nationals and persons in their territories do not insure:

(a) Any commodities or products exported from Southern Rhodesia after the date of the present resolution in contravention of Security Council resolution 253 (1968) which they know or have reasonable cause to believe to have been so exported;

(b) Any commodities or products which they know or have reasonable cause to believe are destined or intended for importation into Southern Rhodesia after the date of the present resolution in contravention of resolution 253 (1968);

(c) Commodities, products or other property in Southern Rhodesia of any commercial, industrial or public utility undertaking in Southern Rhodesia, in contravention of resolution 253 (1968).

2. *Decides* that all Member States shall take appropriate measures to prevent their nationals and persons in their Territories from granting to any commercial, industrial or public utility undertaking in Southern Rhodesia the right to use any trade name or from entering into any franchising agreement involving the use of any trade name.

<sup>1127</sup> 1906th mtg., paras. 245-252

<sup>1128</sup> *Ibid.*, paras. 253-254.

<sup>1129</sup> For details, see chapter I

<sup>1130</sup> For the nature and full extent of the sanctions envisaged under those items, see the relevant operative paragraphs of resolution 388 (1976) subsequently adopted by the Security Council on the subject and reproduced below

<sup>1131</sup> 1907th mtg., preceding para. 2

trade mark or registered design in connexion with the sale or distribution of any products, commodities or services of such an undertaking:

3 *Urges*, having regard to the principle stated in Article 2 of the United Nations Charter, States not Members of the United Nations to act in accordance with the provisions of the present resolution

Following the vote the representative of the United Republic of Tanzania expressed his delegation's satisfaction at the unanimous sponsorship and adoption of the draft resolution by the Council, which he believed was a precedent. Nevertheless, he observed that while the agreed recommendation from the Committee was a step in the right direction, it did not go far enough; the provisions of Article 41 of the Charter had not yet been exhausted, and his delegation maintained that the sanctions would never achieve the desired purpose of toppling the illegal régime in Southern Rhodesia unless they were made fully comprehensive and effectively supervised, and were also extended to South Africa. He recalled that the heads of Commonwealth countries at their summit meeting in Kingston, Jamaica, in 1975 had agreed to recommend the expansion of the scope of sanctions and that the United Nations General Assembly 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 had repeatedly taken the same position. Still, he urged strongly that all States should scrupulously enforce the sanctions already decided upon by the Security Council.<sup>1132</sup>

The representative of Pakistan, Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia for the year 1976, said that if recourse to force and violence were to be avoided in Zimbabwe, the sanctions against the illegal régime in Southern Rhodesia must be made more effective. He concurred with the representative of the United Republic of Tanzania that all States should apply the sanctions faithfully; in particular, he appealed to the Security Council to impress upon South Africa the responsibility of that Government under the Charter.<sup>1133</sup>

The representative of the United Kingdom welcomed the fact that the agreement on the recommendation had been reached unanimously in the Committee and that the draft resolution giving effect to that recommendation had also been adopted unanimously in the Council. He reviewed the recent developments in Southern Rhodesia with particular regard to the measures undertaken to find a political solution to the impasse on the Southern Rhodesian situation, to all of which, he said, the leader of the illegal régime had not been receptive. After explaining the scope of the new sanctions just adopted by the Council, as understood by his delegation, the representative of the United Kingdom reaffirmed his delegation's view that the existing sanctions, even without the need to expand them, would be sufficient to

crumble the economy of the illegal régime if only they had been more efficiently and universally applied.<sup>1134</sup>

The representative of the United States said that his country had always scrupulously enforced the sanctions against Southern Rhodesia with the exception of the importation of certain minerals from that territory under United States domestic law. He stated, however, that the United States Government of the day was committed to repealing that piece of enabling legislation, which should increase economic pressure against the illegal régime and restore the position of the United States vis-à-vis its international obligations.<sup>1135</sup>

The representative of the USSR expressed regret that despite the binding nature of the sanctions imposed by the Security Council they had not been fully complied with by certain countries, some of which were violating them overtly. It was the duty of the Security Council to put an end to such violations and to intensify the sanctions against the illegal régime in Southern Rhodesia. Unfortunately, he said, the Council had on several occasions been frustrated in its efforts to that end by the use of the veto by certain Western Powers. His delegation believed that the situation in Southern Rhodesia justified the application of the full measures stipulated in Article 41 of the Charter, and had voted for the present resolution on the basis that it was an interim measure pending the adoption soon of more far-reaching measures.<sup>1136</sup>

The representatives of Benin, Guyana and Romania felt that the current level of sanctions had failed to bring about the desired result; they therefore supported and strongly urged the expansion of the mandatory sanctions to include all the measures provided for in Article 41 of the Charter.<sup>1137</sup>

The representative of France said that as one of the permanent members of the Committee since its inception, his delegation was quite aware of the imperfections of the sanctions already in force and had on many occasions supported initiatives to increase the effectiveness of the Committee. Accordingly, he declared, his delegation had no difficulty in supporting the new recommendation and in co-sponsoring the draft resolution just adopted.<sup>1138</sup>

The representative of Italy said that his delegation was happy to support the Committee's recommendation and to co-sponsor the subsequent draft resolution just adopted. He promised that if, in effecting the implementation of the new sanctions, further legislation was technically necessary, his Government would not fail to submit immediately the necessary proposals to the Italian Parliament for approval.<sup>1139</sup>

The representative of Japan said that his delegation was pleased to be associated with the recommendation from the Committee, bearing in mind the necessity to increase political and economic pressure upon the illegal

<sup>1132</sup> *Ibid.*, paras 7-11  
<sup>1133</sup> *Ibid.*, paras 15-21

<sup>1134</sup> *Ibid.*, paras 26-32

<sup>1135</sup> *Ibid.*, paras 34-38

<sup>1136</sup> *Ibid.*, paras 40-46

<sup>1137</sup> *Ibid.*, paras 49-53, 56-66 and 111-113

<sup>1138</sup> *Ibid.*, paras 70-75

<sup>1139</sup> *Ibid.*, paras 85-92

régime in Southern Rhodesia. Although the recommendation did not go as far as some Member States would have liked, he said, his delegation considered it a practical and useful step in the right direction, and hoped that it would compel the illegal régime to turn away from its rebellion.<sup>1140</sup>

The representative of Sweden said that while his delegation welcomed the recommendation from the Committee as a measure for further tightening the pressure upon the illegal minority régime, it also proposed that the search for agreement on still further extensions of the sanctions should continue in the Committee, and his delegation was prepared to contribute actively in that search.<sup>1141</sup>

The President of the Council, speaking as the representative of China, pointed out that despite the existence of sanctions the preliminary trade figure compiled by the Committee for the year 1973 indicated that the value of Southern Rhodesia's trade had increased by more than \$US 160 million. Attention should therefore be paid to the violations of those sanctions. But sanctions apart, he said, his delegation was of the view that the fundamental solution to the question of Southern Rhodesia lay in the struggle by the people of Zimbabwe themselves, who for that reason deserved every political and material assistance.<sup>1142</sup>

**Decision of 27 May 1977 (2011th meeting): resolution 409 (1977)**

On 31 December 1976 the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia submitted to the Council a second special report<sup>1143</sup> on the expansion of sanctions against the illegal régime in Southern Rhodesia. The report listed a number of proposals which, it said, had been considered by the Committee in the course of the year as areas in which the sanctions could be further expanded. No agreement had been reached on all the proposals except one, namely: that the flow of capital from Southern Rhodesia for certain purposes should be included in the scope of sanctions against Southern Rhodesia.<sup>1144</sup> Agreement on that recommendation had been reached subject to reservations by certain delegations, which were summarized and annexed to the report.

At the 2011th meeting on 27 May 1977 the Security Council decided to include the Committee's second special report in its agenda, which was adopted without objection.<sup>1145</sup> The President drew the Council's attention to the report as well as to the draft resolution (S/12339), sponsored by all members of the Council.<sup>1146</sup>

The draft resolution was introduced by the representative of Mauritius, who said that the purpose of the recommendation submitted by the Committee was to suppress the propaganda, promotional and similar activities being performed abroad by the various offices and agencies of the illegal régime utilizing funds transmitted to them for that purpose by the régime. Although the draft resolution did not go far enough, his delegation felt that it was a further step in the right direction, for, contrary to expectations voiced so often, he said, the current level of sanctions had failed to dislodge the illegal régime. He cited loopholes in the Council's most recent resolution on the question<sup>1147</sup> and in the present draft resolution, which he blamed for the continuing existence of the illegal régime. In addition, he referred to information received by the Committee from non-governmental sources indicating that sanctions against the illegal régime were being violated through the supply of oil and oil products to the régime by certain international oil companies using their subsidiaries in South Africa. In view of those considerations, he said, the draft resolution contained a tactical requirement for the Council to meet before 11 November 1977<sup>1148</sup> to consider further measures to be taken under Article 41 of the Charter upon the recommendations of the Committee.<sup>1149</sup>

The representative of Pakistan commented on the unanimity with which the Council members had co-sponsored the draft resolution before the Council, but expressed his delegation's regret that differences continued to persist regarding the extension of full sanctions against Southern Rhodesia. Noting that it was far preferable to have the question of Southern Rhodesia solved by peaceful means, he appealed to those countries with influence upon the illegal régime to renew their efforts so as to promote the achievement of that desired end.<sup>1150</sup>

The representative of the Libyan Arab Jamahiriya said that in view of the deteriorating situation in Southern Rhodesia, it was incumbent on the Security Council to adopt concrete measures that would put an end to the illegal régime. He referred to the programme of action adopted by the international Conference in Maputo concerning the liberation of Zimbabwe and Angola<sup>1151</sup> in which a number of concrete and effective measures against the illegal régime were called for; it was up to the Council to meet the challenge by adopting those measures. In addition, he urged that in view of the defiant and open role of South Africa in shoring up the illegal régime, the mandatory sanctions should be widened to include that country.<sup>1152</sup>

<sup>1140</sup> 1907th mtg., paras. 96-100

<sup>1141</sup> *Ibid.*, paras. 104-107

<sup>1142</sup> *Ibid.*, paras. 121-125

<sup>1143</sup> S/12296, *OR, 32nd yr., Suppl. for Jan.-March 1977*, pp. 13-17

<sup>1144</sup> For the nature and full extent of the sanctions envisaged under that recommendation, see paragraph 1 of resolution 409 (1977) subsequently adopted by the Security Council on the subject and reproduced below.

<sup>1145</sup> 2011th mtg., preceding para. 1

<sup>1146</sup> *Idem*

<sup>1147</sup> Resolution 388 (1976).

<sup>1148</sup> See para. 3 of the draft resolution in document S/12339, subsequently adopted as resolution 409 (1977)

<sup>1149</sup> Intervention by Mauritius, 2011th mtg., paras. 2-16

<sup>1150</sup> *Ibid.*, paras. 17-24

<sup>1151</sup> S/12344/Rev. 1, annex V, *OR, 32nd yr., Suppl. for July-Sept 1977*, p. 3

<sup>1152</sup> 2011th mtg., paras. 25-32

The representative of the USSR referred to the weakness of the draft resolution before the Council, based as it was on a recommendation adopted by the Committee on the initiative of the United Kingdom, which he said reflected attempts to depoliticize the Committee and turn it into a purely technical organ. His delegation was convinced that time was already overdue for the imposition of all the measures under Article 41 against the illegal régime. For that reason he also recalled the programme of action adopted by the international conference in Maputo in which a similar proposal had been made.<sup>1153</sup>

The representative of Romania said that the ineffectiveness of the sanctions so far in force, aided by the accommodation provided to the illegal régime by South Africa, demanded not only a closing of the existing loopholes but also an extension of those sanctions to South Africa itself. His delegation advocated such a course, bearing in mind that the credibility of the United Nations would be damaged if the measures taken against Southern Rhodesia should fail.<sup>1154</sup>

The representative of China reviewed the causes of the ineffectiveness of the sanctions and declared that the Security Council should seriously consider expanding the sanctions to cover South Africa. He also urged that all States Members of the United Nations, particularly the permanent members of the Council, should strictly implement the sanctions in force. He said that the new measures contained in the draft resolution before the Council were inadequate, and reiterated that the fundamental solution to Southern Rhodesia's problem lay in the struggle of the Zimbabwe people themselves.<sup>1155</sup>

The representative of the United Kingdom referred to operative paragraph 3 of the draft resolution and remarked that, although some elements of Article 41 posed difficulties for some members of the Council, there were other provisions under that Article on the basis of which the application of sanctions could be improved. He welcomed the unanimous sponsorship of the draft resolution, which he believed would send a proper message to the illegal régime.<sup>1156</sup>

The representative of the United States expressed his delegation's satisfaction at the achievement of unanimity on the draft resolution before the Council. The timing was appropriate for a number of reasons, he said, including the fact that the United States Government had just repealed the legislation that had previously permitted violation of the sanctions.<sup>1157</sup>

The representative of Venezuela said that although there were negotiations currently in progress for a solution to the Southern Rhodesian problem, their outcome was not very promising; it was therefore necessary to exert increased pressure against the illegal

régime, and the measures contained in the present draft were a significant step in the right direction.<sup>1158</sup>

The representative of India said that his delegation shared the view that the measures under consideration, though clearly a step forward, constituted only a tentative and halting step; they were inadequate and came too late. He urged the Council to discharge its responsibility as provided for in the Charter in order to terminate the illegal régime in Southern Rhodesia.<sup>1159</sup>

The President of the Council, speaking as the representative of Benin, addressed himself to those Western countries which he said were pursuing neo-colonialist policies and protecting the illegal régime. If such countries were sincere, he declared, they would accept the expansion of the sanctions as provided for in Article 41 of the Charter.<sup>1160</sup>

Thereafter, the draft resolution in document S/12339 was adopted unanimously without vote as resolution 409 (1977).<sup>1161</sup>

The resolution reads as follows:

*The Security Council,*

*Reaffirming its resolutions 216 (1965) of 12 November and 217 (1965) of 20 November 1965, 221 (1966) of 9 April and 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968, 277 (1970) of 18 March 1970 and 388 (1976) of 6 April 1976,*

*Reaffirming that the measures provided for in those resolutions, as well as the measures initiated by Member States in pursuance thereof, shall continue in effect,*

*Taking into account the recommendations made by the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia in its second special report of 31 December 1976 on the expansion of sanctions against Southern Rhodesia,*

*Reaffirming that the present situation in Southern Rhodesia constitutes a threat to international peace and security,*

*Acting under Chapter VII of the Charter of the United Nations,*

1. *Decides* that all Member States shall prohibit the use or transfer of any funds in their territories by the illegal régime in Southern Rhodesia, including any office or agent thereof, or by other persons or bodies within Southern Rhodesia, for the purposes of any office or agency of the illegal régime that is established within their territories other than an office or agency so established exclusively for pensions purposes;

2. *Urges*, having regard to the principle stated in Article 2, paragraph 6 of the Charter of the United Nations, States not Members of the United Nations to act in accordance with the provisions of the present resolution.

