



SUMMARY RECORD OF THE 17th MEETING

Chairman: Mr. SINCLAIR (Guyana)

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 85: QUESTION OF EAST TIMOR (continued) (A/35/23 (V); A/35/524; A/C.4/35/3/Add.1 and Add.13; A/C.4/35/6)

- (a) REPORT 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 (continued)
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Hearing of petitioners

1. The CHAIRMAN said that, in accordance with the decision taken by the Committee at its eighth meeting, a hearing had been granted to Mr. Michel Robert and Mr. William R. Roff, further to the requests for hearings contained in documents A/C.4/35/3/Add.1 and Add.13 respectively. In connexion with those requests, the Committee had before it a letter dated 13 October (A/C.4/35/6) from the Deputy Permanent Representative of Indonesia to the United Nations addressed to the Chairman of the Fourth Committee.
2. At the invitation of the Chairman, Mr. William R. Roff took a place at the petitioners' table.
3. Mr. ROFF (Professor of South-East Asian history at Columbia University) outlined the history of Indonesia's independence and drew a parallel between that history and the present situation in East Timor. Those who, in 1949, had supported Indonesia's just struggle against the forces of neo-colonialism had done so on principle, since they had supported the right of colonial peoples to untrammelled freedom and self-determination. It was important to recall that during the five years of Indonesia's armed struggle against the Netherlands, and subsequently when the Republic of Indonesia had pursued and obtained the elimination of the last vestiges of Dutch colonial domination in South-East Asia, no Indonesian leader or political grouping of importance had displayed the slightest interest in the adjacent Portuguese colony of East Timor. Similarly, none of Indonesia's supporters had, at that time, seen the decolonization of East Timor as being in any way connected with the Republic of Indonesia. Yet in 1975, when that quite separate people and Territory with a wholly separate past had attempted to free itself from colonialism, the Government of Indonesia had decided to intervene, in open contravention of the inherent right of that people to pursue a separate future. Some of those who had stood by the principle of self-determination in 1949 had disregarded the brutal annexation of East Timor by Indonesia's present military Government.

(Mr. Roff)

4. It was manifest that the people of East Timor had not been afforded any opportunity to decide their future in freedom. The people of East Timor were suffering grievously from the hurts imposed on them by the perpetuation of Indonesia's annexation of their country, and there were few signs that the situation would improve in the foreseeable future. On the contrary, there was every indication that the people of East Timor, like the people of Indonesia 30 years earlier, would reject foreign domination and would continue to struggle for freedom and to suffer accordingly.

5. The problem seemed particularly intractable, partly because it represented a relatively rare phenomenon in the process of decolonization: the arbitrary and enforced recolonization of a colonial Territory by a more powerful neighbour, itself recently decolonized. The circumstance that the "neo-colonial" Power was not Western but belonged to the third world did not alter the inherent nature of the relationship which resulted, but it did make it more difficult to engender the proper international response. The essence of the situation in East Timor was that the original process of decolonization had never been adequately carried out.

6. The Fourth Committee should urge the General Assembly to use its good offices to encourage Portugal's democratic Government not simply to continue to withhold recognition from the Jakarta Government but to resume, temporarily, its decolonizing responsibilities, with the sole aim of securing for the people of East Timor conditions under which a genuinely free and democratic act of self-determination could take place. The case of Zimbabwe had proved that such a process was possible. It was to be hoped that the Government of Portugal, which had steadfastly refused to relinquish its legal responsibilities in East Timor, and the people of East Timor would welcome such an opportunity to retread the path to self-determination under the good offices of the United Nations.

7. Mr. Roff withdrew.

8. At the invitation of the Chairman, Mr. Michel Robert (International League for the Rights and Liberation of Peoples) took a place at the petitioners' table.

9. Mr. ROBERT (International League for the Rights and Liberation of Peoples) said that his organization fought for the recognition of peoples as legal entities, since so far States had been recognized as subjects of international law, and the interests of peoples and States frequently differed widely. In the case of Timor, despite the many resolutions and declarations of the various organs of the United Nations calling for the withdrawal of the Indonesian forces and free exercise of the right to self-determination by the people of that Territory, Indonesia had forcibly extended its sovereignty over the eastern part of the island, on grounds such as contiguity, unity of the island and regional stability. Yet that did not hide the fact that serious violations of international law had occurred.

