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PART ONE - THE POLITICAL EVOLUTION OF SOUTHERN RHODESIA

I - General Outline of Conditions in the Territory

The colony of Southern Rhodesia 1/ comprises an area of 150,820 square miles (389,115 square kilometres). It borders with Zambia on the north-west, Botswana on the south-west, the Republic of South Africa on the south and Mozambique on the east.

The population of Southern Rhodesia was estimated in 1973 to be six million of whom 5,700,000 were classified as Africans, 271,000 as Europeans, 19,000 as Coloured (i.e. of mixed European and African descent) and 9,700 as Asians.

Southern Rhodesia has important natural resources particularly copper, chrome, iron, asbestos, tin, nickel, gold and other minerals. The temperate nature of the climate that prevails in the high plateau provides a fertile soil for the cultivation of a large variety of crops, in particular tobacco - the territory's principal export before 1965 - maize, cotton, ground-nuts, sugar, wheat, etc.

II - Summary of events prior to the illegal Declaration of independence

Rule by Chartered Company

The colonization of Southern Rhodesia began in 1888 when J.S. Moffat, emissary of the British High Commissioner for South Africa, signed a treaty with the Matabele king Lobengula, under which the Matabele king undertook not to enter into any correspondence or treaty with any foreign State without the consent of Her Majesty's High Commissioner for South Africa. Such an agreement was immediately regarded by the High Commissioner as having brought the "Lobengula country 2/ within the sphere of exclusive British interests". 3/

1/ Named after Cecil Rhodes, Southern Rhodesia is called Zimbabwe by the African Nationalists. In 1965 following the independence of the former British protectorate of Northern Rhodesia as Zambia, the white minority régime in Southern Rhodesia purported to change the name of the territory to "Rhodesia". The United Nations and the British Government have not accepted the change and the territory continues to be known officially in the United Nations as Southern Rhodesia.

2/ Britain recognized Lobengula as ruler of both Matabeleland and Mashonaland.

3/ Telegram of 1 August 1888 from Sir Hercules Robinson to the South African Republic quoted in Claire Palley: The Constitutional History of Southern Rhodesia 1888-1965, Clarendon Press, Oxford, page 8.

No sooner had the treaty been ratified that agents of Cecil Rhodes led by C.D. Rudd, arrived at Lobengula's court and on 30 October 1888 obtained from him and his Council of Indunas a Concession that was to become known as the Rudd Concession, which gave the concessionaires and their assigns "the exclusive charge over all metals and minerals situated and contained in my kingdoms, principalities and dominions together with full power to do all things they may deem necessary to win and procure the same".^{4/} In return the concessionaires promised Lobengula £ 100 per lunar month, a thousand breech-loading riflers, 100,000 suitable ball cartridges and an armed steamship for use on the Zambezi. ^{5/}

In October 1889, on the strength of the Rudd Concession, Cecil Rhodes' British South African Company was chartered. The provisions included the right to administer and govern in the region to the north of British Bechuanaland and of the then South African Republic ^{6/} and to the west of Portuguese East Africa.

Southern Rhodesia was to remain under the rule of a commercial company until 1923. The temperate climate, its fertile land and its assumed gold wealth meant that Southern Rhodesia was, from the start, regarded as a colony of settlement.

The difference between "colonies of settlement" and "colonies of exploitation" were thus summarized in 1893 by the British colonial administrator Sir Harry Johnston in relation to Africa. "Africa south of the Zambeze must be settled by the white race and that Africa which is within the tropics must be ruled by whites, developed by indians and worked by blacks". While tropical (British) Africa was to be ruled from Downing Street, "in districts where climatic conditions encourage true colonization, there undoubtedly the weakest must go to the wall and the black man must pay for the unprogressive turn his ancestors took some thousands of years ago; there the direct rule of Downing Street may cease". ^{7/}

The first European settlers arrived in 1890. There soon followed a series of wars first in 1893 and 1896 with the Matabele who occupied the south-western part of the country, then with the Mashona to the north and east in 1897 which ended with the subjugation of both peoples to the Company's rule. Henceforward, the relationship between the two races was to be that between masters and servants. Large portions of land were forcibly taken over by the Company and by the settlers so that by 1913 the 24,000 whites in the Territory owned roughly the same amount of land than the 750,000 Africans. From the beginning the

^{4/} Quoted by C. Palley, *op.cit.*, page 29. Lobengula attempted unsuccessfully to revoke the Concession shortly afterwards, and later, on numerous occasions.

^{5/} *Ibid.*

^{6/} The name under which the Boer Republic of the Transvaal was known between 1884 and 1901.

^{7/} Quoted by Philip Mason in his book The Birth of a Dilemma, Oxford U.P. 1958, page 214.

only elected members of the Legislative Council set up in 1897 were white; racial segregation was imposed, 8/ passes were introduced in 1895 and became obligatory by 1910 for "every adult male native", while the first Education Ordinance in 1899 dealt solely with Europeans. The task of educating the Africans was left to the missionaries and even then the Salisbury Chamber of Mines in February 1903 felt compelled to request that "restrictions be placed on the present system of christianizing natives, owing to injurious effects accruing therefrom, and the utility of labour and generally economic principles be substituted". 9/ In 1905 Colonel Napier moved in the Legislative Council that the annual grant of £1,500 to the missions for native education be reduced to £1,000 as the "uneducated native was the most honest, trustworthy and useful". 10/

"Self-governing" colony

In 1922 a referendum was organized by the British government to determine whether Southern Rhodesia was to join the Union of South Africa or to be linked directly to London as a Crown colony enjoying "responsible government". The overwhelming European electorate - approximately 60 Africans out of a total population of one million were eligible to vote - decided by 8,774 votes to 5,989 against joining South Africa.

The colony of Southern Rhodesia came into being in October 1923. The Constitution of 1923, granted by Letters Patent, though in appearance providing for a non-racial franchise, in fact placed power in the hands of the settlers since the property and educational qualifications required to vote were such as to effectively disfranchise the overwhelming majority of the Africans. In 1953, for instance, only 450 Africans were on the electoral roll. No African was ever elected to the Legislature during the lifetime of the 1923 Constitution.