3. *Decides* to meet not later than 11 November 1977 to consider the application of further measures under Article 41 of the Charter, and meanwhile requests the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to examine, in addition to its other functions, the application of further measures under Article 41 and to report to the Council thereon as soon as possible.

Subsequent to the meeting of the Council, the representative of Australia, in a letter dated 2 June 1977,<sup>1162</sup> set out the position of his Government concerning

<sup>1153</sup> *Ibid.*, paras. 33-41.

<sup>1154</sup> *Ibid.*, paras. 42-49.

<sup>1155</sup> *Ibid.*, paras. 50-56.

<sup>1156</sup> *Ibid.*, paras. 61-65.

<sup>1157</sup> *Ibid.*, paras. 66-72.

<sup>1158</sup> *Ibid.*, paras. 77-82.

<sup>1159</sup> *Ibid.*, paras. 92-94.

<sup>1160</sup> *Ibid.*, paras. 96-101.

<sup>1161</sup> *Ibid.*, para. 102.

<sup>1162</sup> S/12339-OR, 32nd yr., Supp., for April-June 1977, p. 48.

Security Council resolution 409 (1977). The letter stated that Australia fully supported the application of sanctions against Southern Rhodesia for which purpose the Government proposed to introduce legislation, when Parliament reassembled in August 1977, which would give effect to the Council's new resolution.<sup>1163</sup> The letter promised that the Secretary-General of the United Nations would be kept informed of the progress of the proposed legislation.

In a letter dated 1 September 1977 addressed to the President of the Security Council<sup>1164</sup> the representative of the United Kingdom transmitted certain proposals for the restoration of legality in Southern Rhodesia and the settlement of the Southern Rhodesia problem drawn up by the Government of the United Kingdom with full agreement of the Government of the United States and after consultation with all the parties concerned. In a further letter dated 8 September 1977<sup>1165</sup> the representative of the United Kingdom transmitted the text of a statement issued in Salisbury by the United Kingdom Secretary of State for Foreign and Commonwealth Affairs concerning the proposals for a settlement in Southern Rhodesia.

**Decision of 29 September 1977 (2034th meeting): resolution 415 (1977)**

By a letter dated 23 September 1977<sup>1166</sup> the representative of the United Kingdom requested a meeting of the Security Council in order to consider the invitation by the United Kingdom Government to the Secretary-General, through the Council and pursuant to the Government's proposals for a settlement of the Southern Rhodesia problem,<sup>1167</sup> to appoint a representative who would enter into discussions before the transition period with the British Resident Commissioner-designate in the territory.

At the 2033rd meeting on 28 September 1977 the Council decided to include the United Kingdom letter of 23 September 1977 in its agenda, which was adopted without objection.<sup>1168</sup> The matter was considered by the Council at the 2033rd and 2034th meetings, held on 28 and 29 September 1977, respectively.

In the course of those meetings, the President, with the consent of the Council, invited the representatives of Gabon and Kenya, at their request, to participate in the discussion without the right to vote. Also, in accordance

with requests from the representatives of Benin, the Libyan Arab Jamahiriya and Mauritius and in the absence of objection, the President extended invitations under rule 39 to Mr. Joshua Nkomo and to Mr. Callistus Ndlovu.<sup>1169</sup>

The President drew the attention of the members of the Council to the documents before them relevant to the imminent debate, namely: the two letters from the United Kingdom dated 1 and 8 September 1977,<sup>1170</sup> and the text of a draft resolution<sup>1171</sup> sponsored by the United Kingdom.<sup>1172</sup>

Introducing the draft resolution, the United Kingdom Secretary of State for Foreign and Commonwealth Affairs explained some aspects of the settlement proposals and elaborated on the objectives of the principal provisions of the draft resolution. He said that the proposals sought to restore the territory of Southern Rhodesia to legality, after which it was intended to bring together the various interested parties in order to arrange a cease-fire, which would then lead into the transition period. In that connection the United Kingdom requested the appointment of a representative of the Secretary-General to enter into negotiations concerning the military and related arrangements necessary to effect the transition to majority rule. Describing the draft resolution as a modest step for the time being, which did not seek to treat fully the substance of the proposals themselves, he urged the Council to adopt it, as his Government believed it to offer the quickest way of resolving the conflict in Southern Rhodesia.<sup>1173</sup>

Mr. Nkomo, speaking as co-leader of the Patriotic Front of Zimbabwe, reviewed the situation in Southern Rhodesia and said that the balance had now shifted in favour of the forces for majority rule in the territory and that the change in the situation had been caused by the armed people of Zimbabwe in view of the inability of the United Kingdom and the minority régime to heed the people's peaceful demand for self-determination. It was therefore necessary to recognize that any formula for resolving the crisis in Southern Rhodesia must take into account the reality of the war being waged by the Patriotic Front and must identify the United Kingdom on the one hand and the Patriotic Front on the other as the relevant parties in the conflict.

Turning to the United Kingdom request for the Secretary-General to appoint a special representative, Mr. Nkomo said that the people of Zimbabwe would welcome such a person provided that his role facilitated the complete decolonization of the country rather than join with the United Kingdom in the furtherance of colonization. To ensure a positive role, therefore, he said, the Patriotic Front proposed that the individual in

<sup>1163</sup> In its ninth regular report covering the period 16 Dec. 1975 to 15 Dec. 1976 (S/12265, OR, 32nd yr., Special Suppl. No. 2) the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia had mentioned Australia as one of the countries where offices representing Southern Rhodesia's interests still operated. The Committee had quoted Australia as reporting that the Government had effected cancellation in 1974 of the registration of an office there operating under the name of the Rhodesian Information Centre, as a result of which the activities performed by that office would not be continued under that name.

<sup>1164</sup> S/12393, OR, 32nd yr., Suppl. for July-Sept. 1977, p. 69.

<sup>1165</sup> S/12395, *ibid.*, p. 78.

<sup>1166</sup> S/12402, *ibid.*, p. 82.

<sup>1167</sup> See footnotes 1164 and 1165.

<sup>1168</sup> 2033rd mtg., preceding para. 1.

<sup>1169</sup> For details concerning these invitations, see chapter III.

<sup>1170</sup> See footnotes 1164 and 1165.

<sup>1171</sup> S/12404, OR, 32nd yr., Suppl. for July-Sept. 1977, p. 83. The draft resolution was later amended (S/12404/Rev. 1, *ibid.*, p. 84) and was subsequently adopted, as amended, as resolution 415 (1977).

<sup>1172</sup> 2033rd mtg., para. 2.

<sup>1173</sup> *Ibid.*, paras. 5-14.

question should be appointed in consultation with the Security Council members and with the parties to the conflict and that his duties, powers and functions should be similarly determined. With a view to facilitating the work of the Security Council, Mr. Nkomo presented to the Council a document<sup>1174</sup> prepared by the Patriotic Front and containing the statement by the Front on the United Kingdom proposals for a settlement in Southern Rhodesia.<sup>1175</sup>

The representative of Benin welcomed the United Kingdom proposals, which his delegation regarded as a manifestation that the United Kingdom Government was at last facing up to its responsibilities. The proposals contained elements which could serve as a basis for meaningful negotiations with the Patriotic Front for a peaceful settlement. However, his delegation did not regard the proposals as a substitute for the armed struggle in progress, and warned that they could only be supported if they genuinely offered a clear and unfettered path to the complete independence of Zimbabwe. On the appointment of a representative of the Secretary-General, his delegation felt that the proposed individual's mandate should be defined in such a way as to enable the negotiations with the Patriotic Front to proceed smoothly.<sup>1176</sup>

The representative of the United States said that his Government supported the United Kingdom settlement proposals with which the United States Government had got involved at the insistence of African States. In doing so the United States believed that it was participating in the opening of a new era of international co-operation towards putting an end to colonialism, racism and imperialist domination. He therefore urged support for the appointment of the representative of the Secretary-General, giving assurance that there need not be any fear of the involvement of the United Nations in Africa. The situation had changed vastly in Africa since the early sixties, he explained. With the creation of the Organization of African Unity and the emergence of the organization of front-line States, African affairs were now being conducted in such an atmosphere that African countries themselves were playing an influential and determinant role.<sup>1177</sup>

The representative of India said that his delegation regarded the appointment of a representative of the Secretary-General as a necessary form of association of the United Nations in the process of decolonization in Southern Rhodesia; his delegation would therefore support the draft resolution before the Council. He pointed out that subsequent developments in Southern Rhodesia required an end to the rebellion and a restoration of legality in the territory. That process must be pursued on the basis that the interests of the people of Zimba-

bwe were paramount, and on the principle of majority rule leading to the independence of the territory.<sup>1178</sup>

The Minister for Foreign Affairs of Romania said that the international community welcomed the initiatives contained in the United Kingdom proposals, bearing in mind the grave situation prevailing in Southern Rhodesia. Although the appointment of a representative of the Secretary-General was only a limited step, he said, his delegation would support it; but he warned that such support should not be regarded as a pretext for relaxing the United Nations decisions currently in force against Southern Rhodesia or for putting off a settlement of the serious situation in the territory.<sup>1179</sup>

The representative of France said that, after hearing the statements of the African delegations, as well as that of Mr. Nkomo himself, his delegation considered it appropriate for a representative to go to the area and make an assessment on the basis of which the Council might pursue and, in particular, determine whether it was profitable to go ahead with the implementation of the United Kingdom proposals as a whole.<sup>1180</sup>

Before the conclusion of the 2033rd meeting, the President, bearing in mind the request by the United Kingdom for an early decision on the draft resolution, if possible that day, announced a short suspension of the meeting in order to enable the members to decide in private consultation how to proceed. When the meeting resumed, it was adjourned without further debate.<sup>1181</sup>

At the 2034th meeting on 29 September 1977, the representative of the USSR said that his delegation objected to the involvement of the United Nations in measures that might be prejudicial to the national liberation struggle of the people of Zimbabwe. The Soviet Union therefore had serious doubts about the proposal to appoint a representative of the Secretary-General, which it suspected to be a back-door manoeuvre to secure approval of the proposals as a whole. However, on the basis of the assurance of the United Kingdom Secretary of State that acceptance of the draft resolution in no way meant approval of the United Kingdom proposals, and bearing in mind the position of Mr. Nkomo himself and of the various African countries on the matter, he said that his delegation would not impede the adoption of the draft resolution before the Council.<sup>1182</sup>

The representative of China, after affirming that, historically, revolutionary forces for national liberation could not be stopped by reactionary forces, made a preliminary observation that the United Kingdom proposals were not conducive to the furtherance of the Zimbabwe people's struggle for liberation and independence. He wondered why, if those proposals, drawn up by only one party to the conflict, were still subject to negotiations by all the parties concerned, the United Kingdom should request the Security Council to con-

<sup>1174</sup> Known as the Maputo document, which was subsequently circulated as document S/12406 (see *OR, 32nd yr., Suppl. for July-Sept. 1977*, p. 84).

<sup>1175</sup> 2033rd mtg., paras. 16-25.

<sup>1176</sup> *Ibid.*, paras. 26-37.

<sup>1177</sup> *Ibid.*, paras. 40-49.

<sup>1178</sup> *Ibid.*, paras. 51-58.

<sup>1179</sup> *Ibid.*, paras. 68-78.

<sup>1180</sup> *Ibid.*, paras. 80-82.

<sup>1181</sup> *Ibid.*, paras. 101 and 106.