(Mr. Robert)

10. The first of those violations had been aggression against the territory of Timor, which had begun with the suppression of a troublesome organization, FRETILIN, and the installation of a "provisional Government". Indonesia had always denied its participation in the military action undertaken against East Timor, on the pretext that the attacks had been carried out by "volunteers" at the behest of the parties opposing FRETILIN. "Volunteers" or not, their links with Jakarta meant that Indonesia was fully responsible, and had contravened Article 2, paragraph 4, of the Charter of the United Nations which condemned the use of force against the territorial integrity of any State.

11. Indonesia's undertakings given in the 1950s and at the beginning of the 1960s constituted a second violation. At the fifteenth session of the General Assembly, the representative of Indonesia had stated that his country was specifically refraining from making any claim on territories in the Indonesian archipelago which had not been part of the Dutch East Indies. Similar statements had been made at the seventeenth session. With reference to a different case, the International Court of Justice had held that a State making such statements was bound by them and that its declared intent amounted to a legal commitment. It should thus act in accordance with its declared intent, being bound by any such commitment expressed publicly, even outside the framework of international negotiations.

12. He recalled General Assembly resolution 1514 (XV), paragraph 2, and said that Indonesia's military intervention had prevented the people of East Timor from freely determining their own future. Indonesia claimed that East Timor's process of decolonization had ended on 17 July 1976, when the population of the Territory had decided, through their Popular Representative Assembly, to accede to independence by means of integration into the Republic of Indonesia. Indonesia had thus infringed international law, since the said Assembly was of doubtful legitimacy given the manner in which its members had been appointed. The decision to integrate Timor had been taken in less than two hours after a sham debate. The military intervention had removed all semblance of legality from the process of integration, which was illegal in any event since the so-called "Popular Assembly" which had recommended annexation had not been properly elected but imposed by the Government of Indonesia.

13. General Assembly resolution 1541 (XV), principle VIII, did not apply to the situation in East Timor since the island now had the characteristics of an Indonesian colony: cultural oppression, infringement of human rights, all kinds of discrimination. To appreciate fully the question of East Timor it was necessary to consider the Territory in its regional context. Indonesia's persistent bad faith then became evident, as did the fact that that country was acting as a guardian of United States and Australian interests in the region.

14. The bad faith of the Indonesian Government could clearly be seen from the fact that the Minister for Foreign Affairs of that country had stated in 1974 that Indonesia would support East Timor if the people of that Territory wished to obtain their independence, only to state later that the question of East Timor's independence was unrealistic and that account should be taken, above all, of the

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(Mr. Robert)

need to maintain stability in the area. That policy was consistent with the role of guardian of stability in the region arrogated to itself by Indonesia and recognized explicitly or implicitly by certain Powers, particularly the United States and Australia. In its desire to maintain good relations with the neighbouring country of Indonesia and to support the strategic position of the United States, Australia had abandoned its principle of condemning the intervention in East Timor.

15. The United States interest in maintaining a favourable régime in East Timor was based on its desire to keep an unrestricted passage between its Pacific and Indian Ocean bases. France, which had supplied arms to Indonesia, had also undertaken not to place that country in a difficult position in the General Assembly discussion on the question of East Timor.

16. Lastly, his organization wished to emphasize the need for the Indian Ocean to become a genuine zone of peace in accordance with the United Nations resolutions; he reminded the Committee of the proposal by the President of Madagascar for the convening of a conference on the demilitarization of the Indian Ocean. The Minister for Foreign Affairs of Madagascar had stated that the elimination of the centres of tension in southern Africa, the Middle East, South-East Asia and South-West Asia and respect for the rights of peoples were essential prerequisites for the creation of a genuine zone of peace in the Indian Ocean.

