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REQUEST FOR A HEARING

The meeting was called to order at 10.50 a.m.

EXPRESSION OF SYMPATHY IN CONNEXION WITH THE RECENT EARTHQUAKE IN ALGERIA

1. The CHAIRMAN extended the heartfelt sympathy and sincere condolences of the Fourth Committee to the delegation and people of Algeria which had been so tragically affected by the heavy loss of life, human suffering and extensive damage caused by the earthquake which had struck the city of El Asnam and several other localities in western Algeria.
2. Mr. DJERMAKOYE (Under Secretary-General for Political Affairs, Trusteeship and Decolonization) associated himself with the Chairman's expression of sympathy and expressed the hope that the international community would respond generously to the Secretary-General's appeal for assistance to the Government of Algeria in coping with the catastrophe.
3. Mr. SEMICHI (Algeria) expressed the thanks of his Government to all who had joined in expressing solidarity and friendship with the Government and people of Algeria.

AGENDA ITEM 27: QUESTION OF NAMIBIA:

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4. The CHAIRMAN said that a high-level delegation from the International Conference in Solidarity with the Struggle of the People of Namibia, which had been held in Paris in September 1980, had been conducting consultations with the United Nations bodies concerned and with the Secretary-General, regarding further international action in support of the people of Namibia for the achievement of their freedom and independence. The delegation was composed of Mr. Mohamed Sahnoun, Ambassador of Algeria to France and Secretary-General of the International Conference; Mr. George Dove-Edwin, Ambassador of Nigeria to France and Vice-President of the International Conference; and Mr. Abdul S. Minty, Honorary Secretary of the British Anti-Apartheid Movement and Chief Rapporteur of the International Conference.

5. In accordance with a decision taken by the General Assembly at its 3rd plenary meeting, on 19 September, and in order to assist the General Assembly in its further consideration of the item in plenary meetings, the Committee had decided to invite the head of the delegation to make a statement.

6. Mr. SAHNOUN (Secretary-General, International Conference in Solidarity with the Struggle of the People of Namibia) said that the International Conference had

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(Mr. Sahnoun)

been convened in September 1980, with the support of the United Nations Council for Namibia, because of the critical situation resulting from the activities of the South African régime to sabotage the United Nations plan for the independence of Namibia.

7. The United Nations, the African States and, in particular, the front-line States, together with SWAPO, had made every effort towards implementing the plan for the genuine independence of Namibia through free and fair elections under the supervision and control of the United Nations. The proposal for the demilitarized zone, which had been advanced by the late President Neto of Angola, had removed all the stumbling blocks erected by the Pretoria régime. Nevertheless, in the wake of the elections in Zimbabwe and the independence of that country, the South African régime had chosen to prevent the implementation of the plan for Namibia and the stationing of UNTAG in the Territory by raising new objections and diversions and had even attacked the impartiality of the Secretary-General of the United Nations. It has also set up a puppet Council of Ministers, had provided it with an army to intimidate the people, and had launched large-scale attacks against the Republic of Zambia and the People's Republic of Angola.

8. Against that background, the International Conference had been convened to consider international action, at the level both of Governments and of public opinion, for the independence of Namibia. It had been attended by high-level representatives of 25 Governments, seven intergovernmental organizations, 30 international non-governmental organizations and over 170 national organizations, making a total of well over 500 participants, including a number of members of Parliament and leaders of churches and trade unions. The Conference had been chaired by the Minister of Foreign Affairs of Senegal and had included in its presidium the Chairman of the Council of Ministers of Non-Aligned Countries, the President of SWAPO, the President of the African National Congress of South Africa as well as the President of the United Nations Council for Namibia and the Chairman of the Special Committee Against Apartheid.

9. The Conference had emphasized the need for urgent international action to secure the genuine independence of Namibia in accordance with the relevant resolutions of the United Nations and to protect the territorial integrity of the country. It had decided that international efforts must be focused on the immediate implementation of the United Nations plan for the independence of Namibia, if necessary, by instituting comprehensive and mandatory sanctions against the South African régime.