Contrary to the myth that was to be propagated later, the Constitution of 1923 did not grant Southern Rhodesia full internal self-government. 11/ In fact the powers retained by the United Kingdom Government and Parliament under the Constitution were extensive and included the powers of disallowance and of reservation. Amongst the bills passed by the Colonial Legislature which the Governor of Southern Rhodesia was required to reserve "for the signification of His Majesty's pleasure" (acting on the Colonial Secretary's advice) were "those whereby natives may be subject or made liable

8/ In 1904 Colonel Napier, a member of the Legislative Council moved that Municipalities should be empowered to make bye-laws "to restrain natives of Africa from making use of such parts of the street and roads as are set aside for public foot paths" thus ensuring that they walked only on the roadway. Mason, Op. cit. page 252.

9/ Ibid.

10/ Ibid.

11/ Claire Palley, Op.cit., chapters 11 and 12.

to any conditions, disabilities or restrictions to which persons of European descent are not also subjected or made liable". 12/ Nevertheless these residual powers were not exercised by the United Kingdom Government which assented even to the passing of the Land Apportionment Act in 1930 which consolidated the system of social and racial segregation in the colony by creating a European area totalling half of the country. 13/ It was this passivity on the part of the Imperial Power that was to enable the Southern Rhodesian minority government to claim and the British Government to accept later on that a "convention" had grown preventing the British Government from interfering in matters within the competence of the Southern Rhodesia Legislature.

In 1953 the Federation of Rhodesia and Nyasaland was established by the British Government linking the Protectorates of Northern Rhodesia (now Zambia) and Nyasaland (now Malawi) with Southern Rhodesia. Although a sizable section of the European population in Southern Rhodesia opposed the Federation on the basis that it would diminish the ratio of whites to blacks and would consequently lead to too rapid an increase in the political power of Africans, the majority supported it in the belief that it would strengthen settler control of Central Africa and of its mineral wealth and would eliminate the influence of the Colonial Office in London. 14/ For the same reasons African nationalist opinion was from the beginning opposed to the Federation which was to collapse ten years later under combined nationalist pressure in the three territories.

Birth of the African Nationalist Movement

The first of modern nationalist parties in Southern Rhodesia was the African National Congress (ANC) which was formed in 1957 with Joshua Nkomo as President and James Chikerema as Vice-President. The ANC immediately set about to fight against the many forms of discrimination prevailing in Southern Rhodesia in the political, economic and educational spheres. The Southern Rhodesian Government, then headed by Sir Edgar Whitehead, concerned at the growing impact of the ANC amongst the African masses, banned it in February 1959 and had its leaders detained. The ANC's successor, the National Democratic Party (NDP), was banned in December 1961, three days after the coming into force of the 1961 Constitution. The new party formed by Mr. Nkomo, to replace the NDP, the Zimbabwe African People's Union (ZAPU) was in turn banned in September 1962. Since then, ZAPU, together with the Zimbabwe African National Union (ZANU) formed in 1963 by the Reverend Ndabadingi Sithole and other leaders who had broken away from ZAPU, remained, though both outlawed, the two main African nationalist organizations until their merger in December 1974 into the African National Council (ANC), a movement originally set up in 1971 under the leadership of Bishop Abel Muzorewa to fight the Smith/Home proposals. 15/ Both Mr. Nkomo and the Reverend N. Sithole were to remain

12/ Section 28 of the Constitution.

13/ At present the European area totals 44,900,000 acres, and the African area 45,200,000 with 6,500,000 reserved as national land (see Table I below).

14/ The Southern Rhodesian electorate endorsed the Federation by 25,570 votes to 14,729.

15/ See below page 11-12.

in detention or in prison from 1964 until their release in December 1974.

The 1961 Constitution and its aftermath

At the end of 1960 as it became evident that the Central African Federation was doomed, 16/ a Constitutional Conference was held in London and Salisbury to discuss Southern Rhodesia's future. It resulted in the granting of a new Constitution under which the British Government surrendered most of its powers of disallowance and reservation as well as most of its other powers held but practically never exercised under the 1923 Constitution. In return Sir Edgar Whitehead's Government accepted the inclusion of a Declaration of Rights and new franchise based on educational, property and income qualifications which would result in a Legislative Assembly composed of 50 European and 15 African members 17/ and which theoretically was supposed to bring about transition to African majority rule over an indeterminate period of years. The Constitution, which was accepted in a referendum by the European electorate by a margin of two to one, 18/ was rejected by the African nationalists as providing only for token African representation while maintaining the existing segregationist and repressive legislation. 19/ It should be stressed that under section III of the 1961 Constitution the United Kingdom still retained important powers to amend, add, or revoke major sections of the Constitution. 20/

The first elections under the 1961 Constitution, which were boycotted by the Africans, were held in December 1962 and resulted in the defeat of Sir Edgar Whitehead's party at the hands of the right-wing Rhodesian Front campaigning on a platform of independence for Southern Rhodesia under European rule.

16/ A Royal Commission under the Chairmanship of Viscount Monckton had reported that the Federation in its existing form could not be maintained and had recommended that each territory be granted the right to secede from the Federation.

17/ For details concerning the Franchise under the 1961 Constitution see Annex I below.

18/ The opposition amongst the white electorate came largely from supporters of the Dominion Party, renamed Rhodesian Front in March 1962, which criticized the 1961 Constitution as too "liberal".

19/ Including the hated Land Apportionment Act.

20/ See Palley, Op. cit., pages 708-711.

The Five Principles and Unilateral Declaration of Independence

Immediately after taking office the Rhodesian Front Government began to pursue its aim of an independent white ruled Southern Rhodesia. Between 1963 and November 1965 talks were held between the Government of the United Kingdom and the Government of Southern Rhodesia. Both, the Conservative Government (1963-1964) and the Labour Government (1965) stated their willingness to grant independence to Southern Rhodesia if certain essential requirements were met. 21/ These requirements eventually formed the basis of the talks between the United Kingdom and Southern Rhodesia and became known as the Five Principles, which successive British governments before November 1971 regarded as the basic precondition for the granting of independence to Southern Rhodesia. The Five Principles were: 22/

1. The principle and intention of unimpeded progress to majority rule would have to be maintained and guaranteed;
2. There would also have to be guarantees against retrogressive amendment of the Constitution;
3. There would have to be immediate improvement in the political status of the African population;
4. There would have to be progress towards ending racial discrimination;
5. The British Government would need to be satisfied that any basis proposed for independence was acceptable to the people of Southern Rhodesia as a whole.

Disagreement between the Rhodesian Front Government and the United Kingdom over those principles resulted in a stalemate and Mr. Ian Smith, who had become the Colony's Prime Minister in April 1964, unilaterally declared Southern Rhodesia independent (UDI) on 11 November 1965.