17. Mr. Robert withdrew.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/35/23 (Parts III, V and VI), A/35/222, 223, 261, 413, 524, 525, 529; A/C.4/35/5 and Add.1-10; A/C.4/35/L.2/Rev.1, L.7 and L.8; A/AC.109/593-597, 602, 603, 606, 608, 610, 613, 615, 617 and Corr.1, 618 and 621)

(a) REPORT 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 (continued)

(b) REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 84: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/35/23 (Part III), A/35/233, A/35/511; A/C.4/35/L.6)

(a) REPORT OF THE SECRETARY-GENERAL (continued)

(b) REPORT 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 (continued)

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AGENDA ITEM 87: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (continued) (A/35/23 (Part III), Chapter VI, A/35/178 and Add.1-4; A/C.4/35/L.3)

(a) REPORT 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 (continued)

(b) REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/35/3/Add.30)

AGENDA ITEM 88: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/35/525; A/C.4/35/L.4)

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18. Mr. CESAR (Czechoslovakia) said that, during the 35 years of its existence, the United Nations had made great progress in the strengthening of peace, friendship and understanding among peoples. In the 20 years that had elapsed since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the development of international relations had confirmed the importance and timeliness of the Declaration. More than 50 new Member States had joined the United Nations. However, despite those indisputable achievements, there were still some countries under the domination of colonial Powers, which was contrary to Article 1, paragraph 2, and Article 73 of the Charter of the United Nations and to the Declaration on Decolonization. Although the special situations of those countries, determined by such factors as geographical position, economic and social development, area and population should be no obstacle to the aspirations of the peoples of those Territories to self-determination and independence, those peoples were obliged to make tremendous efforts to organize national liberation movements in order to reaffirm their legitimate demands. The special conditions of the small territories did not make them less important participants in the irreversible process of decolonization; on the contrary, the ideals of national liberation had their repercussions in those territories too.

19. In the early stages, it might have been possible to think otherwise, but 20 years after the Declaration on Decolonization, it was obvious that the realization of the principles of the Declaration was beset by numerous obstacles to the full realization of human rights in the dependent territories. His delegation firmly believed that any attempt to delay the realization of the right of the peoples of those territories to self-determination and independence and the transfer of powers of Government to their inhabitants was contrary to the principles of the Charter of the United Nations. The purpose of such attempts could only be to maintain a situation of injustice, to continue to exploit the natural resources of the dependent territories and to serve the military and political ends of the colonial Powers.

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(Mr. Cesar, Czechoslovakia)

20. From the documents submitted by the Committee of 24, it could clearly be seen that several administering Powers were failing to fulfil their obligation to give the inhabitants of the small territories the opportunity freely to determine their destiny. It could also be seen from those documents that the same Powers were threatening the territorial integrity and national unity of the colonial countries with a view to annexing particular parts of those countries. All those facts showed the hypocrisy of the administering and colonial Powers when, on the one hand, they proclaimed themselves to be paragons of democracy and defenders of the human rights of the inhabitants of their dependent territories while on the other, denying the colonial peoples the most fundamental human right - that of self-determination and independence.

21. Another fact that illustrated the illegitimate activities of the colonial and administering Powers was the maintenance and expansion of military bases and installations in the small territories as a consequence of the arms race and the war psychosis in certain sectors of the Western countries, despite the fact that in numerous resolutions, the United Nations had recognized that the presence of such bases impeded the realization of the right to self-determination and independence.

22. Czechoslovakia resolutely reaffirmed the principles of the Charter and of the Declaration and consistently supported the unconditional recognition of the right of all colonial countries and peoples to self-determination and independence. As a member of the Committee of 24, it would also support any effective measures for the speedy conclusion of the decolonization process and the elimination of the remaining manifestations of colonialism.

23. Mr. MANGAL (Afghanistan) said that, 20 years after the adoption of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, millions of people formerly under colonial domination had attained their independence and sovereignty with the support of the United Nations and the international community, but there were still millions who did not enjoy the right to self-determination and independence.

24. In examining the reasons for the persistence of vestiges of colonialism and obstacles to the implementation of the Declaration, it was observed that, contrary to Article 73 of the Charter, some administering Powers had not complied with the obligation to promote the well-being of the inhabitants of the territories and were not extending adequate co-operation to the United Nations for the speedy implementation of its resolutions on decolonization. The active co-operation of other administering Powers should nevertheless be acknowledged. On the other hand, some Western Powers were continuing to give assistance to such countries as South Africa, thus enabling it to continue its abhorrent policy of apartheid and racial discrimination.