<sup>1182</sup> 2034th mtg., paras. 4-10.

firm one of them. His delegation regarded that procedure as rather abnormal. China would therefore not support the draft resolution before the Council; in view of the position of the African countries concerned, China would only not participate in the voting.<sup>1183</sup>

The Secretary for Foreign Affairs of the Libyan Arab Jamahiriya stated that his delegation considered as a fundamental point the United Kingdom assurance that the appointment of a representative of the Secretary-General did not entail acceptance of the settlement proposals, and that the Security Council was not currently engaged in discussion of the substance of those proposals. His delegation, however, regarded the draft resolution as rather too general and vague with particular regard to the mandate of the proposed representative, and warned that the representative should not be committed in his discussions to the acceptance of the substance of the settlement proposals. Otherwise, he said, his delegation had no objection in principle to the draft resolution.<sup>1184</sup>

The Minister for Foreign Affairs of Kenya said that his Government supported the United Kingdom request for the appointment of a representative of the Secretary-General, but, recalling the reservations stated at the previous meeting by Mr. Nkomo, he reiterated that nothing should be done to shift the responsibility from the United Kingdom as the administering Power to the United Nations. His Government was of the view that, as a necessary condition for the involvement of the United Nations, the rebel régime in Southern Rhodesia should step down and the territory restored to legality; otherwise it would be unrealistic to ask the proposed representative to participate in arranging a cease-fire, or to expect the national freedom fighters to lay down their arms.<sup>1185</sup>

The representative of Gabon, speaking on behalf of the Chairman of the Organization of African Unity (OAU), said that the free and independent countries of Africa did not support all aspects of the United Kingdom settlement proposals, and that his participation in the discussion should not be taken as endorsement of those proposals. Nevertheless, he said, the OAU supported the appointment of a representative of the Secretary-General, although such a procedure should not be exploited by the illegal régime as a delaying tactic for the progress of the people of Zimbabwe to freedom and independence.<sup>1186</sup>

The President, speaking in his capacity as the representative of the Federal Republic of Germany, said that his delegation welcomed the prospects for a peaceful settlement of the Southern Rhodesian question in which the United Nations was being asked to take part. He therefore welcomed the request for the appointment of a representative of the Secretary-General, and gave assur-

ance of his Government's support for the representative's efforts in every way.<sup>1187</sup>

The representative of the Libyan Arab Jamahiriya, on behalf of the three African members of the Council, submitted two amendments to the draft resolution before the Council, which were accepted by the United Kingdom and were incorporated into the full text. The first amendment proposed the addition of a new preambular paragraph reading as follows:

*Having heard* the statement by Mr. Joshua Nkomo, co-leader of the Patriotic Front of Zimbabwe;

the second amendment referred to paragraph 1, in which the words "in consultation with the members of the Security Council" would be added with reference to the appointment of the Secretary-General's representative.<sup>1188</sup>

The Council then proceeded to vote on the draft resolution, as revised, which was adopted as resolution 415 (1977) by 13 votes to none with 1 abstention (USSR). One member (China) did not participate in the voting.<sup>1189</sup>

The text of the resolution reads as follows:

*The Security Council.*

*Taking note* of the letters dated 1 September (S/12393) and 8 September 1977 (S/12395) from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the President of the Security Council,

*Noting also* the invitation to the Secretary-General, in the letter dated 23 September 1977 (S/12402) from the Permanent Representative of the United Kingdom to the President of the Security Council, to appoint a representative,

*Having heard* the statement of Mr. Joshua Nkomo, Co-leader of the Patriotic Front of Zimbabwe,

1. *Requests* the Secretary-General to appoint, in consultation with the members of the Security Council, a representative to enter into discussions with the British Resident Commissioner designate and with all the parties concerning the military and associated arrangements that are considered necessary to effect the transition to majority rule in Southern Rhodesia;

2. *Further requests* the Secretary-General to transmit a report on the results of these discussions to the Security Council as soon as possible;

3. *Calls upon* all parties to co-operate with the representative of the Secretary-General in the conduct of the discussions referred to in paragraph 1 of the present resolution.

Following the vote, the Secretary-General made a statement in which he said that he would soon inform the members of the Council, after appropriate consultations, of the name of his representative, and gave assurance that he and his representative would do everything possible to achieve results.<sup>1190</sup>

Mr. Ndlovu, speaking as representative of the Patriotic Front of Zimbabwe, made a statement in which he reiterated the reservations made by Mr. Nkomo at the previous meeting and in particular emphasized that the procedure just adopted did not prejudice the position of the Patriotic Front on the United Kingdom proposals as a whole, that in the view of the Patriotic Front reference

<sup>1183</sup> 2034th mtg., paras. 11-16.

<sup>1184</sup> *Ibid.*, paras. 20-30.

<sup>1185</sup> *Ibid.*, paras. 33-41.

<sup>1186</sup> *Ibid.*, paras. 45-50.

<sup>1187</sup> *Ibid.*, paras. 53-57.

<sup>1188</sup> *Ibid.*, paras. 58-61.

<sup>1189</sup> *Ibid.*, para. 64.

<sup>1190</sup> *Ibid.*, paras. 66-68.

to the "parties concerned" meant the United Kingdom and the Patriotic Front, and that the mandate of the Secretary-General's representative would be specifically defined in terms intended to advance the objective of decolonization.<sup>1191</sup>

On 4 October 1977, the President of the Security Council issued a note<sup>1192</sup> advising members of the Council that he had been informed by the Secretary-General of his intention to appoint Lieutenant-General Prem Chand as his representative pursuant to resolution 415 (1977). After due consultations with all the members, the note said, the President had informed the Secretary-General that the proposed appointment was acceptable to 14 members of the Council; and that China had dissociated itself from the matter. In a further communication to the President on the same day, the Secretary-General had announced the appointment of Lieutenant-General Prem Chand as his representative.

**Decision of 14 March 1978 (2067th meeting): resolution 423 (1978)**

By a letter dated 1 March 1978,<sup>1193</sup> the representative of the Upper Volta, in his capacity as the Chairman of the African Group for the month of March, requested the President of the Security Council to convene a meeting of the Council as soon as possible to discuss the deterioration of the situation in Southern Rhodesia following the manoeuvres of the illegal régime aimed at concluding a so-called internal settlement in Southern Rhodesia.<sup>1194</sup>

At the 2061st meeting on 6 March 1978, the Security Council included in its agenda, which was adopted without objection,<sup>1195</sup> the letter of 1 March 1978 from the representative of Upper Volta and considered the matter at 7 meetings held from 6 to 10 and 13 and 14 March 1978.<sup>1196</sup> In the course of those meetings the President, with the consent of the Council, invited the representatives of Angola, Benin, Botswana, Kenya, Liberia, Mozambique, Saudi Arabia, Sierra Leone, Sri Lanka, Sudan, the United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia, at their request, to

participate in the discussion without the right to vote. Also, in accordance with requests from the representatives of Gabon, Mauritius and Nigeria and in the absence of objection, the President extended invitations under rule 39 to Canon Burgess Carr, Mr. Robert Mugabe and Mr. Joshua Nkomo.<sup>1197</sup>

The representative of Upper Volta, speaking on behalf of the African Group of States at the United Nations, said the meeting of the Council had been requested in order to consider the threat to international peace and security in southern Africa, particularly in Southern Rhodesia, arising from the manoeuvres of the illegal régime to institute a so-called internal settlement of the Rhodesian question. Such a scheme could not be the framework of a genuine settlement of the problem. He declared that the proper procedure consisted of direct negotiations between the Administering Power and the liberation movements of Zimbabwe, and that the United Kingdom proposals, despite some gaps and weaknesses, offered prospects for a start in that direction.<sup>1198</sup>

The representative of the United Republic of Tanzania gave a brief background survey to the Southern Rhodesian problem and declared that the so-called internal settlement, as presented in various published media, was no real settlement at all, but a mechanism contrived by the rebel leaders in order to perpetuate themselves in power and that as such it was totally unacceptable. His delegation regarded the proposed arrangement as a cynical ploy, which was bound to invite further violence and bloodshed and would inevitably internationalize the conflict. For those reasons his delegation called for complete rejection of the proposed internal settlement.

Furthermore, he said, the proposed arrangement must be rejected because it disregarded the United Kingdom proposals submitted on 1 September 1977 which his Government together with the Governments of the other front-line States had welcomed as providing a basis for a negotiated settlement. He then outlined what his delegation considered essential prerequisites for a genuine solution of the conflict, namely: the capitulation of the rebel régime and dismantling of its oppressive laws; the emergence of Zimbabwe as independent State; the creation of a new Zimbabwe army, and the creation of a climate of confidence in the territory. African countries were committed to promote a genuinely negotiated agreement along those lines.

Finally, he appealed to the United Kingdom and to the United States not to abandon their own proposals, action on which was already in progress, and not to do anything that might give encouragement to the leaders of the illegal régime in their proposed scheme.<sup>1199</sup>

<sup>1191</sup> *Ibid.*, para. 72.

<sup>1192</sup> S/12411, *OR*, 32nd year, *Suppl. for Oct-Dec 1977*, p. 9.

<sup>1193</sup> S/12578, *OR*, 33rd year, *Suppl. for Jan-March 1978*, p. 46.

<sup>1194</sup> Four other letters dated 24 February, 6, 7 and 9 March 1978 (see S/12576, S/12583, S/12599 and S/12590, *OR*, 32nd year, *Suppl. for Jan-March 1978*, pp. 45, 49, 56 and 52) were received from the representatives of Mozambique, Algeria, Ghana and Liberia, respectively, setting out their Governments' position with regard to the so-called internal settlement in Southern Rhodesia, which they all rejected.

<sup>1195</sup> 2061st mtg., preceding para. 2.

<sup>1196</sup> No formal document containing details of the reported internal settlement was available to the Security Council, but in the course of the deliberations many speakers described various aspects of the "settlement" terms. According to those speakers, the terms included agreement on an "independence constitution" reached (and signed on 3 March 1978) between the leader of the rebel régime and three African leaders in Southern Rhodesia (not including any of the leaders of the Patriotic Front), who together would form a collective leadership of the Government, with the chairmanship rotating among them periodically. "Independence" would be preceded by a general election based on universal suffrage but with electoral rolls racially separate. The police, the defence force, the civil service, the courts of law and other established institutions of State would remain intact.

The arrangement was to exclude the leaders of the Patriotic Front who were directing the war of liberation from across the borders of Southern Rhodesia, nor did it envisage any direct role by the Administering Power, or by any other external entity. Hence, the reference to the arrangement as an internal settlement.

<sup>1197</sup> For details concerning these invitations, see chapter 111.

<sup>1198</sup> 2061st mtg., paras. 6-17.

<sup>1199</sup> *Ibid.*, paras. 19-52.



The representative of Zambia said that her government had reached the conclusion that the so-called internal settlement was a sell-out and could not provide a meaningful solution to the Southern Rhodesian problem, because, in her Government's opinion, it perpetuated the illegal régime and was worse than the United Kingdom proposals. Moreover, she declared, no settlement of the problem could be sustained which did not take into account the role of the fighting forces of the Patriotic Front. While taking note of some dissent by certain United States officials on the internal settlement scheme, she contended that the international community was entitled to expect that the proponents of the United Kingdom settlement proposals would be the first to defend those proposals rather than abandon them in clandestine favour of the so-called internal settlement. As far as Zambia was concerned, she stated, the proposed internal settlement had not changed the situation in Southern Rhodesia, and Zambia therefore condemned and totally rejected it. Accordingly, Zambia also called upon the Security Council to reject the so-called internal settlement and to urge the international community to withhold recognition from any régime created on the basis of such settlement.<sup>1200</sup>

All the representatives of the other African countries that participated in the debate<sup>1201</sup> repeated or echoed, with more or less emphasis, the principal points put forward by the representatives of Upper Volta, the United Republic of Tanzania and Zambia, namely, that: the so-called internal settlement scheme was unacceptable and should be rejected; the capitulation of the illegal régime was a prerequisite to any peaceful settlement of the Southern Rhodesian question; no settlement of the question could be entertained which took no account of the Patriotic Front and its military forces, and that, therefore, the United Kingdom proposals for a settlement, despite their inadequacies still provided a plausible basis for a peaceful negotiated settlement of the question. Some of them gave, in addition, individual assessments of the motives of the illegal régime in attempting to push through an internal settlement: to secure a lifting of the sanctions; to induce an end to the war being waged by the Zimbabwe freedom fighters, and to gain legality and international acceptance. Others expressed fears that acceptance of the internal settlement scheme, which they regarded as a bogus arrangement for continuation of the *status quo*, might provide a dangerous precedent for a similar scheme for Namibia. Furthermore, they argued that acceptance of that scheme would put the United Nations in a position of self-contradiction, since the Security Council must await the result of the implementation of its resolution 415 (1977).

The representatives of Angola, Botswana and Mozambique focused on the military raids committed

against them and other neighbouring countries by Southern Rhodesian forces and wondered whether the illegal régime could by itself afford or undertake such ventures without external support, notably from South Africa. Such support, they contended, encouraged the illegal régime to postulate such defiant measures as the so-called internal settlement currently under consideration.

The representative of Gabon, whose President was at the time Chairman of the OAU, cited a recent resolution adopted by the OAU at Tripoli, the Libyan Arab Jamahiriya, in which the OAU had totally rejected the so-called internal settlement. On its part, Sudan regarded the internal settlement proposals as inadequate inasmuch as they did not dismantle the instruments of oppression and domination in Southern Rhodesia; moreover, only the United Kingdom in its constitutional capacity could issue legal instruments for the independence of Southern Rhodesia.