III - Developments following the illegal Declaration of independence

International reaction to UDI

The unilateral declaration of independence by the settler authorities in Southern Rhodesia met with the immediate and unanimous condemnation of the world community. The actions taken by the United Nations are detailed below (see Part Two). Suffice it to say here that within twenty-four hours of

21/ Rhodesia: Proposals for Settlement, HMSO, November 1971, Cmnd. 4835 reproduced in United Nations doc. S/10405.

22/ Ibid., page 3.

the declaration, it had been condemned by a virtually unanimous vote of the General Assembly 23/ and of the Security Council. 24/ Apart from calling on all States not to recognize the minority régime, the Security Council imposed economic sanctions on Southern Rhodesia, first optional in November 1965, later mandatory but selective in December 1966, finally comprehensive and mandatory in May 1968. Sanctions had failed by July 1975 to bring down the Smith régime largely owing to the defiance of South Africa and of the Salazar-Caetano régime in Portugal, to the open and furtive violations by other states and to the laxity of many governments in pursuing the implementation of sanctions. 25/

British reaction to UDI

In keeping with repeated declarations by the British Prime Minister and, other Cabinet ministers, made before the Unilateral Declaration of Independence that the United Kingdom would not use force to quell a rebellion by the white minority government, the British Government refused after UDI to take military action against the rebel régime as requested by the United Nations General Assembly 26/ on the grounds that it wished to avoid bloodshed. 27/ Offers by Zambia to make available her territory for British military intervention in Southern Rhodesia were rejected by the United Kingdom.

On the other hand the British government took the issue to the Security Council, 28/ though in the past it had expressed reservations about United Nations competence in the Southern Rhodesian question and had refused to participate in the votes on the resolutions adopted on the subject by the General Assembly. 29/

23/ General Assembly resolution 2024 (XX) was adopted by a vote of 107 to two (Portugal and South Africa) with one abstention (France).

24/ Security Council resolution 216 (1965) was adopted by 10 votes to none with one abstention (France).

25/ See the successive reports of the Security Council Committee established in pursuance of resolution 253 (1968) concerning the question of Southern Rhodesia and, in particular, the seventh report (S/11594 and Add.1-3). See also pages 34-37 below.

26/ General Assembly resolution 2022 (XX).

27/ By contrast the Archbishop of Canterbury stated at a meeting of the British Council of Churches in October 1965: "If our government thought it practicable and desirable to use force in discharging not a new, but a continuing obligation to Rhodesia, then as Christians we have to say that it will be right to use force to that end". The Times, 27 October 1965.

28/ See below page 28.

29/ Ibid, pages 25-27.

In a separate move the British Government instructed the Governor of Southern Rhodesia to dismiss Mr. Smith and his colleagues. When Mr. Smith refused the Governor's request, the British Government asked Southern Rhodesian civil servants to remain at their posts but to refrain from supporting the Smith régime.

Furthermore under powers conferred by Parliament 30/ to Her Majesty to suspend, amend or revoke any provisions of the 1961 Constitution an Order-in-Council was issued 31/ providing that any action taken in purported promulgation of any Constitution in Southern Rhodesia was void and of no effect, 32/ and prohibiting the making of any laws or the transacting of any business by the Southern Rhodesia legislature. All legislative and executive power was vested in Her Majesty and in the Secretary of State for Commonwealth Affairs 33/ and in the Governor acting on Her behalf.

Concurrently with these actions the British Government adopted a series of economic measures resulting by January 1966 in the banning of all imports from and virtually all exports to the colony. Nevertheless Britain refused to countenance an African demand in the Security Council for the imposition of comprehensive mandatory sanctions against Southern Rhodesia. 34/ Likewise while willing to request Security Council authorization to use the Royal Navy to prevent the arrival at Beira of vessels "reasonably believed" to be carrying oil destined for Southern Rhodesia, 35/ the United Kingdom refused on the other hand to support any move in the Security Council that would have extended the oil blockade of Beira to Lourenco Marques and other South African ports which thus became the main source of supply to Southern Rhodesia. 36/

Talks between the United Kingdom and the rebel régime

Although Mr. Harold Wilson had declared in the House of Commons at the time of UDI that his government would have no dealings with the rebel régime, both the Labour government (1965-70) and its Conservative successor (1970-74), made several attempts to arrive at a negotiated settlement with Mr. Smith.

30 Southern Rhodesia Act 1965.

31/ The Southern Rhodesia (Constitution) Order, 1965.

32/ Annexed to the "Proclamation of Independence" was a "Constitution of Rhodesia 1965" which the Smith Cabinet purported to "adopt, enact and give to the people of Rhodesia".

33/ Now, the Secretary of State for Foreign and Commonwealth Affairs.

34/ See below pages 28-29.

35/ Security Council resolution 221(1970).

36/ See draft resolution contained in doc. S/7285/Add.1 sponsored by Mali, Nigeria and Uganda. The resolution failed to receive the required number of affirmative votes in the Council. See footnote 105 below.

Two tentative agreements were arrived at by Mr. Wilson and Mr. Smith at H.M.S. "Tiger" and at H.M.S. "Fearless" in December 1966 and October 1968 respectively providing for Southern Rhodesia's independence under a white minority government based on a constitution with a qualified franchise which held out the prospect of eventual majority rule. 37/ The draft agreements were subsequently rejected by Mr. Smith's "Cabinet" on the latter's return to Salisbury.

Contacts between Mr. Wilson's government and the rebel régime were maintained after the collapse of the Fearless talks but were suspended following the purported publication and subsequent adoption in June 1969 of a republican "Constitution", 38/ which decreased the number of directly elected African members of the "House of Assembly" from 15 to 8 and eliminated whatever remote perspective existed of a gradual transition to African majority rule.

In November 1970, a few months after the Conservative Party had taken office in Britain, contacts were resumed between the government of the United Kingdom and the Southern Rhodesian illegal authorities. In November 1971 the then British Foreign and Commonwealth Secretary, Sir Alec Douglas Home flew to Salisbury to undertake negotiations with Mr. Ian Smith and a provisional agreement was eventually reached on proposals for a settlement.