(Mr. Mangal, Afghanistan)

25. The United Nations had repeatedly urged the international community and specialized agencies to extend all possible moral and material assistance to colonial peoples and their liberation movements, thus recognizing the legitimacy of their struggle for independence. The available information revealed that certain specialized agencies had effectively taken part in the implementation of the Declaration by extending moral and material assistance to people struggling for their independence. However, other organizations and agencies of the United Nations, owing to a narrow interpretation of their statutes and conventions, had not taken steps towards implementation of the Declaration and had continued to co-operate with the racist Government of South Africa. The arguments put forward by those agencies to explain their behaviour were not at all convincing. It was to be hoped that they would soon join the struggle to achieve decolonization and the elimination of colonialism in all its manifestations.

26. He stressed that the use of force or the occupation of Territories to deny peoples their right to self-determination was under no circumstances justified. The principles embodied in General Assembly resolution 1514 (XV) were fully applicable to the peoples of East Timor, Western Sahara and Belize and to other colonial peoples.

27. Mr. ALVAREZ (Cuba) said that the just and legitimate struggle of the Saharan people to attain their right to self-determination and independence was entering its final phase. More than 40 countries today recognized the Saharan Arab Democratic Republic, for which the international community's support was constantly growing. The Saharan forces, under the sure leadership of the Frente POLISARIO, their sole legitimate representative, effectively controlled the liberated territories and were engaged in the difficult and arduous task of national reconstruction. The intransigence of the Moroccan Government and its challenge to the international community had been compounded by its unnatural alliance with the racist Pretoria régime, which was providing centres for training in the use of the weapons supplied by the United States.

28. The Organization of African Unity, at its Assembly of Heads of State and Government in Monrovia, had reaffirmed the inalienable right of the Saharan people to independence. The Heads of State or Government of Non-Aligned Countries, at their Sixth Conference, held in Havana, had expressed their deep concern because the decolonization process in Western Sahara had not been carried to its conclusion in accordance with General Assembly resolution 1514 (XV). The Conference had also welcomed Mauritania's decision to withdraw its forces from Western Saharan territory and had deplored Morocco's extension of its armed occupation to that part of Western Sahara previously administered by Mauritania.

29. The General Assembly, in resolution 34/37, had reaffirmed the right of the people of Western Sahara to self-determination and independence and had urged Morocco to join in the peace process. It had recommended that the Frente POLISARIO should participate fully in any search for a just, lasting and definitive political solution.

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(Mr. Alvarez, Cuba)

30. Morocco's intransigence necessitated more effective action to end the illegal occupation of Western Sahara. The relevant resolution to be adopted at the current session should reaffirm the inalienable right of the people of Western Sahara to self-determination and independence; it should clearly indicate that Morocco's intransigence had prevented the implementation of General Assembly resolution 34/37; it should reiterate Morocco's responsibility for the deterioration of the situation; and should reaffirm that the only possible solution to the conflict lay in the exercise by the people of the Territory of their inalienable right to self-determination and independence.

31. Cuba would always feel solidarity with and would always support the Saharan people and their legitimate representative, the Frente POLISARIO, in their just struggle to implement the principles of self-determination and independence embodied in General Assembly resolution 1514 (XV).

32. Mr. SKINNER-KLEE (Guatemala) said that the Fourth Committee was once again faced with the problem of Belize, the territory in which Guatemala had been prevented from exercising its sovereign rights, which had been usurped by force more than a century earlier. Nevertheless, the renewed vigour imparted to the direct negotiations between Guatemala and the United Kingdom offered some hopes for a solution. Guatemala had reaffirmed its decision to co-operate in the quest for a peaceful, negotiated agreement and was pleased that the United Kingdom had a similar attitude.