The Commissioner for External Relations of Nigeria urged that in the light of the previous abortive deals and attempts at a peaceful settlement with the illegal régime, on account of the régime's bad faith, the Security Council should no longer accept a situation whereby the United Kingdom would again allow itself to be docilely manoeuvred by the insubordinate régime. On the other hand, the representative of Liberia, after reading out the portion of the message from the President of Liberia relevant to Southern Rhodesia,<sup>1202</sup> dissented from outright rejection of the internal settlement proposals; he expressed his Government's belief in pragmatic diplomacy and asserted that, according to his Government, some aspects of the proposals merited serious consideration. Finally, the representative of Mauritius said that, in the circumstances, there was no choice but to fall back upon the United Kingdom proposals for a settlement in preference to what he termed the "Smith constitution",<sup>1203</sup> which had been rejected by the leaders of the Patriotic Front. He could not understand why the Western countries hesitated to declare the so-called internal settlement unacceptable.

At the 2063rd meeting on 8 March 1978 Canon Carr made a statement in which he said the All Africa Conference of Churches associated itself with the moral indignation that had been evoked throughout the African continent by the so-called internal settlement, to which he referred as a contrivance by the leaders of the illegal régime to delay the liberation of the people of Zimbabwe. It was an evil trick which must be condemned, and he urged the Security Council not to associate itself with it. Instead, he said, his organization had given and continued to give its unequivocal support to the liberation movements in southern Africa; pressures in that direction must be intensified, since they had succeeded in forcing the leaders of the illegal régime to the negotiating table.<sup>1204</sup>

<sup>1200</sup> 2061st mtg., paras. 55-71.

<sup>1201</sup> Mozambique (2062nd mtg., paras. 9-28), Angola (*ibid.*, paras. 32-49), Benin (*ibid.*, paras. 53-68), Kenya (*ibid.*, paras. 71-80), Botswana (2063rd mtg., paras. 91-120), Gabon (2064th mtg., paras. 6-18), Sudan (*ibid.*, paras. 55-61), Sierra Leone (*ibid.*, paras. 63-88), Nigeria (2065th mtg., paras. 6-35), Liberia (2067th mtg., paras. 35-41) and Mauritius (*ibid.*, paras. 68-106).

<sup>1202</sup> See footnote 1194.

<sup>1203</sup> In reference to the so-called internal settlement proposals prepared under the direction of Ian Smith, leader of the illegal régime in Southern Rhodesia (see footnote 1196).

<sup>1204</sup> 2063rd mtg., paras. 34-48.

At the 2064th meeting on 9 March 1978 both Mr. Robert Mugabe and Mr. Joshua Nkomo addressed the Security Council. In his statement<sup>1205</sup> Mr. Mugabe, on behalf of the Patriotic Front, reviewed the situation of the civil strife inside the territory as well as the various futile attempts by the United Kingdom, as the Administering Power, to resolve the problem. He then analysed the specific points constituting the so-called internal agreement and rejected them all as a conspiracy by the leaders of the illegal régime to entrench white privilege and perpetuate white domination in the country. The Patriotic Front had decided to fight for a non-racial society and was therefore opposed to any solution based on racial lines. He appealed to the Security Council, as the guardian of international peace and security, to repudiate the so-called internal settlement in Southern Rhodesia; otherwise there would be created in southern Africa a belt of puppet régimes whose main purpose would be to protect the abhorrent system of *apartheid*. Meanwhile he reaffirmed that the Patriotic Front was committed to continuing the liberation struggle.

Mr. Joshua Nkomo, in addition to Mr. Mugabe's statement, emphasized that the manoeuvre contrived by the illegal régime and the African accomplices was intended to thwart the forward movement of the people of Zimbabwe to genuine independence and self-determination; it was also an attempt by the illegal régime to legitimize its unilateral declaration of independence. It was therefore a matter of satisfaction that so many members of the Council and representatives of other Governments had spoken out, during the Council's deliberations, against the so-called internal settlement. That, he felt, should send a message to the United Kingdom Government not to accept those fraudulent moves by the illegal régime.<sup>1206</sup>

Statements were made by other speakers<sup>1207</sup> in opposition to the so-called internal settlement, who also maintained that no solution should be entertained unless it was acceptable to the international community as a whole. They fixed the responsibility for devising such a solution upon the Administering Power, and for that reason they expressed interest in the outcome of the current United Kingdom proposals, which they said had the merit of providing for consultations among all the parties to the conflict.

The representative of Saudi Arabia suggested that perhaps the Patriotic Front might achieve its objectives by being more flexible: in particular by conducting the struggle from within the system.<sup>1208</sup>

At the 2065th meeting on 10 March 1978 the representative of China rejected the so-called internal settlement, characterizing it as an out-and-out fraud, and said that as far as it was concerned, China

supported the position of the OAU calling for stronger support for the armed struggle of the people of Zimbabwe under the leadership of the Patriotic Front.<sup>1209</sup>

The representative of the USSR said that in contriving the so-called internal settlement the illegal régime was attempting to exclude the Patriotic Front from the destiny of the country, but it was also motivated by a desire to preserve its privileged position and to protect the interests of the international monopolies operating in southern Africa. For its part the USSR recognized the Patriotic Front as the only legitimate representative of the people of Zimbabwe and would continue to give assistance to the Front. As to the attitude of the United Kingdom and United States regarding the illegal régime's scheme he expressed his delegation's puzzlement at the statement attributed to the United Kingdom Secretary of State for Foreign and Commonwealth Affairs bearing in mind the outstanding United Kingdom proposals that the so-called internal settlement was "an important step towards majority rule" and was "a step in the right direction".<sup>1210</sup>

At the 2066th meeting on 13 March 1978 the representative of Mauritius formally introduced a draft resolution<sup>1211</sup> sponsored by all seven non-aligned members of the Council,<sup>1212</sup> the text of which he said had been finalized after intensive and extensive consultations and after taking into consideration the views expressed to the sponsors by the representative of the United Kingdom. He then analysed and explained the individual operative paragraphs of the draft resolution.<sup>1213</sup>

At the 2067th meeting on 14 March 1978 the representative of the United States said that as a participant in the negotiations leading to the United Kingdom proposals, his delegation regarded the new settlement proposals from Salisbury as introducing a curious element in the situation. On the face of it, he said, the new proposals appeared to offer a promising advance towards solution of the problem, mainly because, on comparison with past attempts, they marked some progress and they also had the support of African nationalist leaders in Southern Rhodesia. However, after scrutinizing the new internal proposals, he declared, the United States had found them inadequate and remained fully convinced that the United Kingdom plan offered the best basis for a peaceful and prompt transition to an independent Zimbabwe. He then enumerated the reasons for the inadequacy of the so-called internal settlement, as opposed to the United Kingdom proposals: their exclusion of some factions to the conflict; failure to guarantee that transitional political institutions would not be subject to control by the illegal régime; failure to provide for international machinery to monitor the proposed pre-independence elections; failure to provide for impartial transitional peace-keeping machinery other than the existing security

<sup>1205</sup> 2064th mtg., paras. 123-138.

<sup>1206</sup> *Ibid.*, paras. 140-150.

<sup>1207</sup> Venezuela (2063rd mtg., paras. 5-18), Bolivia (*ibid.*, paras. 21-31), Kuwait (2064th mtg., paras. 22-41), India (*ibid.*, paras. 43-52), Canada (2066th mtg., paras. 5-11), Czechoslovakia (*ibid.*, paras. 15-27), France (*ibid.*, paras. 33-42), Sri Lanka (2067th mtg., paras. 45-54) and Yugoslavia (*ibid.*, paras. 58-66).

<sup>1208</sup> 2065th mtg., paras. 69-92.

<sup>1209</sup> *Ibid.*, paras. 37-41.

<sup>1210</sup> *Ibid.*, paras. 46-60.

<sup>1211</sup> S/12597, *OR*, 33rd year, *Suppl. for Jan-March 1978*.

<sup>1212</sup> Bolivia, Gabon, India, Kuwait, Mauritius, Nigeria and Venezuela.

<sup>1213</sup> 2066th mtg., paras. 43-45.

forces under the control of the illegal régime; and the rigidity imposed on the proposed new Government with regard to making any necessary constitutional changes. Furthermore, the representative of the United States concluded that no efforts for a settlement in Southern Rhodesia could succeed without the support of the Security Council and of the African countries most directly involved.<sup>1214</sup>

The President, in his capacity as the representative of the United Kingdom, made a statement in which he said that after listening to all the statements so far he was in a position to address some of the pertinent points raised. He started by giving categorical assurance that the United Kingdom fully recognized and accepted its primary responsibility for the colony of Southern Rhodesia. He also explained that any approbative remarks emanating from London or Washington concerning the so-called internal settlement did not mean abandonment of the United Kingdom proposals; rather they only reflected a legitimate recognition that to the extent that any aspects of the internal scheme were consistent with the United Kingdom proposals, those particular aspects were a step in the right direction. Nevertheless, he affirmed that the so-called internal settlement proposals were on the whole inadequate and had serious deficiencies; as such they could not be endorsed.

The representative of the United Kingdom gave a review of the progress on the United Kingdom proposals since the adoption of resolution 415 (1977) by the Council, and claimed that both the United Kingdom and the United States, authors of the proposals, could not be accused of having done anything to slow down the momentum of those proposals. In the light of the current situation he suggested that the next step was to identify the areas of concurrence between the two sets of proposals, to bring together all the parties to the conflict and to try to widen the areas of agreement between them. For that reason he announced that both the United Kingdom and the United States had decided to convene a conference soon and had invited all parties to the conflict to attend.<sup>1215</sup>

The Council then proceeded to vote on the seven-Power draft resolution which was adopted by 10 votes to none with 5 abstentions (Canada, France, the Federal Republic of Germany, the United Kingdom and the United States) as resolution 423 (1978).

The text of the resolution reads as follows:

*The Security Council,*

*Recalling its resolutions on the question of Southern Rhodesia and in particular resolution 415 (1977) of 29 September 1977,*

*Reaffirming that the continued existence of the illegal régime in Southern Rhodesia is a source of insecurity and instability in the region and constitutes a serious threat to international peace and security,*

*Gravely concerned over the continued military operations by the illegal régime, including its acts of aggression against neighbouring independent States,*

*Indignant at the continued executions of freedom fighters by the illegal régime,*

*Considering the need for urgent measures to terminate the illegal régime and establish a government based on majority rule,*

1. *Condemns* all attempts and manoeuvres by the illegal régime aimed at the retention of power by a racist minority and at preventing the achievement of independence by Zimbabwe;

2. *Declares* as illegal and unacceptable any internal settlement concluded under the auspices of the illegal régime and calls upon all States not to accord any recognition to such a settlement;

3. *Further declares* that the speedy termination of the illegal régime and the replacement of its military and police forces constitute the first prerequisite for the restoration of legality in Southern Rhodesia so that arrangements may be made for a peaceful and democratic transition to genuine majority rule and independence in 1978;

4. *Declares also* that such arrangements as envisaged in paragraph 3 of the present resolution include the holding of free and fair elections on the basis of universal adult suffrage under United Nations supervision;

5. *Calls upon* the United Kingdom of Great Britain and Northern Ireland to take all measures necessary to bring to an end the illegal racist minority régime in Southern Rhodesia and to effect the genuine decolonization of the Territory in accordance with General Assembly resolution 1514 (XV) and other United Nations resolutions.

6. *Considers* that, with the assistance of the Secretary-General, the United Kingdom, as the administering Power, should enter into immediate consultations with the parties concerned in order to attain the objectives of genuine decolonization of the Territory through the implementation of paragraphs 3, 4 and 5 of the present resolution;

7. *Requests* the Secretary-General to report, not later than 15 April 1978, on the results of the implementation of the present resolution.

**Decision of 10 October 1978 (2090th meeting): resolution 437 (1978)**

By a letter dated 6 October 1978<sup>1216</sup> the representative of India, in his capacity as Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia, submitted to the Security Council for appropriate action the texts of two statements adopted that day, one by the Committee and the other by the African Group of States at the United Nations, concerning the reported impending visit to the United States by Ian Smith, leader of the illegal régime in Southern Rhodesia, and other members of that régime. The letter also included the text of a statement made by the representative of the United States at the Committee's meeting that day.

The letter from the Chairman of the Committee was included in the Security Council's agenda, which was adopted without objection,<sup>1217</sup> and the matter was considered by the Council at the 2090th meeting held on 10 October 1978.

The Council had before it a draft resolution submitted by the delegations of India, Kuwait, Mauritius and Nigeria. Subsequently, following a brief suspension of the meeting the President announced agreement to

<sup>1216</sup> S/12885, OR, 33rd year, Suppl. for Oct.-Dec. 1978, p. 7. By a letter of the same date the representative of Burundi in his capacity as Chairman of the African Group of States at the United Nations also transmitted to the Security Council independently the text of the statement of the African Group on the matter (see S/12886, *ibid.*, p. 9).

<sup>1217</sup> 2090th mtg., preceding para. 1

<sup>1214</sup> 2067th mtg., paras. 15-32

<sup>1215</sup> *Ibid.*, paras. 110-129

amend paragraph 4 of the draft resolution<sup>1218</sup> under which the Council would express the hope that the United States would continue to exert its influence on Ian Smith to transfer power to genuine majority rule without further delay. The President then read out the text of the new paragraph 4, and the draft resolution as revised was adopted by 11 votes to none, with 4 abstentions (Canada, the Federal Republic of Germany, the United Kingdom and the United States) as resolution 437 (1978).