10. The delegation of the International Conference had visited the United Nations from 3 October 1980 and had consulted with the Secretary-General, the President of the General Assembly, the President of the Security Council, the President of the United Nations Council for Namibia, the Chairmen of the Committees on Decolonization and Apartheid, with the permanent representatives of the Western Five Contact Group and the foreign ministers of front-line States. The Head of State of Nigeria had furnished the delegation with guidance for its work.

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11. The delegation wished to stress that Namibia was a sacred trust of the international community and that the United Nations had solemnly assumed its responsibility for the Territory and people of Namibia. What was at stake therefore was not only the independence of Namibia but peace in Africa and the integrity of the international community. Moreover, after painstaking efforts, a United Nations plan for the independence of Namibia had emerged with the agreement of all States and all parties. Namibia must be free in 1981 so that it could be admitted to the United Nations during that year; the implementation of the plan must therefore begin before the end of the current session of the General Assembly. Consultations had shown that all the States directly involved in the negotiations - particularly the Western States - had agreed that it was the South African régime which was blocking the implementation of the plan. Maximum pressure must therefore be exerted on that régime in order to ensure its co-operation during the forthcoming mission of the Secretary-General's representatives to Pretoria on 20 October. If the South African régime tried to prevaricate further, there should be no hesitation by the Security Council and the Western Powers in imposing effective sanctions under the Charter to secure its compliance with the demands of the international community.

12. The independence of Namibia had been delayed so long not only because the South African régime had been impervious to appeals and even to opinions of the International Court of Justice but also because of the absence of effective action against that régime. The current plan, however, had not only been accepted by the Western Powers but five of those Powers had made a crucial contribution to its formulation; they were committed to it and had a special obligation to secure its implementation. Consultations had indicated that they were willing to consider action if the South African régime continued its intransigence. But action must be really effective and urgent so that the objective would be achieved without further delay. Consequently, there should be an immediate international effort by committed Governments and solidarity organizations to mobilize world public opinion in support of decisive action - both during the forthcoming mission of the Secretary-General's representatives and immediately after the conclusion of that mission.

13. The Council for Namibia and its executive officer, the Commissioner for Namibia, symbolized the special responsibility and legal authority of the United Nations with respect to the Territory. The Council had performed a very significant function in training Namibians to assume the responsibilities of independence, in assisting refugees, in formulating Decree No. 1 for the Protection of the Natural Resources of Namibia and in drawing the attention of the world to the crimes of the illegal occupying Power and had actively promoted governmental and other support for the Namibian people. The Council could play an important and constructive role in the period ahead and it was his hope that the current session of the General Assembly would provide all necessary resources to the Council for that purpose.

14. In early 1980 SWAPO had observed the twentieth anniversary of its establishment. The International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, held at Oslo in April 1973, had recommended the recognition of SWAPO as the sole and authentic representative of the people of

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(Mr. Sahnoun)

Namibia. That recommendation had been endorsed by the General Assembly later in the same year. The further efforts of SWAPO had been primarily responsible for making possible the negotiations which had led to the formulation of the United Nations plan. SWAPO had always declared that, while it was obliged to conduct an armed struggle, it favoured a peaceful solution, if possible. It was SWAPO's readiness to enable a free choice by the people of Namibia which had led to the unanimous adoption of Security Council resolution 385 (1976) on free and fair elections under United Nations supervision and control and subsequently to the approval of the United Nations plan for the independence of the Territory. Mr. Sam Nujoma, President of SWAPO, had reaffirmed its position at the International Conference. No misrepresentation or confusion should therefore be allowed regarding the role of SWAPO as the fighting arm of the Namibian people or the right of that people to exercise their unfettered right to decide their constitution and choose a Government of independent Namibia.