33. In 1979 the negotiations had marked time while awaiting the outcome of the elections held in the United Kingdom and Belize. Following the elections, however, negotiations had been renewed in 1980. Both parties had been eager to expedite the negotiations, and had been able to do so through repeated high-level contacts and meetings, including an exchange of visits by the Ministers for Foreign Affairs of Guatemala and the United Kingdom. Those developments clearly indicated that efforts were being made to find common ground which would lead to a final agreement and to supplementary agreements reinforcing the solution to the controversy. Furthermore, there was clearly an attitude of understanding and flexibility. Guatemala's attitude had been consistent, and any changes which had occurred, or which might occur, merely arose from its flexible posture. The same could not be said for the policy of the United Kingdom nor the conduct of the Government of Belize. For example, in June 1968 a Memorandum of Understanding had been signed by the two most important parties in Belize and by the United Kingdom Secretary of State for Foreign and Commonwealth Affairs whereby both the Government and Opposition of Belize would be represented in the talks and any final agreement would be put to the people of Belize in a referendum. Yet that undertaking had not been respected, despite the Opposition's strident protests. Such attitudes had been responsible for changes in the general scenario by altering supposed decisions, such as the decision to consult the people, in the outcome of which the Opposition would be a decisive factor, given that in the latest elections, held in November 1979, it had won 21,045 votes, representing 46.8 per cent of the electorate, compared to the Government party's 23,309 votes. That indicated the importance of that sector of the population of Belize which did not share the Government's attitude to independence and which had stated the need to postpone it until the people were ready to face the problems it would bring.

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(Mr. Skinner-Klee, Guatemala)

34. It should be recalled that the so-called question of Belize was essentially a territorial dispute being dealt with by direct negotiations between the principal parties, the United Kingdom and Guatemala. Guatemala had always maintained that it had no dispute with the people of Belize.

35. In certain forums it had, on occasion, been maintained that the principle of the self-determination of peoples was a norm which, having acquired legal force through being consistently applied, today belonged to the so-called jus cogens of international law. It was further maintained that, that principle having acquired legal force, other rules, norms, precepts and practices of international law which had been abrogated had lost the force of law. Acceptance of the view that the principle of the self-determination of peoples was no longer a political principle but had evolved into an absolute norm of international law would lead to the destruction of that very right. The principle of self-determination, embodied in General Assembly resolution 1514 (XV), had nobly inspired, and would continue to inspire, the task of decolonization which the Charter itself imposed upon all States. Nevertheless, every right had clearly defined limits, especially when it was part of a system in which many other rights came into play. Delimitation was thus necessary in order to prevent conflict. So evident was it that the principle of self-determination had not become an absolute right, that resolution 1514 (XV) itself established the illegitimacy of its being invoked to undermine the territorial integrity or the national unity of States. An absolute right, a norm of jus cogens, could not be subject to such mediatization. It was therefore a normative, teleological principle which belonged to the political domain and which inspired anti-colonial activity.

37. When a sovereign nation, such as Guatemala, invoked rules of law in support of its attempt to resolve a territorial dispute, that did not involve, however remotely, any threat or illicit act. The United Kingdom's failure to implement the terms of the 1859 Convention, in particular article VII, had voided the entire Convention, which had thus lost all validity. Since there was no means of validating it, the situation was merely the de facto one which had existed before the signing of the instrument. Guatemala sought a solution to the dispute with the United Kingdom by the peaceful means set forth in Article 33 of the United Nations Charter. Guatemala was willing to consider any proposal which did not distort the nature of the dispute. It was therefore astonished that attempts were now being made to hasten independence for the territory of Belize without having resolved the dispute with Guatemala. It would be irresponsible to attempt to establish a new State with uncertain frontiers and territory subject to negotiation and, therefore, to continual revision by various means.

37. On more than one occasion, his delegation had rejected the Fourth Committee's intervention in making recommendations on the controversy; the dispute was of a legal and territorial nature and, as it was subject to settlement by direct negotiations, any intervention by outside parties and any attempt to impose parameters on the negotiations were unacceptable.

(Mr. Skinner-Klee, Guatemala)

38. That was the real meaning of the statement of the Minister for Foreign Affairs of Guatemala when he had informed the General Assembly, on 6 October 1980, that Guatemala would not agree to a unilaterally granted independence for Belize, since it would involve not only the dismemberment of Guatemalan territory but also the creation of one more focal point of disturbance and crisis in a region which more than ever needed peace to be able to devote itself entirely to the development of its peoples and the satisfaction of the needs of its inhabitants.

39. Mr. KAMARA (Senegal) expressed his delegation's profound regret at the tragedy that the recent earthquake in the region of Al Asnam had caused for the Algerian people.