The text of the resolution reads as follows:

*The Security Council,*

*Having considered* the letter dated 6 October 1978 from the Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia (S/12885),

*Recalling* its resolution 253 (1968) of 29 May 1968, by which it made it mandatory for Member States to prevent the entry into their territories of persons ordinarily resident in Southern Rhodesia and connected with the illegal régime there,

*Taking note* of the statement of the African Group (S/12885, annex II),

*Taking note also* of the statement of the Government of the United States of America (S/12885, annex I),

1. *Notes with regret and concern* the decision of the Government of the United States of America to allow the entry into the United States of Ian Smith and some members of the illegal régime in Southern Rhodesia;

2. *Considers* that the above-mentioned decision is in contravention of Security Council resolution 253 (1968) and of the obligations under Article 25 of the Charter of the United Nations;

3. *Calls upon* the United States of America to observe scrupulously the provisions of Security Council resolutions concerning sanctions;

4. *Expresses the hope* that the United States of America will continue to exert its influence in order that genuine majority rule may be achieved without further delay in Southern Rhodesia.

After the vote the representative of India expressed great regret that the United States Government had felt obliged to allow Ian Smith to enter the country, in violation of the Security Council's sanctions against the illegal régime in Southern Rhodesia, and particularly in view of the actual purpose of his visit: to seek support for a possible withdrawal or suspension of those sanctions. For that reason the representative of India stressed that the United States should maintain the sanctions and observe them scrupulously. He also decried the failure of the Council to act earlier, before the arrival of Mr. Smith,<sup>1219</sup> especially as the matter under discussion was a clear-cut political question, not a mere allegation requiring prior investigations by the Committee.<sup>1220</sup>

Several other members of the Council<sup>1221</sup> similarly expressed regret at the admission of Ian Smith and his

supporters into the United States, which some regarded as providing him with an opportunity to mount a propaganda campaign for selling the "internal settlement" scheme and for seeking international recognition and respectability. Others felt that the visit would consequently make it more difficult to pursue and reach an acceptable solution through peaceful means. Yet others reiterated that no such solution could be achieved without the involvement of the Patriotic Front. Many of them advocated that, in the circumstances, more pressure should be exerted against the illegal régime, especially through the strengthening and expansion of the sanctions.

The representative of the United States explained that the decision by his Government to issue a visa to Ian Smith had been made in exceptional circumstances and after very careful consideration. While deeply conscious of its obligations under the Charter and profoundly aware of the purpose of the sanctions, he said, the United States Government wished to continue the dialogue already under way in the hope that the opportunity might offer an additional chance to advance the cause of majority rule and peaceful settlement of the Southern Rhodesian question.<sup>1222</sup>

The representatives of Canada and the Federal Republic of Germany<sup>1223</sup> felt that in view of the explanation given by the representative of the United States their Governments were convinced that all the pertinent aspects of the problem had been taken into account by the United States authorities; it was necessary to explore every avenue that might yield the desired result peacefully rather than through bloodshed. The representative of the Federal Republic of Germany added, however, that on account of the sanctions in force his Government could not permit Mr. Smith to enter the country.

The representative of the United Kingdom said that his Government was totally convinced that despite the admission of Ian Smith, which was purely a United States Government decision, the United States remained genuinely committed to the United Kingdom proposals. The United Kingdom Government had noted with interest the outcome of Mr. Smith's meetings with the United States officials in Washington. He informed the Council, however, that the United Kingdom Government had turned down a request that might have enabled Mr. Smith to visit London on his way back from the United States.<sup>1224</sup>

The President, speaking in his capacity as the representative of France, expressed his delegation's hope that the United States Government officials might use the visit to correct Mr. Smith's attitude; nevertheless his delegation had voted for the resolution because the visit had been permitted contrary to the terms of Security Council resolution 253 (1968), which the United States had itself supported and approved.<sup>1225</sup>

<sup>1218</sup> For the text of paragraph 4 in its original form, see S/12887 OR, 33rd year, Suppl. for Oct.-Dec. 1978, p. 9.

<sup>1219</sup> At the time of consideration of the matter by the Security Council, Ian Smith and other members of the "internal settlement" scheme had already reportedly arrived in the United States.

<sup>1220</sup> 2090th mtg., paras. 6-8.

<sup>1221</sup> Venezuela, Kuwait, China, USSR, Nigeria, Bolivia, Gabon and Czechoslovakia (*ibid.*, paras. 9-15, 18-25, 26-28, 34-44, 65-78, 79-90, 92-97 and 100-104 respectively).

<sup>1222</sup> 2090th mtg., paras. 29-31.

<sup>1223</sup> *Ibid.*, paras. 46-48 and paras. 58-61 respectively.

<sup>1224</sup> *Ibid.*, paras. 51-54.

<sup>1225</sup> *Ibid.*, paras. 109 and 110.

Decision of 8 March 1979 (2122nd meeting): resolution 445 (1979)

By a letter dated 14 February 1979 (S/13084),<sup>1226</sup> the representative of Equatorial Guinea, in his capacity as the Chairman of the African Group of States at the United Nations, transmitted the text of a statement made by the African Group at the United Nations that day, expressing dismay in connection with the reports of moves within the United States Congress to send an observer team to Southern Rhodesia to monitor the elections scheduled there in April 1979, under the so-called internal settlement constitution, which had already been rejected and condemned by the United Nations and the OAU.<sup>1227</sup>

In a further letter dated 28 February 1979,<sup>1228</sup> the representative of Equatorial Guinea, on behalf of the African Group of States at the United Nations requested the urgent convening of the Security Council to discuss recent developments in Southern Rhodesia.

At the 2119th meeting on 2 March 1979, the Council included the letter from the representative of Equatorial Guinea in its agenda, which was adopted without objection,<sup>1229</sup> and the matter was discussed at four meetings held from 2 to 8 March 1979.

In the course of those meetings the President, with the consent of the Council, invited the representatives of Angola, Benin, Botswana, Cuba, Ethiopia, Ghana, Sri Lanka and Yugoslavia, at their request, to participate in the discussion without the right to vote. Also, in accordance with requests from the representatives of Gabon, Nigeria and Zambia, and in the absence of objection from any member of the Council, the President extended an invitation under rule 39 to Mr. Callistus Ndlovu, representative of the Patriotic Front.<sup>1230</sup>

The representative of Ethiopia said that recent events in Southern Rhodesia had exacerbated the situation in that territory and increased the threat to international peace and security in the region: there was an intensification of the aggressive strikes against the neighbouring countries by the illegal régime in collusion with the *apartheid* régime of South Africa and now the illegal régime was arrogantly arranging to implement its self-devised constitution. He recalled that the Security Council had in its resolution 423 (1978) categorically rejected and condemned the so-called internal settlement; the Council could not therefore be expected to take any other action but to condemn the planned elections. He also appealed to the United Kingdom and the United States not to permit the sending of observer missions to monitor the elections, as that would tend to

lend legitimacy to the process and its results and thereby provide a pretext for lifting the sanctions.<sup>1231</sup>

Mr. Ndlovu reviewed the situation obtaining in the region and said that the Smith régime, having lost control of most of the country to the freedom fighters, had in desperation resorted to intensification of the repressive and discriminatory laws, brutal and genocidal prosecution of the war and unprovoked aggression against neighbouring countries. He alleged that the illegal régime was encouraged in its acts by the support it received from South Africa, and he called upon the international community to condemn that country for interfering in the internal affairs of Zimbabwe. He also blamed the Western countries for bolstering the illegal régime especially through their lax application of the sanctions.

With regard to the proposed elections, Mr. Ndlovu said that as part of the so-called internal settlement which had been rejected by the Security Council, they were illegal and unacceptable and could not in any case be fairly or democratically conducted. Consequently he called upon the Council to condemn the elections and to urge all countries not to have anything to do with them. He also appealed to the Council to condemn the illegal régime's raids into neighbouring countries, to warn South Africa against its interference in Zimbabwe and to tighten the sanctions against the illegal régime.<sup>1232</sup>

The representative of Portugal expressed his country's solidarity with those Front-line States that had been subjected to aggressive raids by the forces of the illegal régime. He also declared his Government's position to the effect that the régime in Southern Rhodesia was illegal and that his Government fully supported the sanctions imposed against it. Furthermore, his Government did not consider the scheduled elections as valid and would discourage any Portuguese persons from travelling to Southern Rhodesia as observers of those elections.<sup>1233</sup>

Several other speakers<sup>1234</sup> echoed and supported the pertinent points advanced by the representative of Ethiopia and by Mr. Ndlovu, emphasizing that the Security Council, in consistency with its earlier resolution 423 (1978), could not now condone the proposed elections, which must be considered illegal, and that the United Kingdom and the United States as proponents of the United Kingdom proposals should not be duped into embracing the so-called internal settlement by permitting observers from their countries to go and monitor those elections. Some of the speakers advocated that in view of the intransigence of the illegal régime, embellished by South Africa's support, the Security Council should not only strengthen the sanctions against the illegal régime but should also extend them to South

<sup>1226</sup> S/13084, *OR, 34th year, Suppl. for Jan.-March 1979*, p. 62.

<sup>1227</sup> Subsequently two other letters dated 9 and 16 April 1979, were received from the representatives of Zambia and Sri Lanka (the latter in his capacity as Chairman of the Co-ordinating Bureau of the Non-Aligned Countries) in connection with the proposed elections of the illegal régime's "constitution" (see S/13235 and S/13252, *OR, 34th year, Suppl. for April-June 1979*, pp. 26 and 41 respectively).

<sup>1228</sup> S/13121, *OR, 34th year, Suppl. for Jan.-March 1979*, p. 91.

<sup>1229</sup> 2119th mtg., preceding para. 2.

<sup>1230</sup> For details concerning these invitations, see chapter III.

<sup>1231</sup> 2119th mtg., paras. 8-19.

<sup>1232</sup> *Ibid.*, paras. 20-39.

<sup>1233</sup> *Ibid.*, paras. 144-147 and 2122nd mtg., paras. 5-21.

<sup>1234</sup> Botswana, Angola, Zambia, Gabon, Cuba, Czechoslovakia, USSR, Norway, China, Bangladesh, Jamaica, Kuwait, Ghana, Benin, Yugoslavia, Sri Lanka, Bolivia and Nigeria (2199th mtg., paras. 43-64, 67-90, 94-128, 131-141, 150-165, 2120th mtg., paras. 8-15, 26-38, 41-48, 63-67, 71-86, 90-100, 104-113, 121-134, 139-163, 2121st mtg., paras. 7-20, 24-34, 37-41 and 44-64, respectively).

Africa. Others expressed their conviction that in the circumstances only the armed struggle by the Patriotic Front, for which they advocated international support, offered any promise for resolving the Southern Rhodesian question. The President of the Council, speaking in his capacity as the representative of Nigeria, expressed disquiet at the stalled momentum on the United Kingdom proposals and wondered what had happened to the assurances of the United Kingdom and the United States in that regard. The representative of Cuba, recalling relevant passages from the Maputo final communiqué<sup>1235</sup> asserted that imperialism was actually attempting to prevent political and social change in Zimbabwe in order to perpetuate the colonial capitalist economy there.

The representative of the United Kingdom began by expressing his Government's condemnation of the recent attack by the illegal régime against neighbouring countries. He then stated his Government's view that the best prospect of resolving the Southern Rhodesian question lay in an attempt for a wider agreement involving both sides to the conflict. He also reaffirmed the commitment of the United Kingdom and the United States to bring about a peaceful transition to independence and majority rule through elections supervised by the United Nations as opposed to those being organized in Salisbury. On the question of observers he warned that his delegation would not accept a draft resolution attempting to interfere with the parliamentary democratic process or to circumscribe the rights of the British Parliament.<sup>1236</sup>

The representative of the United States addressed himself to the recent attacks by the illegal régime against neighbouring countries and said that those attacks were deplorable to his Government, and should be condemned by the Security Council.<sup>1237</sup>

At the 2122nd meeting on 8 March 1979 the Security Council voted on a draft resolution (S/13140) on the matter which had been submitted by Bangladesh, Bolivia, Gabon, Jamaica, Kuwait, Nigeria and Zambia. The draft resolution received 12 votes in favour to none with three abstentions (France, United Kingdom and United States) and was adopted as resolution 445 (1979), the text of which reads as follows:

*The Security Council.*

*Recalling* its resolutions on the question of Southern Rhodesia, and in particular resolutions 253 (1968), 403 (1977), 411 (1977), 423 (1978), 424 (1978) and 437 (1978),

*Taking note* of the statement of the African Group contained in document S/13084,

*Having heard* the statements of the representatives of Angola and Zambia,

*Having also heard* the statement of the representative of the Patriotic Front of Zimbabwe,

*Gravely concerned* over the indiscriminate military operations by the illegal régime and the extension of its premeditated and provocative acts of aggression, not only against neighbouring independent countries but also against non-contiguous States, resulting in wanton killings of refugees and civilian populations,

*Indignant* at the continued executions by the illegal régime in Southern Rhodesia of persons sentenced under repressive laws,

*Reaffirming* that the existence of the illegal racist minority régime in Southern Rhodesia and the continuance of its acts of aggression against neighbouring independent States constitute a threat to international peace and security,