The agreement provided for the modification of the 1969 "Constitution" by introducing an intricate franchise system 39/ which was supposed to lead one day to African majority rule. In keeping with the last of the Five Principles 40/ the proposals for a settlement were only to be confirmed and implemented after the British Government had satisfied themselves that they were acceptable to the people of Southern Rhodesia as a whole. Accordingly a Commission was appointed by the British Government with Lord Pearce, a retired senior judge, as Chairman to go to Southern Rhodesia to canvass the views of "all sections" of Southern Rhodesian opinion regarding the draft agreement. 41/

The Pearce Commission visited Southern Rhodesia from 11 January to 11 March 1972 and concluded that "European individuals and organizations are generally in favour of the terms; so too are Asian and Coloured individuals and organizations. Equally clearly African individuals and organizations are

37/ The General Assembly repeatedly called upon the United Kingdom not to grant independence to Southern Rhodesia unless it was preceded by the establishment of a government based on free elections by universal adult suffrage and on majority rule, (Resolutions 2138 (XXI), 2262 (XXII) and 2379 (XXIII)).

38/ Under the purported 1965 "Constitution" Queen Elizabeth II remained theoretically the Head of State and was "represented" in Southern Rhodesia by an "Officer Administering the Government" appointed by the Smith régime.

39/ See Annex II below.

40/ See above page 8.

41/ Rhodesia: Proposals for a Settlement, London, HMSO, Cmd. 4835, November 1971, page 6.

generally opposed to the Proposals". ^{42/} According to the Pearce Commission one of the many reasons for the African rejection of the Proposals was that "no Africans had been involved in the negotiations: they were therefore not a party to them." ^{43/}

Contacts between Mr. Smith and the African National Council

In the light of the African rejection of the Anglo-Rhodesian provisional agreement the British Government concluded that no settlement could be reached on the Southern Rhodesian problem unless there was advance agreement on the proposals between the Africans and Europeans of Southern Rhodesia. Contacts between the African National Council (ANC), which had been established at the time of the Pearce Commission to oppose the Home/Smith agreement, and the Smith régime were opened in 1973 and a series of talks between the ANC leader Bishop Abel Muzorewa and Mr. Ian Smith were held. They too were fruitless, a set of proposals put forward by the illegal régime in May 1974 being rejected by the Central Committee of the ANC on the grounds that under them the Africans would attain equal representation with Europeans in Parliament between forty and sixty years time.

Effects of the downfall of the Caetano régime in Portugal

In the meantime the authoritarian régime of President Tomaz and Premier Caetano was overthrown in Portugal on 25 April 1974 and a new régime came to power pledged to negotiate with the liberation movements in Portugal's African territories. Negotiations in Lusaka between members of the Portuguese government and FRELIMO led to an agreement signed on 7 September 1974 under which Mozambique would accede to independence on 25 June 1975. ^{44/}

Because of geographic and related factors, Southern Rhodesia's political future is closely bound up with that of the newly independent state of Mozambique. The two countries share a common border which extends roughly north to south for some 800 miles. Moreover, landlocked Rhodesia's most vital road and rail routes to the sea traverse Mozambican territory and terminate at the Indian Ocean ports of Beira and Lourenco Marques. ^{45/}

^{42/} Rhodesia: Report of the Commission on Rhodesian Opinion, London, HMSO, Cmnd. 4964, May 1972, page 74.

^{43/} Ibid. page 82.

^{44/} See "Decolonization" Vol.I No.2.

^{45/} Additional, though much longer and more expensive, access routes to the sea pass through Botswana and South African territory.

The probability of Southern Rhodesia's losing these routes after Mozambique became independent, together with other factors to be discussed below, caused great concern and anxiety in Salisbury. Some South African observers have from the start been quite candid about the implications for Southern Rhodesia of developments in Mozambique. Mr. Wilf Nussey of the Johannesburg Star, for example, flatly stated early in June 1974 that Southern Rhodesia's days as a country under white minority rule were "most certainly numbered" as a result of political developments taking place both internally and externally in its contiguous environment. 46/

Many observers consider that the emergence of an independent Mozambique under a government headed by the Front for the Liberation of Mozambique (FRELIMO) is likely to produce serious economic, military and political difficulties for Southern Rhodesia. Should the new government in Mozambique decide to impose economic sanctions against Southern Rhodesia in line with Security Council resolutions 47/ the termination of Southern Rhodesia's use of the Beira and Lourenço Marques rail and road systems as well as of the ports themselves would in all likelihood deliver a serious, indeed crippling, blow to the Southern Rhodesian economy. The bulk of Southern Rhodesia's external trade - some 60 per cent - is carried through the above-named ports. Virtually all of Southern Rhodesia's petrol and oil supplies have been channelled through Lourenço Marques. It should also be borne in mind that the Portuguese colonial authorities in Mozambique had contributed greatly to Southern Rhodesia's notably successful strategy of "sanctions - busting". 48/ Hence the effectiveness of this strategy is likely to be severely reduced in the coming months as Mozambique becomes independent.

Fearing the consequences of a rail blockade from Mozambique, the Smith régime hastened the completion of a new, shorter and politically more secure, line to South Africa than the existing one through Botswana. The new line which links the small Southern Rhodesian railway siding of Rutenga with the South African railway system at Beitbridge was reportedly opened to traffic in October 1974 about 20 months earlier than the original target date.

While the denial of Mozambican transit facilities would inevitably force Southern Rhodesia to rely exclusively on those available through South Africa the massive re-routing involved would, in the view of most observers, bring with it exceedingly severe strains and dislocations both in Southern Rhodesia itself and in South Africa. South Africa's own rail and port systems are experiencing problems of congestion such that any additional high-volume traffic can only make the situation much worse. 49/ Moreover, the most convenient South African port for Southern Rhodesia by virtue of its relative proximity and capacity is Durban. However, Durban's harbour, which handles

46/ The Star (weekly edition), June 8, 1974. (All further references to The Star below are based on the "Weekly Edition".)

47/ See Chapter II below.

48/ On economic sanctions generally see Leonard I. Kapungu, The United Nations and Economic Sanctions Against Rhodesia (Lexington, Mass.: D.C. Heath and Co., 1973).

49/ See article entitled "Rail Lifeline now S.A.'s Headache", in The Star, July 13, 1974.

more traffic than all of South Africa's other ports put together, 50/ is unlikely to be readily available given its role as the principal port for South Africa's mining and industrial heartland around Johannesburg and Pretoria.