15. Mr. PEŇAŽKA (Czechoslovakia) said that the significance of the International Conference should not be underestimated as it would mobilize world support for the people of Namibia under the legitimate leadership of SWAPO. His delegation fully supported the recommendations of the International Conference and their speedy implementation would represent an important contribution toward achieving the independence of the people of Namibia.

16. Mr. NAVA-CARRILLO (Venezuela) said that, against the background provided by the continuing efforts of the United Nations Council for Namibia, the International Conference had drawn the attention of the world to the justice of the Namibian people's cause on which world-wide solidarity existed. The Week of Solidarity with Namibia would provide an opportunity to mobilize international opinion further and would thus strengthen the means available to the United Nations, to SWAPO and to the front-line States to resolve the problem in a manner consistent with the decisions of the relevant United Nations bodies. The Fourth Committee should make positive recommendations on the declaration of the International Conference so that the General Assembly could take necessary action in plenary.

17. Mr. FALEIRO (India) said that the International Conference represented a landmark in the struggle of the Namibian people to free itself from the racist régime of South Africa; its recommendations charted a course of action which would expedite the implementation of Security Council resolutions 385 (1976) and 435 (1978). India had participated in the International Conference, his Government endorsed the Declaration and proclaimed its solidarity with the struggle of the people of Namibia for independence.

18. Miss JOKA-BANGURA (Sierra Leone) said that the information and recommendations of the International Conference would provide valuable guidance to the Fourth Committee in making recommendations which would make it possible for Namibia to achieve independence in 1981. Sierra Leone would do whatever it could to that end.

19. Mr. GURIRAB (Observer, South West Africa People's Organization) expressed the sympathy and condolences of his organization to the Government and people of Algeria in connexion with the earthquake in that country. The inspiration provided

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by Algeria's historic role in the freedom struggle was cherished by his own people, the people of Namibia, in their struggle to gain independence. He associated SWAPO with the statement just made by the Secretary-General of the International Conference in Solidarity with the Struggle of the People of Namibia, held in Paris in September, and with the mission of the visiting delegation from the Conference to the United Nations in New York. SWAPO endorsed the recommendations and Declaration of the Conference, which would soon become a United Nations document and would be circulated to all delegations. The Conference had been very action-oriented and had called for comprehensive and mandatory sanctions against South Africa under Chapter VII of the Charter and for assistance to the South West Africa People's Organization (SWAPO), the sole representative of the Namibian people. The Conference had also called for follow-up action to ensure implementation of its decisions and for support for the activities of the United Nations Council for Namibia, the sole legal Administering Authority in the Territory.

20. The year 1980 was the twentieth anniversary of the founding of SWAPO and since that time it had gained experience and had matured as a liberation movement. SWAPO was convinced that the liberation of the Territory was merely a matter of time. The military, diplomatic and political struggles were complementary and must be waged simultaneously to achieve the final victory. SWAPO supported the Secretary-General's efforts and the United Nations plan to achieve independence for Namibia. SWAPO was ready to show great flexibility and willingness to co-operate in achieving a negotiated settlement. However, the arms struggle would continue and the Namibian people were ready for more sacrifices if necessary. SWAPO had been greatly encouraged by the positive spirit shown by the international community at the recent Conference in Paris in support of the Namibian people, which demonstrated that the cause of the liberation of the Namibian people had been embraced by the entire international community.

21. The year 1980 was also the fourteenth anniversary of the armed struggle in Namibia. On 27 October 1966, the international community, through the General Assembly, had decided to terminate the South African mandate over Namibia. It was his hope that 1981 would see the final achievement of Namibian independence.

22. Ms. WADIBIA (Nigeria) extended her delegation's condolences to the Government and people of Algeria in connexion with the recent earthquake. Her delegation fully associated itself with the conclusions of the International Conference in Solidarity with the Struggle of the People of Namibia, held recently in Paris, and with the report of the delegation from the Conference to the United Nations. The struggle of the Namibian people was one with which all of Africa identified and she called on the international community to support that struggle.