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

*Gravely concerned* over the moves within certain States to send missions to observe the so-called elections in April 1979 organized by the illegal racist minority régime in Southern Rhodesia for the purpose of according it some legitimacy and thereby eventually lifting sanctions,

*Reaffirming* resolution 423 (1978), particularly its provisions declaring as illegal and unacceptable any internal settlement under the auspices of the illegal régime and calling upon all States not to accord any recognition to such a settlement,

*Bearing in mind* the responsibility of every Member State to adhere scrupulously to Security Council resolutions and decisions, and their responsibility to ensure that institutions and citizens under their jurisdiction will observe the same,

1. *Strongly condemns* the recent armed invasions perpetrated by the illegal racist minority régime in the British colony of Southern Rhodesia against the People's Republic of Angola, the People's Republic of Mozambique and the Republic of Zambia, which constitute a flagrant violation of the sovereignty and territorial integrity of these countries;

2. *Commends* the People's Republic of Angola, the People's Republic of Mozambique and the Republic of Zambia and other front-line States for their support of the people of Zimbabwe in their just and legitimate struggle for the attainment of freedom and independence and for their scrupulous restraint in the face of serious provocations by the Southern Rhodesian rebels;

3. *Requests* all States to give immediate and substantial material assistance to enable the Governments of the front-line States to strengthen their defence capability in order to safeguard effectively their sovereignty and territorial integrity;

4. *Requests* the administering Power to take all necessary measures to prevent further illegal executions in Southern Rhodesia;

5. *Condemns* all attempts and manoeuvres by the illegal régime, including its so-called elections of April 1979, aimed at retaining and extending a racist minority rule and at preventing the accession of Zimbabwe to independence and genuine majority rule;

6. *Declares* that any elections held under the auspices of the illegal racist régime and the results thereof will be null and void and that no recognition will be accorded either by the United Nations or any Member State to any representatives or organ established by that process,

7. *Urges* all States to refrain from sending observers to these elections and to take appropriate action to discourage organizations and institutions within their respective areas of jurisdiction from doing so,

8. *Requests* the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia to meet immediately to consider measures for strengthening and widening the sanctions against Southern Rhodesia and to submit its proposals not later than 23 March 1979;

9. *Decides* to meet, not later than 27 March 1979, to consider the report envisaged in paragraph 8 of the present resolution.

<sup>1235</sup> The final communiqué of the special session of the Co-ordinating Bureau of the Non-Aligned Countries held in Maputo, Mozambique, from 26 January to 2 February 1979 (see S/13185, *OR*, 34th year, *Suppl. for Jan.-March 1979*, p. 163)

<sup>1236</sup> 2120th mtg., paras. 18-22

<sup>1237</sup> *Ibid.*, paras. 116-118.

Following the vote, the representatives of the United Kingdom, Norway, the United States and France<sup>1238</sup> made statements in explanation of vote. The representative of the United Kingdom repeated that the language of the resolution seeking to circumscribe the rights of Parliament or to restrict the freedom of movement was unacceptable. The representatives of France and the United States shared that view. In addition, the representative of France objected to the apparent confused use of "resolutions" and "decisions" of the Security Council in the resolution. The representative of the United States said that, according to his delegation's understanding, the resolution just adopted did not endorse the use of force. He also affirmed that any constitutional arrangements emanating from Salisbury which did not involve all political parties concerned would not have the support of the United States. With regard to paragraph 3 of the resolution the representative of Norway stated that, in conformity with its established policy, his Government would continue to provide only humanitarian and economic assistance.

**Decision of 30 April 1979 (2143rd meeting): resolution 448 (1979)**

In a letter dated 26 April 1979,<sup>1239</sup> the representative of the Ivory Coast, in his capacity as Chairman of the African Group of countries at the United Nations requested the President to convene an urgent meeting of the Security Council to consider the recent developments in Southern Rhodesia.

At the 2142nd meeting on 27 April 1979 the Security Council included the letter from the representative of the Ivory Coast in its agenda,<sup>1240</sup> which was adopted without objection, and the matter was discussed at two meetings held on 27 and 30 April 1979.

In the course of those meetings the President, with the consent of the Council, invited the representatives of Botswana, India, the Ivory Coast, Kenya, Sri Lanka, the Sudan and Yugoslavia, at their request, to participate in the discussion without the right to vote. Also, in accordance with requests from the representatives of Gabon, Nigeria and Zambia and in the absence of any objection from any member of the Council, the President extended an invitation under rule 39 to Mr. Callistus Ndlovu, representative of the Patriotic Front.<sup>1241</sup>

At the 2142nd meeting the representative of the Ivory Coast said the Council had been requested to meet in order to consider the situation that had just arisen following the holding of elections<sup>1242</sup> in Southern Rhodesia which had been condemned by the Security Council

in its resolution 445 (1978). He recalled that the so-called internal settlement constitution itself, upon which the elections were based, had also been rejected by the Council in its resolution 423 (1977). He therefore appealed to the Council to reaffirm its position by condemning the elections and declaring them null and void.<sup>1243</sup>

Mr. Ndlovu, referring to his analysis of the elections presented earlier,<sup>1244</sup> described the conduct of those elections and sought to show that, apart from being illegal, they had been based on discriminatory premises and had been conducted in blatantly repressive and unfair conditions for the African voters. He reiterated that the elections just conducted would do nothing to change the situation in Zimbabwe especially with regard to the liberation war being waged by the Patriotic Front. He also warned against the involvement of South Africa which he said was attempting to link the solution of the Southern Rhodesian problem to that of Namibia. He therefore called upon the Council to reaffirm its rejection of the election, to call upon all Member States not to recognize them or the resulting régime and to denounce South Africa's policies.<sup>1245</sup>

The representative of Kenya, speaking on behalf of the Minister of Foreign Affairs of Kenya, Chairman of the OAU Council of Ministers at the time, affirmed that the elections were illegal, in any case, unfairly conducted and therefore unacceptable. Moreover, they could not bring peace to the country. The Council had thus a straightforward duty to reject them and instead urge Ian Smith and his colleagues to return to the negotiating table.<sup>1246</sup>

At the 2143rd meeting on 30 April 1979 the representative of Kuwait, after reviewing some press reports on the conduct of the elections, said that the Council could not condone elections conducted under emergency conditions, with no opposition allowed, and where the proposed new Government was set merely to perpetuate white supremacy. The Council should therefore reaffirm its earlier resolutions with regard to the elections and to the so-called internal settlement. In the course of his statement he introduced a draft resolution (S/13282) sponsored by the delegations of Bangladesh, Bolivia, Gabon, Jamaica, Kuwait, Nigeria and Zambia.<sup>1247</sup>

The representative of France, while admitting the elections had thrown the question of Southern Rhodesia into deeper confusion, reaffirmed his Government's position that the colonial territory of Southern Rhodesia was a special responsibility for the United Kingdom; France could not therefore associate itself with a draft resolution which did not permit an opportunity to the administering Power to handle its responsibilities first.<sup>1248</sup>

The representative of the United States reaffirmed that his Government still adhered to the United King-

<sup>1238</sup> See 2122nd mtg., paras. 24-31, 32, 33-38 and 39-40, respectively.

<sup>1239</sup> S/13276, OR, 34th yr., Suppl. for April-June 1979, p. 64.

<sup>1240</sup> 2142nd mtg., preceding para. 1.

<sup>1241</sup> For details concerning these invitations, see chapter III.

<sup>1242</sup> By a note dated 26 April 1979 the Permanent Mission of Benin to the United Nations transmitted the text of a statement entitled "The Elections of Ian Smith" consisting of an analytical and critical briefing presented by Mr. Callistus Ndlovu on the elections held in Southern Rhodesia in April 1979, under the constitution of the so-called internal settlement (see S/13217, OR, 34th year, Suppl. for April-June 1979, p. 64).

<sup>1243</sup> 2142nd mtg., paras. 7-15.

<sup>1244</sup> See footnote 1242.

<sup>1245</sup> 2142nd mtg., paras. 17-36.

<sup>1246</sup> *Ibid.*, paras. 85-93.

<sup>1247</sup> 2143rd mtg., paras. 5-15.

<sup>1248</sup> *Ibid.*, paras. 27-31.

dom proposals as the best and fairest solution to the problem of Southern Rhodesia. Quoting the United States Secretary of State he said that a broader solution required elections supervised by the United Nations. With regard to the draft resolution before the Council he reminded the Council that, according to United States law, the President of the United States had to determine whether the recent elections in Southern Rhodesia had been free and fair. Pending that determination the United States delegation could not take any position on the draft resolution and would therefore abstain on it, and would regard it as non-binding.<sup>1249</sup>

At the same meeting the seven-Power draft resolution was put to the vote and was adopted by 12 votes to none with three abstentions (France, the United Kingdom and the United States) as resolution 448 (1979), the text of which reads as follows:

*The Security Council,*

*Recalling* its resolutions on the question of Southern Rhodesia and in particular resolutions 253 (1968), 403 (1977), 411 (1977), 423 (1978), 437 (1978) and 445 (1979) reaffirming the illegality of the Smith régime,

*Having heard* the statement of the Chairman of the African Group,

*Having also heard* the statement of the representative of the Patriotic Front of Zimbabwe,

*Reaffirming* resolution 445 (1979), particularly its provision declaring that any elections held under the auspices of the illegal racist régime and the results thereof would be null and void and that no recognition would be accorded either by the United Nations or any Member State to any representative or organ established by that process,

*Gravely concerned* that the illegal racist minority régime in Southern Rhodesia proceeded with the holding of sham elections in the Territory in utter defiance of the United Nations,

*Convinced* that these so-called elections did not constitute a genuine exercise of the right of the people of Zimbabwe to self-determination and national independence and were designed to perpetuate white racist minority rule,

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

*Bearing in mind* the responsibility of every Member State to adhere scrupulously to Security Council resolutions and decisions, and their responsibility to ensure that institutions and citizens under their jurisdiction will observe the same,

1 *Strongly condemns* all attempts and manoeuvres by the illegal régime, including the so-called elections of April 1979, aimed at retaining and extending a racist minority rule and at preventing the accession of Zimbabwe to independence and genuine majority rule,

2 *Reaffirms* the so-called elections held under the auspices of the illegal racist régime and the results thereof to be null and void;

3 *Reiterates* its call to all States not to accord recognition to any representative of or organ established by that process and to observe strictly the mandatory sanctions against Southern Rhodesia.

Speaking after the vote, the representative of the United Kingdom repeated that his delegation could not accept a resolution that attempted to circumscribe the rights of Parliament or the freedom of its actions. However, he informed the Council that since the

elections the United Kingdom Secretary of State for Foreign and Commonwealth Affairs had announced his intention to send his special envoy to Africa again for the purpose of exploring the possibility of holding a conference to be attended by all parties to the conflict.<sup>1250</sup>

**Decision of 21 December 1979 (2181st meeting): resolution 460 (1979)**

By a letter dated 9 November 1979<sup>1251</sup> the Chairman of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia transmitted the text of a statement adopted by the Committee that day expressing grave concern about measures contemplated by the United Kingdom to discontinue in the near future the application of Council sanctions against the illegal régime in Southern Rhodesia, a matter which the Committee felt should more appropriately be left to the Council itself, which had instituted the sanctions in the first place.

By a letter dated 12 December 1979<sup>1252</sup> the representative of the United Kingdom informed the Council that on 3 December 1979 an order had been made providing for full resumption of United Kingdom authority over Southern Rhodesia. The foregoing arrangements were being worked out in the final stage of the constitutional conference on Southern Rhodesia under way at the time at Lancaster House, London. As a result, a British Governor had assumed his functions in Salisbury on 12 December and the state of rebellion had been brought to an end. Therefore, the United Kingdom Government held, the situation in Southern Rhodesia had been remedied and the obligations of Member States under Article 25 of the Charter had been discharged. Accordingly the United Kingdom was terminating the measures taken pursuant to the decisions adopted by the Security Council.

In a letter dated 14 December 1979<sup>1253</sup> the representative of Madagascar, in his capacity as Chairman of the African Group of countries at the United Nations, expressed the great concern felt by the African Group at the decision of the United Kingdom to cease to discharge its obligations with regard to the mandatory sanctions against Southern Rhodesia in resolution 253 (1968). The African Group considered the unilateral action of the United Kingdom to be illegal and completely unacceptable, and requested the Council to maintain its authority in the matter.

In a further letter dated 18 December 1979,<sup>1254</sup> the representative of the United Kingdom, referring to his earlier letter of 12 December, requested a meeting of the Council to consider the matter.

At the 2181st meeting on 21 December 1979, the Security Council included the two letters from the representative of the United Kingdom and the letter

<sup>1249</sup> *Ibid.*, paras. 139-142.

<sup>1250</sup> S/13617, *OR*, 34th yr., *Suppl for Oct.-Dec. 1979*, p. 61.

<sup>1251</sup> S/13688, *ibid.*, p. 119.

<sup>1252</sup> S/13693, *ibid.*, p. 131.

<sup>1253</sup> S/13698, *ibid.*, p. 137.

<sup>1249</sup> *Ibid.*, paras. 113-119.



from the representative of Madagascar in its agenda, which was adopted without objection,<sup>1255</sup> and considered the matter at that meeting.