This view received confirmation in June 1975 from a spokesman for the general manager of South African Railways (S.A.R.) who warned that the S.A.R. faced "an insurmountable problem" if Southern Rhodesia routed all her freight through South Africa in the event of Mozambique closing the ports of Beira and Lourenço Marques to Southern Rhodesian traffic. While stating that he would not like to see Rhodesia "go under", the spokesman added that it would be "ludicrous" to imagine that the S.A.R. would be able to take all goods Southern Rhodesia would like to send and that the Rhodesians would have to draw up a priority list of what they wanted moved. Furthermore "a very difficult situation" would also arise at congested ports because the S.A.R. could not let South African products wait while they handled Rhodesian traffic. 51/

Another serious threat to the Smith régime, should the current political talks with the Zimbabwe leaders fail, lies in the military - strategic sphere. Southern Rhodesia's particular vulnerability in this field derives from the following factors: (a) the length of the frontier with Mozambique, added to those with Zambia and Botswana, would render rather futile the Southern Rhodesian régime's efforts to prevent or contain incursions into Southern Rhodesia by the Zimbabwe guerrilla movement; (b) the Mozambique border has proved itself highly permeable and strategically invaluable to the guerrilla forces of Zimbabwe with the result that the northeast border area has been transformed into a contested zone. The Smith régime forces, although heavily supported by military units from South Africa, had been unable at the time of the signature of the Lusaka agreement 52/ to dislodge the guerrilla units from their bases and areas of operation; (c) a third factor of importance is the nature of the terrain and the demographic characteristics of Southern Rhodesia's eastern region. The terrain, mountainous 53/ and heavily forested, is classic "guerrilla territory". Demographically, Southern Rhodesia's "Eastern Highlands", unlike the Zambezi Valley, contain a large African population 54/ which is ethnically related, to the people on the Mozambique side of the border, a

50/ Ibid.

51/ The Times, 11 June 1975.

52/ See below page 15.

53/ The highest mountains in Rhodesia - Inyanga, Vumba and Chimanimani - are situated here.

54/ According to the 1969 census the eastern province of Manicaland had an African population in excess of 750,000. See Appendix D of the 1972 "Pearce Commission" report, Cmnd. 4964, page 160.

situation likely to facilitate rather than impede political cooperation across the frontier; (d) economically the entire region contains some of the country's most fertile farmland including especially the northeast sector around Centenary and the southeastern sector which encompasses the thriving cattle, sugar, and wheat, farming "Triangle" and "Hippo Valley" development schemes near Fort Victoria. Thus the economic consequences of a guerrilla thrust into these areas might well prove disastrous for white Southern Rhodesia. Apart from the economic impact, the political consequences would prove equally disastrous. The most reliable political base for the ruling Rhodesian Front consists of the white farmers and small town residents, and the Front could expect to suffer an erosion of its political base if the border region were to explode into escalating and protracted warfare. Already, the guerrilla campaign and the current uncertainty about Southern Rhodesia's political future, is causing growing apprehension among the white minority and especially among the farmers themselves. 55/

Aware of these dangers, the illegal régime has tried to obtain a firm commitment from South Africa that the latter's economic, military and diplomatic support of Southern Rhodesia would be continued and expanded. Mr. Smith and his ministers have visited South Africa on several occasions since April 1974 and though no details of the conversations have been revealed, it would seem that Mr. Smith did not obtain all the objectives he had set about to achieve. The collapse of the Portuguese empire appears to have moved Mr. Vorster into realizing that a new effort had to be undertaken to forestall the growing geopolitical isolation of South Africa and an open show of support for Southern Rhodesia's ostracised régime would clearly not serve such a purpose. As "Die Transvaaler", the newspaper of the ruling Nationalist party in the Transvaal, once edited by Dr. Verwoerd himself, openly put it in June 1974 "it is very difficult for South Africa to have an outward policy based on mutual trust with black Africa if it gives its support to a white régime in Salisbury that quite unrealistically wants to deny any share to blacks for the next 50 years". 56/

The Lusaka agreements

In pursuance of this policy secret contacts were opened between the South African and Zambian Governments with a view to finding a negotiated settlement to the Southern Rhodesian problem. As a result of what appears to have been South African pressure Mr. Smith was prevailed upon to allow the detained leaders of the Zimbabwe African National Union (ZANU) and the Zimbabwe African People's Union (ZAPU) to visit Lusaka in November and December 1974 for talks on the Southern Rhodesian problem. In Lusaka the ZANU and ZAPU leaders, including Mr. Ndabaningi Sithole and Mr. Joshua Nkomo,

55/ White emigration from the territory is already causing concern to the régime due to the figures involved. One of the highest net losses in any single month occurred in December 1973 when 460 white settlers left the country. The Guardian, January 30, 1974.

56/ Quoted in The Economist, 29 June 1974.

who were joined by Bishop Muzorewa, held lengthy discussion with President Nyerere of Tanzania, President Kaunda of Zambia, President Khama of Botswana, and FRELIMO President Samora Machel. In Lusaka at the same time were at least two representatives of the Smith régime, Mr. Jack Gaylard, the Secretary to the Southern Rhodesian "Cabinet" and Mr. Antony Smith, the Southern Rhodesian "Attorney General".

Two issues were discussed in Lusaka, namely the possibility of holding a constitutional conference leading to the settlement by peaceful means of the Southern Rhodesian problem, and the need to establish unity of all Zimbabwe liberation movements. On 8 December it was announced that the Zimbabwe leaders had agreed that ZANU, ZAPU and the Front for Liberation of Zimbabwe (FROLIZI) should merge into an enlarged African National Council and that a congress would be held within four months to approve a new revised constitution, adopt a policy and choose a new leadership. 57/

Secondly, it was announced on 11 December, that agreement had been reached between the illegal régime and the Zimbabwe nationalist leaders. 58/ At that time the announcement stated that agreement had been reached on: (a) the immediate release of African political prisoners; (b) an immediate ceasefire; and (c) the convening of a constitutional conference without any pre-conditions. Shortly after this announcement the Zimbabwe leaders who had been released from detention for the purposes of attending the Lusaka Talks went back to Southern Rhodesia as free men.

Difficulties in the Implementation of the Lusaka agreements

No sooner was the ink dry on the Agreement concluded between the illegal régime and the Zimbabwe leaders than Mr. Ian Smith began to backtrack from implementing his side of the Agreement. First, he announced that not all the political detainees would be released at the same time but in small groups of ten. Then, when the British Foreign Secretary, visited Lusaka later in December, Mr. Smith refused to allow the former detainees to depart from Southern Rhodesia to meet with Mr. Callaghan in Zambia.

57/ The Times of Zambia, 9 December 1974. The congress has had to be repeatedly postponed.