40. His delegation believed that, now more than ever, the small Territories deserved the attention of the international community. The administering Powers, which had not always complied with all the obligations deriving from the Charter and the relevant resolutions of the United Nations, must create conditions in those Territories which would enable their peoples to exercise their right to self-determination and independence, and must ensure their economic and social development, guaranteeing the rights of the people to their natural resources. It had been repeated on various occasions in General Assembly resolutions that such factors as area, geographical situation, population and limited natural resources should not delay in any way the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Despite the diversity of geographical, political and historical conditions, there could be no doubt that the determined action of the peoples themselves was the main factor in achieving independence.

41. On the case of East Timor, his delegation would support any resolution designed to bring peace to the island through the implementation of the Declaration on decolonization.

42. With regard to Belize, it should be recalled that the Territory, which was still administered by the United Kingdom possessed a system of internal self-government, with a Governor, appointed by the Queen, a Cabinet of Ministers and a National Assembly consisting of a Senate and a House of Representatives, the latter elected by universal suffrage. The administering Power had declared itself in favour of independence for Belize, but a neighbouring country, adducing historical, geographical and juridical arguments, was firmly opposed to such independence and insisted upon its territorial claims. His delegation urged that the relevant resolutions of the General Assembly, the Caribbean Community, the non-aligned countries and the Commonwealth, all of which supported independence for Belize, should be taken into account and that negotiations should continue among the three parties concerned so as to arrive at a solution in accordance with the fundamental rights of the people of Belize.

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(Mr. Kamara, Senegal)

43. Concerning the question of Western Sahara, which had been on the Assembly's agenda since 1964, he said that some encouraging signs were now apparent: the Ad Hoc Committee set up by OAU in 1978 to seek a solution to the conflict in Western Sahara, meeting at Freetown, Sierra Leone, in September 1980, had presented a new approach to the problem and formulated new proposals for a solution. His delegation, which had always advocated a compromise solution to that painful problem, considered that the international community should acknowledge the work of OAU and encourage it to continue to seek a solution to the question of Western Sahara. Senegal had therefore joined in sponsoring and would support draft resolution A/C.4/35/L.7.

44. Mr. MADEIRA (Mozambique) recalled that, in December 1980, the international community would celebrate the twentieth anniversary of General Assembly resolution 1514 (XV) of 14 December 1960. Since that date, many countries and peoples had achieved freedom and independence, although, unfortunately, there were still millions of people suffering from colonial oppression, racial discrimination and apartheid. All those who had lived through the nightmare of colonialism, imprisonment and death sentences, exile and armed struggle against the oppressor, knew the value of self-determination, freedom and independence. Even those countries which had become independent years earlier continued to suffer the disastrous consequences of the colonial régimes.

45. It was unfortunate that some countries which had known the tragedy of colonialism forgot, when they became independent, the bitter lessons of the past and themselves embarked on colonial oppression. Such was the case with Indonesia in Asia, and Morocco in north-west Africa, each of which, after contributing substantially to the cause of the eradication of colonialism, had embarked on a policy of brutal colonial oppression in East Timor and Western Sahara respectively.

46. It would be recalled that, in July 1979, the OAU Ad Hoc Committee, after holding exhaustive consultations with all the interested parties, had submitted to the Assembly of Heads of State and Government of OAU at its sixteenth session, held in Monrovia, a series of recommendations for the peaceful solution of the conflict. Those recommendations had been accepted by all countries, with the exception of Morocco.

47. In line with those recommendations, Mauritania had signed an agreement in 1979 with the Frente POLISARIO in which it had renounced all territorial claims to Western Sahara and had withdrawn from the unjust war in that Territory.

48. Morocco had also rejected the recommendations formulated by the OAU Ad Hoc Committee at its session held in September 1980, urging that a referendum should be held in Western Sahara and a cease-fire declared by December 1980.

(Mr. Madeira, Mozambique)

49. Since January 1975, when the International Court of Justice had affirmed that there were no ties of territorial sovereignty between Western Sahara and Morocco or Mauritania, nor any legal ties affecting the implementation of General Assembly resolution 1514 (XV), the régime of King Hassan II had been trying to vitiate the nature of the conflict in Western Sahara by accusing the Frente POLISARIO of being a band of mercenaries and claiming that the real parties to the conflict were Morocco and Algeria. It could never be sufficiently stressed that the problem of Western Sahara was one of decolonization, complicated and aggravated by a military oppression aimed at suppressing the process of decolonization. The rebellion by Morocco against the efforts of the African Heads of State was an affront to Africa's goodwill and was aimed at invalidating the agreement between the Saharan Arab Democratic Republic and the Islamic Republic of Mauritania, widely supported by the international community.