In the course of that meeting the President with the consent of the Council, invited the representatives of Botswana, Cuba, Liberia, Madagascar, Mozambique and the United Republic of Tanzania, at their request, to participate in the discussion without the right to vote. Also, in accordance with requests from the representative of Kuwait and in absence of any objection from any member of the Council, the President extended an invitation under rule 39 to Mr. Clovis Maksoud.<sup>1256</sup>

At the beginning of the Council's deliberations the President drew attention to a draft resolution (S/13699), which he said had been prepared in the course of prior consultations.<sup>1257</sup> The Council then proceeded to vote on the draft resolution, which was adopted by 13 votes to none with two abstentions (Czechoslovakia and the USSR) as resolution 460 (1979), and the text of which reads as follows:

*The Security Council,*

*Recalling* its resolutions 232 (1966) of 16 December 1966, 253 (1968) of 29 May 1968 and subsequent related resolutions on the situation in Southern Rhodesia,

*Reaffirming* the provisions of General Assembly resolution 1514 (XV) of 14 December 1960,

*Noting with satisfaction* that the conference held at Lancaster House in London has produced agreement on the Constitution for a free and independent Zimbabwe providing for genuine majority rule, on arrangements for bringing that Constitution into effect and on a cease-fire,

*Noting also* that the Government of the United Kingdom of Great Britain and Northern Ireland, having resumed its responsibility as the administering Power, is committed to decolonizing Southern Rhodesia on the basis of free and democratic elections which will lead Southern Rhodesia to genuine independence acceptable to the international community in accordance with the objectives of resolution 1514 (XV).

*Deploring* the loss of life, the waste and the suffering caused by the fourteen years of rebellion in Southern Rhodesia,

*Conscious* of the need to take effective measures for the prevention and removal of all threats to international peace and security in the region,

1. *Reaffirms* the inalienable right of the people of Zimbabwe to self-determination, freedom and independence, as enshrined in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);

2. *Decides*, having regard to the agreement reached at the Lancaster House conference, to call upon Member States to terminate the measures taken against Southern Rhodesia under Chapter VII of the Charter pursuant to resolutions 232 (1966), 253 (1968) and subsequent related resolutions on the situation in Southern Rhodesia;

3. *Further decides* to dissolve the Committee established in pursuance of resolution 253 (1968) in accordance with rule 28 of the provisional rules of procedure of the Security Council;

4. *Commends* Member States, particularly the front-line States, for their implementation of its resolutions on sanctions against Southern Rhodesia in accordance with their obligation under Article 25 of the Charter;

5. *Calls upon* all Member States and the specialized agencies to provide urgent assistance to Southern Rhodesia and the front-line States for reconstruction purposes and to facilitate the repatriation of all refugees or displaced persons to Southern Rhodesia,

6. *Calls* for strict adherence to the agreements reached and for their full and faithful implementation by the administering Power and all the parties concerned;

7. *Calls upon* the administering Power to ensure that no South African or other external forces, regular or mercenary, will remain in or enter Southern Rhodesia, except those forces provided for under the Lancaster House agreement;

8. *Requests* the Secretary-General to assist in the implementation of paragraph 5 of the present resolution, particularly in organizing with immediate effect all forms of financial, technical and material assistance to the States concerned in order to enable them to overcome the economic and social difficulties facing them.

9. *Decides* to keep the situation in Southern Rhodesia under review until the Territory attains full independence.

After the vote the Secretary-General made a statement. He welcomed the formal signing that day in London of the constitutional agreement which he said had set in motion the process by which Southern Rhodesia would become free and independent under genuine majority rule. He also noted that the resolution just adopted had terminated the Security Council sanctions against Southern Rhodesia. During the subsistence of those sanctions, he further noted, certain countries in the region, particularly Zambia and Mozambique, had encountered enormous difficulties: their economic and social structures, like those of Southern Rhodesia itself, had been seriously disrupted and would, therefore, require massive international assistance for restoration. In the resolution the Security Council had appropriately addressed itself to that need. The Secretary-General assured the Council that, in consultation with the Governments concerned and with the appropriate international agencies, he would do everything possible to organize assistance to the front-line States and would soon enter into discussions with the new Government of Zimbabwe in order to organize an effective programme of financial, economic and technical assistance for the country. Finally, with regard to repatriation of refugees to Southern Rhodesia, he said that the United Nations High Commissioner for Refugees would act to facilitate such repatriation and settlement and was also willing to co-ordinate other international efforts to that end.<sup>1258</sup>

The representative of the United Kingdom said that his delegation was pleased to support a resolution that, among other things, had terminated the sanctions, although the United Kingdom had already considered them automatically terminated with the return of the colonial territory to legality. He then referred to the constitutional settlement of the Southern Rhodesian question achieved in London, which he regarded as an event of great historical importance, and paid tribute to all those involved in that achievement. Looking to the future he urged that all the parties to the agreement should honour their commitments so as to make the agreement a success. He also expressed the hope that due attention would be paid to the resettlement of the refugees in Zimbabwe and the restoration of the economic and social structure there.<sup>1259</sup>

<sup>1255</sup> 2181st mtg., preceding para. 1.

<sup>1256</sup> For details concerning these invitations, see chapter III.

<sup>1257</sup> 2181st mtg., para. 3.

<sup>1258</sup> *Ibid.*, paras. 6-15.

<sup>1259</sup> *Ibid.*, paras. 16-23.

The representative of Zambia also welcomed the constitutional agreement reached in London, which he said had been facilitated by the final communiqué adopted in August 1979 at Lusaka, Zambia, by the Commonwealth Heads of Government.<sup>1260</sup> He recalled how much Zambia had suffered through military attacks by the illegal régime and through its sacrificial application of the sanctions against the régime. He stated his Government's view that, contrary to the position of the United Kingdom and other countries that had acted unilaterally, the sanctions could only be abrogated by the Security Council itself. However, now that the Council had done so, he commended the Security Council Committee on sanctions for its work in monitoring the application of those sanctions, as well as those countries that had complied with them. He also urged the Council to warn South Africa to remove all its military forces and other personnel from Southern Rhodesia and against any contemplation that Government might harbour to intervene in Southern Rhodesia.<sup>1261</sup>

The representative of Mozambique reviewed the history of the struggle for independence in Zimbabwe and of the application of sanctions. He quantified some of the actual losses suffered by Mozambique in the process. He drew attention, however, to the difficulties soon to be encountered with the re-opening of the borders with Zimbabwe and stressed the need for international assistance to restore the damaged or disused means of communication in particular.<sup>1262</sup>

Mr. Maksoud said that the Arab Group of States and the League of Arab States joined the international community in welcoming the constitutional agreement reached in London, and expressed the hope that the lessons learnt over the Southern Rhodesian question might facilitate the struggle by the Palestinian people in their own cause.<sup>1263</sup>

The representatives of the United States and France similarly welcomed the constitutional resolution of the Southern Rhodesian issue and expressed the hope that all the parties concerned would act in good faith to promote a successful implementation of the agreement.<sup>1264</sup>

The representatives of Czechoslovakia and the USSR expressed some doubts about the agreement reached in London, and without any guarantee of a positive outcome of the substance of the agreement said to have been concluded, they felt that the termination of the sanctions by the Council was a premature move. For that reason they had decided to abstain on the draft resolution just voted on by the Council.<sup>1265</sup>

All the other speakers<sup>1266</sup> stressed similar points: concern about the implementation of the agreement concluded in London and anxiety about any sinister counter-moves by South Africa. Some of them looked at the agreement as a victory for the nationalist liberation forces of Zimbabwe and regarded it as an instructive lesson for the nationalist forces in Namibia, upon which matter they urged the Council to exercise close vigilance. Others maintained that the agreement had not absolved the United Kingdom of its primary responsibility for Southern Rhodesia and still looked to it for ensuring faithful implementation of the agreement; they also criticized the United Kingdom and the United States for their unilateral termination of the sanctions. Nevertheless, most of them regarded the London agreement as a welcome relief from a conflict of potential international proportions, and expressed satisfaction that the peaceful resolution of the crisis had reaffirmed the authority of the Security Council.

**Decision of 2 February 1980 (2196th meeting): resolution 463 (1980)**

By a letter dated 25 January 1980<sup>1267</sup> the representative of Malawi, in his capacity as Chairman of the African Group of Countries at the United Nations, and upon the instructions of the OAU, requested an urgent meeting of the Security Council to consider the situation in Southern Rhodesia which, he said, had arisen from gross violations by the United Kingdom Government of the constitutional agreement on Southern Rhodesia concluded in London in December 1979.

At the 2192nd meeting on 30 January 1980 the Council included the letter from Malawi in its agenda, which was adopted without objection,<sup>1268</sup> and the matter was considered at five meetings held from 30 January to 2 February 1980.

In the course of those meetings the President, with the consent of the Council, invited the representatives of Algeria, Botswana, Cuba, Egypt, Ghana, Kenya, Liberia, Malawi, Mozambique, Nigeria, Somalia, Uganda, the United Republic of Tanzania, Viet Nam, Yugoslavia and Zaire, at their request, to participate in the discussion without the right to vote. Also, in accordance with requests from the representatives of Nigeria, Tunisia and Zambia and in the absence of objection, the President extended invitations under rule 39 to Messrs. Tirivafi Kangai, Johnstone Makatini and Callistus Ndlovu.<sup>1269</sup>

The Minister for Foreign Affairs of Liberia, speaking on behalf of the Chairman of the OAU, said that the meeting had been called so that the Security Council and the international community might be informed of Africa's concern at the serious violations of the constitu-

<sup>1260</sup> By a letter dated 24 August 1979 the representative of Zambia had transmitted the text of the communiqué, which was issued as a document of the Security Council (see S/13515).

<sup>1261</sup> 2181st mtg., paras. 24-38.

<sup>1262</sup> *Ibid.*, paras. 153-190.

<sup>1263</sup> *Ibid.*, paras. 265-272.

<sup>1264</sup> *Ibid.*, United States (paras. 71-76), France (paras. 77-82).

<sup>1265</sup> *Ibid.*, Czechoslovakia (paras. 116-121), USSR (paras. 133-136).

<sup>1266</sup> *Ibid.*, Nigeria (paras. 40-63), Gabon (paras. 64-70), Bolivia (paras. 83-90), Bangladesh (paras. 92-103), Jamaica (paras. 104-112), Norway (paras. 113-115), Kuwait (paras. 122-132), Portugal (paras. 137-141), China (paras. 143-149), the United Republic of Tanzania (paras. 193-209), Madagascar (paras. 212-225), Liberia (paras. 229-236), Botswana (paras. 239-252), Cuba (paras. 254-261).

<sup>1267</sup> S/13764, *OR*, 34th year, *Suppl. for Jan.-March 1980*, p. 23.

<sup>1268</sup> 2192nd mtg., preceding para. 1.

<sup>1269</sup> For details concerning these invitations, see chapter III.

tional agreement concluded in London for solving the Southern Rhodesian question. He said that it was a matter of great irony that the United Kingdom, as the administering Power primarily responsible for upholding the agreement, should itself be the violator of that accord. Of the violations complained of he singled out the following which he said were arousing the greatest concern: the continued presence of South African troops and mercenaries in Southern Rhodesia; the partiality shown by the British Governor in his implementation of the agreement; the deployment of the Southern Rhodesian forces by the Governor instead of confining them to their bases, and the renewal by the Governor of the emergency regulations for a further period of six months, contrary to the spirit and intent of the agreement.

Expounding on those complaints the Minister for Foreign Affairs of Liberia said that, contrary to assurances and explanations given by the United Kingdom authorities, there were up to 6,000 South African military and police personnel all over Southern Rhodesia and not just a few confined to the protection of the Beit Bridge.<sup>1270</sup> The continuation of the martial law and the emergency regulations would perpetuate a climate of intimidation, and any elections conducted under those conditions could not be less objectionable than those held previously under the so-called internal settlement, which had been rejected by the international community. For all those reasons, he said, the African countries appealed to the Security Council to prevail upon the United Kingdom to implement scrupulously the London agreement, which the Patriotic Front of Zimbabwe had been induced to sign in expectation of good faith. In particular, he enumerated the following measures which, in the opinion of the African countries, were necessary to ensure a fair implementation of the agreement: immediate expulsion of all South African military and mercenary personnel from Southern Rhodesia; immediate confinement of Southern Rhodesian security and auxiliary forces to their bases; the release of all political prisoners, and the freedom of all Zimbabwe exiles to return to Southern Rhodesia without harassment. He concluded by reading the text of a message sent to the Prime Minister of the United Kingdom by the President of Liberia on 14 January 1980, in which similar pleas were made to the United Kingdom Government.<sup>1271</sup>

The representative of the United Kingdom denied that there had been a deterioration of the situation in Southern Rhodesia; he sought to show on the contrary that since the coming into effect of the London agreement there was mounting evidence of a return to normalcy in the territory. Nevertheless, he gave a detailed account of incidents perpetrated by various interested parties which, he acknowledged, were making implementation of the agreement difficult. But he pointed out that all such incidents were being handled

by the Electoral and Cease-fire Commissions on which all the interested parties were represented.

Addressing himself to the specific complaints raised by the African countries, the representative of the United Kingdom informed the Council that on that very day the South African military contingent had been withdrawn from the Rhodesian side of the Beit Bridge. On the question of deployment of the Southern Rhodesian auxiliary forces, he said that, while recognized as part of the Southern Rhodesian forces, they had been deployed in accordance with the London agreement in order to help the police monitor effectively the cease-fire. He noted however that some members of the Patriotic Front force had not scrupulously observed the requirement to stay at their assembly points.