58/ On 7 December Mr. Smith had announced on radio and television that his representatives had withdrawn from Lusaka because the nationalist leaders had insisted on "immediate majority rule". South African pressure is believed to have led him, five days later, to change his mind.

On 9 January 1975 Mr. Desmond Lardner-Burke, the Southern Rhodesian "Minister of Justice, Law and Order", announced that the illegal régime would no longer release detainees because the ceasefire had not been effective. 59/ Up to that date, the régime had released less than a third of the political prisoners. Also, pamphlets began to appear in the Zimbabwe guerrilla operational areas ordering the guerrillas either to surrender or to leave the country. Meetings of the ANC, including social gatherings like a soccer match in honour of the former detainees, were banned.

The African National Council Central Committee, meeting in Salisbury on 12 January 1975, accused the illegal régime of "a flagrant violation of the Lusaka Agreement". 60/ According to the ANC, the Agreement signed in Lusaka provided that the ceasefire would be an informal arrangement and that only after the date of the constitutional conference had been announced and all political prisoners had been released, would there be "meaningful discussions" on a formal ceasefire. In the ANC view a ceasefire meant no more than "stopping to shoot and to advance beyond the lines where the respective forces are found...It does not mean surrender".

In February 1975, a delegation of the African National Council of Zimbabwe, including Bishop Abel Muzorewa, the Reverend Ndabaningi Sithole and Mr. Joshua Nkomo, held two meetings with representatives of the Southern Rhodesian régime, led by Mr. Ian Smith, in which details concerning a possible constitutional conference were discussed. No agreement was reached at either meeting.

Immediately afterwards, further talks were held in Dar es Salaam between the leaders of the ANC and Presidents Nyerere, Kaunda and Khama. It was also reported that on their way back from the Tanzanian capital, the ANC leaders met in Lusaka with Dr. Hilgard Muller, the South African Foreign Minister. 61/ Press reports indicate that in the course of that meeting, the question of the presence of South African troops in Southern Rhodesia was discussed. On 11 February, it was announced that South Africa would withdraw its forces from certain areas along the Zambezi River which forms the Zambian-Southern Rhodesia border. South Africa is variously reported to have a paramilitary force of about 3,000 to 6,000 in Southern Rhodesia.

On 27 February two Africans convicted of "terrorism" and possession of weapons were sentenced to death by the Southern Rhodesia High Court following a trial held in closed court. On the following day three Africans who had reportedly been sentenced to death on 4 November 1974 for acts of "terrorism" were hanged in Salisbury central prison. The executions were immediately condemned by Bishop Muzorewa, on behalf of the ANC, as a violation of the Lusaka Agreement.

59/ Rhodesia Herald, 10 January 1975.

60/ The Times (London), 13 January 1975.

61/ BBC, 11 February 1975.

Arrest and "trial" of the Reverend Ndabaningi Sithole
and assassination of Mr. Herbert Chitepo

On 4 March 1975, while the African National Council was in the process of assessing its position in preparation for a third meeting with Mr. Smith and his colleagues, the illegal régime arrested the Reverend Ndabaningi Sithole on charges of plotting to assassinate other Zimbabwean nationalists in an effort to gain leadership of the African National Council. Mr. Sithole's arrest followed growing attempts by the Smith régime to split the nationalist movement including accusations that ZANU was solely responsible for continuing the guerrilla warfare in Southern Rhodesia.

The arrest of Mr. Sithole was immediately denounced by the ANC which announced that the organization was immediately breaking off talks with the Smith régime until Mr. Sithole was released. Bishop Muzorewa also called on the Smith régime to prove the charges against Mr. Sithole in open court rather than "in camera" by a special tribunal, as announced by the illegal régime.

Mr. Sithole's arrest was also condemned by the OAU Liberation Committee at its meeting in March as an effort by Mr. Smith to slow progress towards majority rule and to sow discord among the leadership and ranks of the ANC. Mr. Sithole's arrest was also denounced by the World Council of Churches and by the United Nations Commission on Human Rights. 62/

On 15 March it was announced that Mr. Smith accompanied by several of his Ministers had flown to Cape Town for talks with Mr. Vorster, presumably to discuss the prospects for a settlement in Southern Rhodesia in the light of the new situation created by Mr. Sithole's arrest.

On 18 March, Mr. Herbert Chitepo, a top Rhodesian nationalist leader was killed in Lusaka by an explosion that blew up his car near his home in the Zambian capital. Mr. Chitepo who had been acting head of ZANU during Mr. Sithole's detention until the latter's release in December, was one of Southern Rhodesia's most prominent figures and had played a major role in the military successes scored by Zimbabwe liberation forces in Southern Rhodesia in recent years.

The Zambian Government set up a commission to investigate the assassination of Mr. Chitepo, and was reported to be examining the possibility that Mr. Chitepo might have been killed as a result of internal strife within ZANU. In this connexion, the Zambian Government arrested about 50 officials and members of ZANU. 63/

62/ Decision 15 (XXXI) adopted on 6 March 1975 by the Human Rights Commission at its thirty-first session. Doc. E/5635

63/ The Zambian Government reported on 5 May that fourteen other bodies of Zimbabwe nationalists, believed to be members of ZANU, had been discovered in Zambia.

When the trial against Mr. Sithole opened, Mr. Hector Macdonald, the Acting Chief Justice, announced that the Special Court instead of investigating the murder allegations against Mr. Sithole, would only consider the charges that he was president of ZANU, an unlawful organization in the country, and Commander-in-Chief of the Zimbabwe African National Liberation Army (ZANLA), the military wing of ZANU. On 2 April the Special Court announced that it had found Mr. Sithole's detention "fully warranted" because Mr. Sithole "adhered to the basic communist philosophy" of ZANU that "violence was the only acceptable method of bringing about political change".

On 4 April, only 48 hours after the Special Court's finding, Mr. Smith announced on nation-wide radio and television that "at the request of Bishop Muzorewa, four northern presidents and the South African Government" the illegal régime had decided to release Mr. Sithole for the purpose of attending the meeting of the OAU Council of Ministers in Dar es Salaam. He went on to say "in all honesty I must tell you that it is not a decision to which the Rhodesian Government readily agreed". He added, "both politically and economically we are going through one of the most exacting stages that we have ever known". 64/

The Dar es Salaam Declaration

The Council of Ministers of the OAU met in an extraordinary session from 7 to 10 April 1975 in Dar es Salaam to evaluate recent developments in southern Africa. At the end of the session, the Council adopted the Dar es Salaam Declaration on southern Africa.