23. Mr. Sahnoun (Secretary-General, International Conference in Solidarity with the Struggle of the People of Namibia) withdrew.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (A/35/23 (parts III and V); A/35/222, 223, 261 and 413; A/C.4/35/5 and Add.1-10; A/AC.109/593-597, 602, 603, 606, 608, 610, 613, 615, 617 and Corr.1, 618 and 621)

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AGENDA ITEM 85: QUESTION OF EAST TIMOR (A/35/23 (part V); A/35/233 and 524; A/C.4/35/2, 3 and Add.1-6, A/C.4/35/6; A/AC.109/623 and 634)

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AGENDA ITEM 89: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES: REPORT OF THE SECRETARY-GENERAL (A/35/518)

24. Mr. ABDULAH (Trinidad and Tobago), speaking as the Chairman of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, expressed his sympathy and solidarity with the Government and people of Algeria in connexion

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(Mr. Abdulah, Trinidad and Tobago)

with the recent earthquake. He pointed out that the chapters of the report of the Special Committee before the Fourth Committee (A/35/23, parts III and V) covered a substantial part of the Special Committee's work, including its consideration of some 20 remaining colonial Territories with a total population of approximately 2 million. During the course of the year the Special Committee had given extensive examination to the situation obtaining in those Territories and had formulated a series of conclusions and recommendations for consideration by the General Assembly and the Committee.

25. It was the considered view of the members of the Special Committee that such factors as the size, geographic location, population or limited natural resources of any Territory should in no way delay the full and speedy application of the Declaration on the Granting of Independence to Colonial Countries and Peoples in respect of that Territory. It was imperative that innovative solutions specifically adapted to the requirements of individual Territories should be worked out in accordance with the expressed wishes and aspirations of the inhabitants of those Territories and in close co-operation and consultation with the local governments and the administering Powers concerned. In that connexion, he also wished to stress the importance of the role of the specialized agencies in extending assistance to those Territories, as called for in the relevant decisions of the Special Committee.

26. In its consideration of those Territories, the Special Committee had received continuing co-operation from the administering Powers concerned, which had enabled the Special Committee, inter alia, to dispatch during the year Visiting Missions to the Turks and Caicos Islands and to the Cocos (Keeling) Islands. The reports of those Missions would be considered by the Special Committee shortly, following which the Special Committee would submit to the Fourth Committee its recommendations concerning those two Territories. The Special Committee had also just received an additional invitation from the Government of the United Kingdom to dispatch another Visiting Mission to the Turks and Caicos Islands in order to observe the elections scheduled to take place in the Territory on 4 November 1980. The report of that Visiting Mission would be submitted to the General Assembly at its thirty-sixth session.

27. At the invitation of the Chairman, Mr. Clark (International League for Human Rights) took a place at the petitioner's table.

28. Mr. CLARK (International League for Human Rights) said that his organization had been actively engaged since 1945 in efforts at the international level to protect the human rights of colonial peoples, including the right to self-determination. In the course of its efforts the League had rendered assistance to advocates of independence in over 30 countries that had since become Members of the United Nations. In view of his organization's early and strong support of the Indonesian independence movement, it was with great sorrow that he now appeared before the Committee to protest Indonesia's denial to East Timor of the rights to self-determination and equality that Indonesia had sought so properly for itself more than 30 years ago. His organization called on the Committee to reaffirm the inalienable right of the people of East Timor to determine its own political destiny and to seek means for the implementation of that fundamental right enunciated in the Charter and the resolutions of the General Assembly.