50. By defying any attempt by the United Nations, OAU and the Non-Aligned Movement to find a peaceful solution to the question of Western Sahara, Morocco had turned itself into a monstrous colonial Power which must be paralysed by the force of arms. That monster of colonialism must be destroyed, for its existence represented a setback to the political and moral values which the international community had achieved in recent times. Morocco's dangerous game in Western Sahara was harmful not only to the Saharan people and a number of neighbouring countries but to all the peoples of Africa and the third world in general.

51. By assuming the role of an imperialist Power in North Africa, Morocco was trying to divert the attention of OAU, the United Nations and the non-aligned countries from the major problems affecting the peoples of the third world: economic dependence, drought, chronic malnutrition and disease.

52. Draft resolution A/C.4/35/L.2 on the question of Western Sahara, which was already supported by more than 30 African countries, was a comprehensive and fair resolution that covered every aspect of the conflict and suggested a solution. On the other hand, in considering draft resolution A/C.4/35/L.7, prepared by Morocco, sight must not be lost of the fact that, despite its apparently innocuous nature, by referring to Article 33 of the United Nations Charter and to only part of the conclusions of the OAU Ad Hoc Committee, it sought to detract from the heart of the problem and to persuade the Fourth Committee and the General Assembly that the conflict was one between Morocco and certain neighbouring countries, and not between the people of Western Sahara, led by the Frente POLISARIO and Morocco.

53. The Minister for Foreign Affairs of Mozambique, in speaking to the General Assembly at its thirty-fifth session, had said that the Saharan people were fighting in defence of the most sacred principles of OAU and of the United Nations and were waging a struggle for the affirmation of the sovereignty of the Saharan Arab Democratic Republic and the dignity of its people.

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54. Mr. ALI KHAN (Pakistan) paid tribute to the indomitable spirit of the great liberation movements which had made a significant contribution to the process of decolonization. Pakistan would maintain its total solidarity with all those forces which opposed the tyranny of colonialism in all parts of the world and would continue to support their struggle for the attainment of their objectives.

55. His delegation was convinced that the various specialized agencies and international institutions associated with the United Nations could make a substantial contribution towards liquidating colonialism by providing assistance for the peoples struggling for their liberation from the colonial stranglehold. The reports of the Special Committee and the Secretary-General showed that the action taken by the specialized agencies had in most cases been satisfactory. His delegation noted, however, that the over-all action in the provision of assistance to the colonial peoples, particularly the people of Namibia and their national liberation movement, SWAPO, had not been adequate enough to meet the actual needs of those peoples. Pakistan joined the other Member States in urging the specialized agencies, particularly the World Bank and the International Monetary Fund, to take necessary steps towards the full and complete implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by developing their assistance programmes for the peoples in colonial Territories and refraining from co-operation with the colonialist, racist minority régime in South Africa.

56. His delegation strongly endorsed the recommendation that the specialized agencies and other organizations within the United Nations system should initiate or broaden contacts with the colonial peoples and review their procedures with respect to the formulation and preparation of assistance programmes and projects to ensure effective and prompt support to the colonial peoples and their national liberation movements in their struggle for the attainment of their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV). It also believed that all Governments should intensify their co-operation within the specialized agencies and other international institutions associated with the United Nations with a view to enabling those agencies to carry out their obligations under the Declaration and thus contribute to the full and effective implementation of the Declaration and other related resolutions of the United Nations.

57. Pakistan had contributed regularly to the different United Nations funds instituted for the purpose of providing economic, technical and educational assistance to the colonial peoples and territories, and would continue to do so. It would also continue its active role in the specialized agencies to promote their effectiveness in helping the cause of decolonization. In that context, it attached particular importance to UNDP, FAO, WHO and UNESCO, which had been making a commendable contribution to the welfare of colonial peoples. In view of its desire to continue to work in close co-operation with all those agencies, Pakistan had become a sponsor of draft resolution A/C.4/35/L.3.

