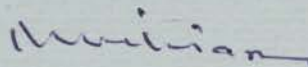


PERSONALMr A J Coles
Number Ten

1. At a meeting earlier this morning the PUS told me that you had asked for information about mandatory resolutions of the Security Council. You no doubt recall Mr Holmes' letter of 28 April to you (copy attached for ease of reference). Those present at this morning's meeting agreed that the examples quoted were the obvious examples of previous mandatory resolutions. The last paragraph of the letter explains why such resolutions are certainly few. To establish for certain that there is no other resolution that the UK would consider mandatory would involve careful study of the texts of hundreds of resolutions. I very much hope that the letter you have already received will meet your purposes, but perhaps you would telephone me if it does not.

N C R Williams
United Nations Department

6 May 1982

CONFIDENTIAL



UNPO 12 (1)		
30 APR 1982		

Foreign and Commonwealth Office

London SW1A 2AH

28 April 1982

UNID
M. Man (15)

Dear John,

Mandatory Resolutions

You asked for information about resolutions adopted by the Security Council, other than Resolution 502, which were binding on Member States, and remain unimplemented.

I should explain that most of the resolutions adopted by the Security Council have not been adopted under Chapter VII of the Charter and have not been binding. In a number of other cases it is uncertain whether the resolution was mandatory in its effect or not (because the language does not make clear whether they were adopted under Chapter VII of the Charter). The number of resolutions which are certainly mandatory is quite small. The following are some key examples.

Korea

Resolution 82 (1950) determined that the North Korean invasion of the South was a breach of the peace, called for the immediate cessation of hostilities and called upon the North Korean forces to withdraw. It remained unimplemented, and the Korean war followed as a result. The resolutions below cannot be said to have been unimplemented though they were not universally respected.

Southern Rhodesia

Resolution 221 (1966) determined that the situation arising from oil supplies to Southern Rhodesia through Beira was a threat to the peace, called upon Portugal not to receive or permit the pumping of oil for Southern Rhodesia and authorised the UK to prevent the arrival of vessels believed to be carrying such oil.

Resolution 232 (1966) determined that the situation in Southern Rhodesia was a threat to international peace and security and decided that Member States should prevent the import into their territories of certain Southern Rhodesian products as well as the supply to Southern Rhodesia of arms, aircraft and motor vehicles.

/Resolution

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Resolution 253 (1966) reaffirmed the above determination and made the import and export embargoes virtually complete. It also established a committee of the Security Council to monitor the implementation of the embargo.

South Africa

Resolution 418 (1977) determined that the acquisition of arms by South Africa was a threat to the maintenance of international peace and security and decided that all states should cease forthwith the provision to South Africa of arms and related material of all types. (A committee of the Security Council was subsequently established to monitor the implementation of this embargo).

Unimplemented resolutions which you may have had in mind, for example 242, did not involve a Chapter VII determination of a threat to international peace and security and are therefore not mandatory. (In many cases because we and other Western countries took care to discourage Chapter VII language in order to discourage subsequent calls for sanctions.)

Yours ever

J E Holmes
Private Secretary

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