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(Mr. Clark)

29. East Timor, recognized by the United Nations as a Non-Self-Governing Territory, had been prevented from freely deciding its own destiny by the unilateral military intervention of Indonesia in 1975. The action of Indonesia in incorporating the Territory of East Timor was in clear violation of the Charter of the United Nations and of resolutions 1514 (XV), 1541 (XV) and 2625 (XXV) of the General Assembly. Because of the Indonesian occupation of East Timor, Portugal, the legal Administering Authority, had been prevented from submitting to the Fourth Committee status reports on conditions within the Territory pursuant to Article 73 of the Charter. In that connexion, his organization wished to report that conditions in the Territory, as reported by various sources, including the International Committee of the Red Cross, were appalling.

30. Since the 1975 Indonesian occupation the East Timorese had suffered from a critical shortage of a number of needs basic to human life, including food, shelter and health care. It was only in October 1979 that the International Committee of the Red Cross had been permitted to operate a limited aid programme in the Territory. A comparison of the present population figure for the Territory of 520,000, issued recently by the Indonesian Government, with the generally accepted pre-invasion figure of 670,000 showed that a substantial number of East Timorese had died or had been killed since 1975, either directly as a result of bombing and indiscriminate killing of non-combatants by Indonesian forces or as a result of starvation. Moreover, in the past two years, from 200,000 to 300,000 Timorese had been resettled in Indonesian-controlled camps, where overcrowded and cramped conditions had promoted the spread of disease, in particular malaria, intestinal diseases and parasites, and lung infections, as reported by the International Committee of the Red Cross.

31. Only in 1980 had the Indonesian authorities made it possible for a start to be made on the massive humanitarian efforts that needed to be undertaken to ameliorate the desperate plight of the people of East Timor. In that connexion, the efforts of numerous non-governmental organizations and the generosity of the Governments of Australia, the Federal Republic of Germany, the Netherlands, New Zealand and Sweden and the European Economic Community were to be commended. However, it was clear that much still needed to be done to provide for the basic human needs in East Timor.

32. Whereas humanitarian needs in the Territory had possibly gone unaddressed because of callous indifference, the disregard of civil and political rights appeared to have been calculated. In the early days of the occupation hundreds of civilians had been summarily executed in Dili. Numerous reports indicated the disappearance of East Timorese, often the educated and those with leadership ability. Journalists had also reported that people who had surrendered under the presidential amnesty in 1977 had since disappeared and were believed to have been killed. The report issued by the Australian Council for Overseas Aid in 1979 had estimated that there were approximately 40 prisons scattered through East Timor, some of which were known to hold prisoners incommunicado. The nutrition and health situation in the prisons was reported to be seriously substandard. The

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(Mr. Clark)

International Committee of the Red Cross had thus far not been permitted by the Indonesian authorities to carry out its normal function of prison visitation in East Timor. Furthermore, there had been numerous reports recently of the use of torture by detention authorities. It was impossible, however, to determine the full extent of the use of torture within the prisons, since independent observers, such as the International Committee of the Red Cross, had not been permitted entry and since the information concerning prison conditions had been largely limited to refugee sources and letters smuggled from the prisons.

33. Another area of concern to the League was the issue of family reunification. In East Timor the problem of family reunification was all the more acute and disturbing to the League because conditions within the Territory were so critical. The Government of Indonesia, despite an agreement with the Government of Australia, had refused to allow the emigration of eligible Timorese to rejoin family members living in Australia. It was difficult to evaluate other areas of economic, social, educational and political conditions in East Timor, owing to the unwillingness of the Indonesian authorities to allow independent observers free access to the Territory. His organization urged the Committee to seek means to allow the people of East Timor the full realization of their rights to self-determination.

34. Mr. Clark (International League for Human Rights) withdrew.

REQUEST FOR A HEARING (A/C.4/35/3/Add.6)

35. The CHAIRMAN drew the Committee's attention to a request for a hearing concerning East Timor from a representative of Amnesty International, contained in document A/C.4/35/3/Add.6. He took it that, if he heard no objection, the Committee wished to grant the request.

36. It was so decided.

The meeting rose at 12.05 p.m.