He further explained that the Governor's decision to renew the emergency regulations had been taken with a view to dealing with acts of lawlessness and violence in the country as a whole. The same rationale had applied to the continuation of martial law over a large area of Southern Rhodesia; however, the martial law courts were no longer functioning and many martial law detainees had been released. With regard to the repatriation of Zimbabwe refugees he said that although the programme had not gone as smoothly as expected there was no complicity to deny the refugees their right of return; already some 4,000 had returned from Botswana and arrangements were under way for the return of those from Mozambique and Zambia. Finally he gave assurance that the Governor was acting properly and impartially although his task was a difficult one, noting how each of the interested parties had variously accused the Governor of partiality.<sup>1272</sup>

Mr. Kangai, speaking as representative of the Patriotic Front of Zimbabwe, commented on some of the principal complaints raised in the letter from Malawi and by the Minister for Foreign Affairs of Liberia, and added that, contrary to the assurance given by the representative of the United Kingdom, the Patriotic Front did not believe that all South African troops had left Southern Rhodesia. He claimed that the South African military personnel operating in Southern Rhodesia fell into three categories: those under direct South African command, those on secondment to the Southern Rhodesian forces and mercenaries. The Patriotic Front also rejected the deployment of the Southern Rhodesian auxiliary forces for monitoring the cease-fire, which it regarded as a clear violation of the London agreement. That was the duty of the Commonwealth observer forces, he said, which were also entrusted with monitoring the confinement of the forces of all the interested parties to their bases or assembly points.<sup>1273</sup>

Mr. Ndlovu similarly accentuated the complaints of the Patriotic Front. He enumerated a number of instances which the Patriotic Front considered as clear manifestations of favouritism to the Administration of the rejected internal settlement. He said that the continued presence of South African troops on Zim-

<sup>1270</sup> The bridge at the border point on the highway linking Southern Rhodesia and South Africa.

<sup>1271</sup> 2192nd mtg., paras. 13-34.

<sup>1272</sup> *Ibid.*, paras. 35-64.

<sup>1273</sup> 2193rd mtg., paras. 4-36.

babwe soil, apart from being contrary to the London agreement, constituted a serious threat to internal peace. He appealed to the Council to redress the complaints raised, otherwise, he warned, a serious confrontation would ensue, jeopardizing the peaceful settlement agreement that had been achieved at the London conference.<sup>1274</sup>

All the representatives of the other African countries that participated in the discussion<sup>1275</sup> repeated and reiterated with more or less emphasis the principal complaints raised against the implementation of the London agreement, and appealed to the Security Council to take the necessary measures to rectify the situation while there was still time. Many of them urged the Security Council to prevail upon the United Kingdom to adhere strictly to the provisions of resolution 460 (1979) and to ensure scrupulous implementation of the London agreement.

The representative of the USSR said<sup>1276</sup> that the statements made by the African representatives had borne out his delegation's doubts that the London agreement would ever be the basis for a peaceful resolution of the Southern Rhodesia question. He contended that the actions of the United Kingdom Government and of the Governor in Southern Rhodesia were deliberately intended to benefit those in power in the territory under the so-called and discredited internal settlement constitution. He claimed that such behaviour was in conformity with the design of certain Western countries to keep in power minority, racist régimes in southern Africa for the benefit of those countries and their transnational corporations. The views of the USSR delegation were supported by the representative of the German Democratic Republic.<sup>1277</sup>

The representative of China supported the various views and proposals put forward by the African representatives and urged the Security Council to give serious consideration to them. His delegation also urged that the Council should strongly condemn South Africa for its interference in Southern Rhodesia's internal affairs and call upon the administering Power to ensure immediate withdrawal of all the South African forces and mercenaries from the territory.<sup>1278</sup>

The representative of the United Kingdom made a further statement in reply to some of the statements made. He repeated that in conformity with the London agreement the Governor was entitled to call out the Rhodesian forces, which were themselves monitored, to monitor the cease-fire; but he also added that the deployment of the Rhodesian forces had been necessitat-

ed by the failure of the Zimbabwe African National Liberation Army (ZANLA)<sup>1279</sup> to assemble or remain at their assigned points. He pointed out, moreover, that there was a Cease-fire Commission established under the London agreement to which any relevant violations should be referred, rather than to the Security Council. He also denied the claims about the presence of South African forces in Southern Rhodesia apart from those recently withdrawn to the South African border of the Beit Bridge. On the contrary, he said, there were several military personnel of other nationalities, notably those of the Front for the Liberation of Mozambique, operating with ZANLA, which had not complied with the requirement to assemble at the assigned points. He concluded by informing the Council that, with regard to repatriation of the refugees, informal agreement had been reached as to the number of refugees expected to be repatriated daily from Botswana, Mozambique and Zambia. He also informed the Council that the United Kingdom Government had announced an allocation of £ 1.15 million to assist in such repatriation in response to the appeal by the United Nations High Commissioner for Refugees.<sup>1280</sup>

At the 2196th meeting on 2 February 1980 the Council had before it a draft resolution (S/13777/Rev.1) sponsored by the delegations of Bangladesh, Jamaica, Mexico, Niger, the Philippines, Tunisia and Zambia, which was put to the vote and was adopted by 14 votes to none (the United Kingdom did not participate in the voting) as resolution 463 (1980), which reads as follows:

*The Security Council,*

*Having considered the latest developments in Southern Rhodesia (Zimbabwe),*

*Recalling its resolutions on the situation in Southern Rhodesia, and in particular its resolution 460 (1979) of 21 December 1979,*

*Noting that the conference held at Lancaster House in London has produced agreement on the Constitution for a free and independent Zimbabwe providing for genuine majority rule, on arrangements for bringing that Constitution into effect and on a cease-fire,*

*Noting also that the Government of the United Kingdom of Great Britain and Northern Ireland, having resumed its responsibility as the administering Power, is committed to decolonizing Southern Rhodesia on the basis of free and democratic elections which will lead Southern Rhodesia to genuine independence acceptable to the international community, in accordance with the objectives of General Assembly resolution 1514 (XV) of 14 December 1960,*

*Concerned at the numerous violations of the terms of the Lancaster House agreement,*

*Reaffirming the need for strict compliance with the terms of paragraph 7 of resolution 460 (1979), which called upon the administering Power to ensure that no South African or other external forces, regular or mercenary, would remain in or enter Southern Rhodesia, except those forces provided for under the Lancaster House agreement,*

1. *Reaffirms the inalienable right of the people of Zimbabwe to self-determination, freedom and independence, as enshrined in the Charter of the United Nations and in conformity with the objectives of General Assembly resolution 1514 (XV);*

2. *Calls upon all parties to comply with the Lancaster House agreement,*

<sup>1274</sup> 2195th mtg., paras. 120-142.

<sup>1275</sup> The representatives of the United Republic of Tanzania (2192nd mtg., paras. 67-98); Mozambique (*ibid.*, paras. 101-128); Malawi (*ibid.*, paras. 130-147); Egypt (*ibid.*, paras. 149-157); Botswana (*ibid.*, paras. 159-181); Zambia (2193rd mtg., paras. 37-80); Somalia (2194th mtg., paras. 4-18); Niger (*ibid.*, paras. 49-58); Algeria (*ibid.*, paras. 104-126); Zaire (*ibid.*, paras. 169-189); Nigeria (2195th mtg., paras. 12-30); Tunisia (*ibid.*, paras. 33-42); Ghana (*ibid.*, paras. 75-89); Kenya (*ibid.*, paras. 93-98) and Uganda (*ibid.*, paras. 110-117).

<sup>1276</sup> 2194th mtg., paras. 59-88.

<sup>1277</sup> 2193rd mtg., paras. 81-94.

<sup>1278</sup> 2194th mtg., paras. 159-167.

<sup>1279</sup> A component of the armed forces of the Patriotic Front of Zimbabwe.

<sup>1280</sup> 2195th mtg., paras. 144-166.

3. *Calls upon* the administering Power to ensure the full and impartial implementation of the letter and spirit of the Lancaster House agreement;

4. *Calls upon* the Government of the United Kingdom of Great Britain and Northern Ireland, while noting its announcement that the South African troops have been withdrawn from the Beit Bridge, to ensure the immediate, complete and unconditional withdrawal of any other South African forces, regular or mercenary, from Southern Rhodesia;

5. *Calls upon* the Government of the United Kingdom to take all necessary steps in order to ensure that eligible Zimbabwe nationals will freely participate in the forthcoming electoral process, including:

(a) The speedy and unimpeded return of Zimbabwe exiles and refugees in conformity with the Lancaster House agreement;

(b) The release of all political prisoners;

(c) The strict compliance by all the forces with the terms of the Lancaster House agreement and the confinement forthwith of the Rhodesian and auxiliary forces to their bases in conformity with that agreement;

(d) The according of equal treatment to all parties to the agreement;

(e) The rescinding of all emergency measures and regulations inconsistent with the conduct of free and fair elections;

6. *Calls upon* the Government of the United Kingdom to create conditions in Southern Rhodesia which will ensure free and fair elections and thereby avert the danger of the collapse of the Lancaster House agreement, which could have serious consequences for international peace and security;

7. *Calls upon* the Government of the United Kingdom to release any South African political prisoners, including captured freedom fighters, in Southern Rhodesia and to ensure their safe passage to any country of their choice;

8. *Strongly condemns* the racist régime in South Africa for interference in the internal affairs of Southern Rhodesia;

9. *Calls upon* all Member States to respect only the free and fair choice of the people of Zimbabwe;

10. *Decides* to keep the situation in Southern Rhodesia under review until the Territory attains full independence under genuine majority rule.

Following the vote the representative of the United Kingdom explained his delegation's non-participation in the vote, explaining that the draft resolution was unbalanced and selective, and purported to give guidance on the United Kingdom's administration of its colonial territory otherwise than in accordance with the terms of the London agreement; the United Kingdom delegation could not associate itself with such a resolution.<sup>1281</sup>

The representative of the United States said that, although difficulties had occurred during the implementation of the London agreement, it was necessary for the parties concerned to build on the positive elements that had so far emerged. He exhorted all others not party to the agreement to exercise patience and exhibit forbearance in their criticism. In explanation of vote he said that he understood that the resolution just adopted called on the United Kingdom and the parties concerned to play their part in implementing the agreement, but his delegation did not accept charges of violations of that agreement.<sup>1282</sup>

The representative of Portugal said that his delegation had supported the resolution because it reflected the apprehension of the world community about the

developments in Southern Rhodesia, but that his delegation had trust in the ability of the United Kingdom to implement the London agreement impartially.<sup>1283</sup>

#### THE SITUATION IN SOUTH AFRICA: KILLINGS AND VIOLENCE BY THE APARTHEID RÉGIME IN SOWETO AND OTHER AREAS

**Decision of 19 June 1976 (1930th meeting): resolution 392 (1976)**

By letter<sup>1284</sup> dated 18 June 1976 addressed to the President of the Security Council, the representatives of Benin, the Libyan Arab Republic and the United Republic of Tanzania, in accordance with the decision of the African Group, requested an emergency meeting of the Security Council to consider the measures of repression, including wanton killings, perpetrated by the *apartheid* régime in South Africa against the African people in Soweto and other areas in South Africa.

By telegram<sup>1285</sup> dated 18 June 1976 addressed to the Secretary-General, the President of Madagascar, in view of the outburst of violence in Soweto and several other places in South Africa, requested the Secretary-General to convene the Security Council as a matter of urgency and to call upon all nations, particularly the developed countries, to implement the relevant resolutions of the General Assembly and the Security Council.

At the 1929th meeting on 18 June 1976, the Council included the item in its agenda.<sup>1286</sup> In the course of the discussions the President, with the consent of the Council, invited the representatives of Algeria, Cuba, India, Liberia, Madagascar, South Africa, the United Republic of Cameroon, Yugoslavia and Zambia, at their request, to participate in the discussion without the right to vote.<sup>1287</sup>

The Council also extended invitations under rule 39 of the provisional rules of procedure to Mr. Trami Mhlambiso of the African National Congress of South Africa and Mr. David Sibeko of the Pan Africanist Congress of Azania.<sup>1288</sup>

The question was considered at the 1929th and 1930th meetings, held on 18 and 19 June 1976.

At the 1929th meeting the representative of Liberia, speaking on behalf of the African Group, stated that the events in Soweto were reminiscent of what took place in Sharpeville in 1960, constituted a violation of human rights and had become the concern of the international community. She pointed out that the African States condemned the atrocities by the Pretoria régime, which had resulted in the deaths of hundreds of innocent people, including children, and called on the Security Council to take bold and positive action against South Africa which for the past 30 years had flouted resolutions of both the Security Council and the General Assembly.<sup>1289</sup>

<sup>1283</sup> *Ibid.*, paras 72 and 73.

<sup>1284</sup> S/12100, *OR, 31st yr., Suppl for April-June 1976*, p. 64.

<sup>1285</sup> S/12101, *ibid.*

<sup>1286</sup> 1929th mtg., preceding para. 1.

<sup>1287</sup> For details, see chapter III.

<sup>1288</sup> *Ibid.*

<sup>1289</sup> 1929th mtg., paras 6-17.

<sup>1281</sup> 2196th mtg., paras 5 and 6.

<sup>1282</sup> *Ibid.*, paras 34-43.