On the question of Southern Rhodesia the Declaration states:
"Africa's objective in Zimbabwe is independence on the basis of majority rule. This can be achieved either peacefully or by violent means. Either way Africa will lend its unqualified support to the freedom fighters led by their nationalist movement - the African National Council. As long as the objective of majority rule before independence is not compromised, Africa will support all efforts made by the Zimbabwe nationalists to win independence by peaceful means. This may mean a holding of a constitutional conference where the nationalist force will negotiate with the Smith régime. If that takes place, the OAU has the duty to do everything possible to assist the success of such negotiations, in constant consultation with Zimbabwe nationalists themselves. In the event that talks fail, the freedom fighters will have to intensify the armed struggle with the material, financial and diplomatic assistance of independent Africa...".

64/ In a report published in The Times, 20 May 1975, Mr. R. F. Botha, South Africa's Permanent Representative to the United Nations is quoted as having confided in March 1975 to the late Stephen Tolbert, brother of Liberia's President, that "the situation between Vorster and Ian Smith is very critical".

After calling attention to South Africa's role in the survival of the minority régime in Southern Rhodesia, the Declaration goes on to warn that "while the OAU accepts the task of helping in genuine negotiations in order to facilitate the transfer of power to the African majority it must remain absolutely vigilant and undertake the necessary preparations for the intensification of the armed struggle should a peaceful solution to the Zimbabwe conflict be blocked".

During the session of the Council of Ministers of the OAU the Minister for Foreign Affairs of Zambia informed the Council that Prime Minister Vorster had assured Zambia that South African security forces would be withdrawn from Southern Rhodesia by the end of May 1975.

However Mr. Vorster speaking in Cape Town on 8 May reportedly denied that he had ever promised President Kaunda that the South African "police" force would be withdrawn before 31 May. A spokesman for the Prime Minister's office stressed that the "police" units would be withdrawn only after the South African Government was satisfied that infiltrations and guerrilla warfare had stopped in Southern Rhodesia and that an effective ceasefire was observed. 65/

Commonwealth Conference expresses support for Zimbabwe nationalist line

At the end of their summit meeting held in Kingston, Jamaica, the Heads of the Commonwealth countries issued a communiqué on 6 May 1975 in which inter alia they emphasized that the objective for Southern Rhodesia was independence on the basis of majority rule and pledged "to concert their efforts for the speedy attainment of this objective". The conference, which was attended by Bishop Muzorewa, Mr. Nkomo and Mr. Sithole, 66/ recognized "the inevitability of intensified armed struggle should peaceful avenues be blocked by the racist and illegal régime". The Prime Ministers and Presidents also agreed on the need to give Mozambique financial assistance through a United Nations fund which might be set up to compensate that country for the loss of revenue it would suffer in the event that it decided after independence to apply sanctions against Southern Rhodesia.

65/ A.F.P., 9 May 1975.

66/ Their participation marked the first time that Zimbabwe nationalist leaders had been invited to participate at a Commonwealth Prime Ministers Conference.

Leaders of the African National Council of Zimbabwe appear
before the Special Committee on Decolonization

A delegation of the African National Council of Zimbabwe led by Bishop Muzorewa, the Reverend N. Sithole and Mr. Joshua Nkomo addressed the Special Committee of Twenty-Four on 9 May 1975. ^{67/} Speaking before that body Bishop Muzorewa restated that it was not the Africans' intention to drive the white men into the sea but to drive colonialism out of Africa. After stating that his delegation had appealed to the United States to stop importing chrome and to close the Rhodesia Information Centre in Washington D.C., "which operates like an embassy", the Bishop quoted from the Lusaka Manifesto ^{68/} and from the Dar es Salaam Declaration and declared that while the ANC was prepared to negotiate with the Smith régime at a constitutional conference, it would intensify the armed struggle if talks with Mr. Smith failed.

Mr. Nkomo declared that the people of Zimbabwe were not fighting for "eventual" majority rule but were fighting for majority rule "now". If Mr. Smith proved stubborn the people of Zimbabwe were ready to continue their struggle until their country was free.

Mr. Sithole stressing the importance of the newly-found unity amongst Zimbabweans said a fundamental change had occurred among the people of Zimbabwe in the past few years. In the 1960's it was the leaders who were pushing the people but now it was the people who were pushing the leaders. He added that many people in Southern Rhodesia were very doubtful about talks with Mr. Smith and were thinking increasingly in terms of armed struggle. The problem in Zimbabwe was no longer how to get volunteers but how to channel them to go and train out of the country. While the ANC was trying to settle the constitutional problem as peacefully as possible, they had to take into account the argument that if the people were not allowed to rush to the ballot box at least they could rush into the battlefield.

^{67/} A/AC.109/PV.998

^{68/} Reproduced in G.A.O.R., 24th session, Agenda item 106, doc.A/7754.

Smith régime forces accused of torture

The Catholic Commission for Justice and Peace in Rhodesia issued a report 69/ in May 1975 accusing the illegal régime's security forces operating against liberation forces in the north-east of the country of carrying out "deliberate assaults" and of showing "gross disregard" for the life and property of the local inhabitants. The report contained 12 recent cases of "brutal assault" which in the words of Bishop Lamont, the Commission's President, were examples of the complaints which continued to be brought with frightening regularity to the Commission's attention. The cases included beating on the face and body with sticks, kicking with boots and the use of electric shocks, which according to the Commission, revealed a pattern of persistent and deliberate illegal conduct by members of the security forces.

The Commission established that willages, houses, property and crops had been deliberately destroyed by the authorities. It was also extremely critical of the illegal régime's policy of moving thousands of people into "protected villages", many of which were described as no more than "rural slums". It cited for instance, the testimony of a local doctor who described the conditions at Nyachuru "protected village" as "appalling" with 200 to 300 people living behind barbed wire. "There was no sanitation or running water and apart from one asbestos shelter people were living in the open".

The Commission's report, followed a report by eleven church leaders in the autumn of 1974 also alleging torture by security forces. The "Minister of Justice and Law and Order", Mr. Lardner-Burke had then refused a demand for a judicial enquiry on the basis that the allegations were "groundless". This time the régime's response came at the opening in June 1975 of a new session of the Southern Rhodesian "Parliament". In his formal opening speech Mr. Clifford Dupont, the illegal régime's "President", announced that his "government" would introduce legislation in July indemnifying the security forces against civil and criminal actions arising from anti-guerrilla activities. Recognizing that "anti-terrorist" activity sometimes caused injury and loss to civilians, Mr. Dupont said it was wrong that bona fide actions done in the "national interest" should lead to litigation against those alleged to be responsible. 70/

69/ The Man in the Middle. A report of the Catholic Commission for Justice and Peace in Rhodesia.