58. Mr. FOURATI (Tunisia) reminded the Committee that the problems posed by the size, the geographical situation, the population or the viability of the economy of a Territory should in no way serve as a pretext for obstructing or delaying the application to that Territory of the Declaration contained in General Assembly resolution 1514 (XV). The sole guiding principle should be the interest of the respective peoples and not the application of abstract standards.

59. It was necessary above all to obtain on the spot, in co-operation with the administering Powers, the opinion of the inhabitants. For small Territories, such as the Falkland Islands (Malvinas), Gibraltar and Belize, his delegation suggested recourse to dialogue and conciliation, so that negotiations between the parties concerned might be started with the aim of reaching a peaceful solution, in accordance with the purposes and principles of the Charter.

60. The solution of the problem of Belize was essential not only for the neighbouring countries and Latin America, but also for the whole international community. The process of decolonization would be completed when all the inhabitants of Belize had an opportunity to exercise their right to self-determination and independence and to express freely their desires and aspirations without any pressure being brought to bear upon them.

61. His delegation invited the parties concerned to pursue the existing consultations and complete them, with the agreement of the autonomous Government of Belize, and respecting the territorial integrity of Belize, and he called upon them to abstain from resorting to the threat or use of force and any other act likely to prevent the people of Belize from exercising their inalienable right to self-determination and independence. Account should be taken of those consultations in the relevant resolutions of the General Assembly.

62. According to the report of the Committee of 24, tangible progress had been made in several of the Non-Self-Governing Territories but that progress had not always been adequate; for example, executive and legislative bodies had been established without adequate decision-making powers, or limited economic reforms had been introduced which were insufficient to ensure the right of peoples to self-determination. It was the duty of the administering Powers to ensure that the powers of Government were transferred to the elected bodies and that the creation of economic infrastructures was encouraged in the Territories, while at the same time refraining from any attempt to violate their territorial integrity.

63. Tunisia, as a member of the Committee of 24, had participated in numerous visiting missions and considered it important to point out their utility, because they enabled the United Nations not only to obtain first-hand information on the situation obtaining in the Territories but also to ascertain the desires of their inhabitants concerning their future status. The missions provided an opportunity to ascertain and dispel the doubts and fears existing among the inhabitants concerning their future, especially with regard to possible independence. His delegation also wished to express its gratitude to the administering Powers for the co-operation extended to the visiting missions in the Territories under their administration.

(Mr. Fourati, Tunisia)

64. With regard to the role of the international organizations in the decolonization process in southern Africa, it should be pointed out that various specialized agencies, including in particular UNHCR, UNESCO, FAO, UNIDO, WHO, ILO and UNDP, had formulated specific programmes of assistance to the struggling peoples in southern Africa. He appealed to those organizations to intensify their assistance to the liberation movements and to the front-line States in their resistance against the aggressive acts of South Africa, and called upon other organizations and specialized agencies which did not yet play an active part in the decolonization process to become involved in it.

65. Mr. AFSARUDDIN (Bangladesh) said that Bangladesh had consistently supported all efforts to further the objectives of decolonization in accordance with General Assembly resolution 1514 (XV) and expressed regret that the case of East Timor was still before the Committee. By freely expressing their desire to be an integral part of Indonesia in July 1976, the people of East Timor had in fact already gained independence. The Government of Indonesia was trying to bring East Timor into the mainstream of the economic development programme of the country, and there was no doubt that the help of the international community and the United Nations agencies would accelerate the progress of the development programmes undertaken in East Timor.

66. The CHAIRMAN announced that Turkey had asked to be included in the list of sponsors of draft resolution A/C.4/35/L.4, Romania had joined the sponsors of draft resolutions A/C.4/35/L.5 and L.6, Oman those of draft resolution A/C.4/35/L.7 and Belgium, Mexico, the Netherlands, New Zealand, Norway and the Sudan those of draft resolution A/C.4/35/L.8.

67. Since the General Assembly would begin its consideration in plenary of the items on decolonization on 10 November 1980, he suggested that the Committee should set a deadline for terminating its work on that question on 7 November.

68. It was so agreed.

The meeting rose at 1.10 p.m.