70/ The Financial Times, 25 June 1975.

Developments concerning talks between the illegal régime and the ANC following the Dar es Salaam Declaration

The first talks between the illegal régime and the ANC since the Dar es Salaam Declaration took place on 22 May when Mr. Smith met a six-member ANC delegation for ninety minutes. Speaking in Inyanga, in the Eastern Highlands, on 26 May Mr. Smith said that he had made it clear to the ANC group that at their next meeting "we either agree to hold a conference or we say it is off and give the reason why". He added that the "government will then turn to other groups of Africans which have indicated a desire to talk".

Addressing the same meeting Mr. Smith stated that the idea of one man one vote in Southern Rhodesia, immediate parity (in seats in the Legislature) or a handover were "non-starters" and that this kind of thing would "never" be "tolerated" in Southern Rhodesia. This is a point that he and his "ministers" have reiterated with increased frequency since April. Thus speaking at the opening of the Rhodesia Trade Fair in Bulawayo on 28 April, Mr. Smith stated: "let me make absolutely clear as firmly and positively as I can that as far as I and my Government are concerned there is never going to be any hand-over in Rhodesia". 71/

Early in June it was reported that both the ANC and the Smith régime had agreed to drop all preconditions for holding a constitutional conference. This means that the ANC would no longer insist on the release of all political prisoners and the illegal régime would abandon its requirement for a ceasefire before agreeing to attend a constitutional conference.

While the ANC executive was discussing the attitude to adopt to this question the police opened fire on 1 June killing eleven Africans and wounding fifteen others in the course of reported fighting between supporters of the former Zimbabwe African National Union (ZANU) and Zimbabwe African People's Union (ZAPU) who were gathered outside the hall where the ANC executive was meeting. Speaking in London Bishop Muzorewa condemned "unreservedly" the "cold-blooded murder of unarmed Africans by the racist régime" and declared his belief that the rioting, was a pretext for the shooting that followed and had been fomented deliberately by agents of the Smith régime. 72/ Mr. Smith, for his part, speaking in the "Senate" on 3 June praised the behaviour of the police which he said had resulted in the "saving of lives of many nationalist leaders". 73/

71/ BBC, 30 April 1975.

72/ The Guardian, 4 June 1975.

73/ Le Monde, 3 June 1975.

The shooting of the demonstrators elicited strong international reaction. In the United Nations, the Secretary-General deplored the killings while statements condemning the killings were issued by a number of governments of Member States and by the Secretary-General of the OAU.

On 12 June 1975 it was announced after a meeting between an ANC delegation including Bishop Muzorewa and Mr. Joshua Nkomo on the one hand and Mr. Smith on the other, that they had agreed to hold a constitutional conference but that they had disagreed as to whether the conference should be held inside or outside Southern Rhodesia. While Mr. Smith insisted that the conference be held inside the Territory the ANC leaders declared that it ought to be held outside in order to allow for the participation of Reverend N. Sithole and other Zimbabwe nationalists living outside the country, who could expect to be arrested if they returned to Southern Rhodesia.

In the first visit by a British minister to Salisbury in three and a half years Mr. David Ennals, Minister of State at the Foreign and Commonwealth Office, held two days of talks at the end of June with Mr. Ian Smith as well as with a delegation from the African National Council led by Bishop Muzorewa. Prior to his arrival in Salisbury Mr. Ennals had talks in Pretoria with Mr. Vorster and in Lourenco Marques with FRELIMO leaders. Details about Mr. Ennals talks in Pretoria and Salisbury remain confidential though the British Minister declared that "some very difficult problems" remained to be resolved between the ANC and the illegal régime before a formal conference could be held. 74/

Early in July the leaders of the African National Council, Bishop Muzorewa, Mr. Chikerema, Mr. Nkomo and Reverend N. Sithole, travelled to Dar es Salaam for talks with Presidents Nyerere of Tanzania, Kaunda of Zambia, Machel of Mozambique and Sir Seretse Khama of Botswana. The latter were understood to have centred on the need to solidify the unity of the ANC and on the strategy to follow in Southern Rhodesia in the months ahead. 75/

74/ The Times, 30 June and 1 July 1975.

75/ The Times, 7 July 1975.

PART TWO - THE UNITED NATIONS AND SOUTHERN RHODESIA

I - Developments prior to the Unilateral
Declaration of Independence

The Southern Rhodesia problem first came before the United Nations General Assembly in 1962 as a result of Britain's refusal to transmit information to the United Nations under article 73 (e) of the Charter on the grounds that the Territory had achieved a full measure of self-government. Acting at the request of the General Assembly 76/ the recently established Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples 77/ considered the question whether Southern Rhodesia had attained a full measure of self-government in keeping with the criteria laid down by the United Nations in resolutions 742(VIII) 78/ and 1541(XV).79/ Following a visit to London in April 1962 by a Sub-Committee of six members, the Special Committee in May 1962 endorsed the report of the Sub-Committee concluded that Southern Rhodesia had not attained self-government and recommended that the situation in Southern Rhodesia should be taken up as a matter of urgency by the General Assembly. 80/

A month later at its resumed sixteenth session the General Assembly by resolution 1747 (XVI) 81/ approved the conclusions of the Special Committee, affirmed that Southern Rhodesia was a Non-Self-Governing Territory within the meaning of Chapter XI of the United Nations Charter and requested the United Kingdom inter alia to convene a constitutional conference with the participation of all political parties to draft a constitution on the basis of "one man one vote" and to take immediate steps to restore full civil and political rights to the non-European population.

76/ Resolution 1745 (XVI).

77/ The Special Committee was set up by General Assembly resolution 1654 (XVI) of 27 November 1961.

78/ Resolution 742 (VIII) contains a list of factors to be used as a guide to determine whether a Territory is or is not within the scope of Chapter XI of the United Nations Charter.

79/ Resolution 1541 (XV) contains a list of principles to be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit information under article 73 (e) of the Charter.

80/ General Assembly Official Records, Sixteenth Session, Agenda item 97, A/5124.

81/ For the full text of the resolution see Annex III below.