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Chairman: Mr. JAMAL (Qatar)

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REQUESTS FOR HEARINGS

The meeting was called to order at 3.15 p.m.

AGENDA ITEM 93: QUESTION OF EAST TIMOR (A/C.4/36/2/Add.1 and Add.4-7)

Hearing of Petitioners

1. The CHAIRMAN drew the attention of the Committee to its decisions, taken at its third and eighth meetings respectively to grant requests for hearing as contained in documents A/C.4/36/2/Add.1 and Add.4-7.
2. At the invitation of the Chairman, Mr. Roff, Ms. Nichterlein (Minority Rights Group), Mr. Chamberlain (East Timor Human Rights Committee), Sister Lupo (Clergy and Laity Concerned) and Mr. Clark (The International League for Human Rights) took places at the Petitioners' table.
3. Mr. Roff (Professor of South-East Asian History, Columbia University) said that the process of decolonization, one of the great tides of human history, had seen the restoration of political liberty to more than 750 million of the world's peoples between 1945 and 1975.
4. The failure of the Netherlands in its attempt in 1948 to reimpose colonial rule on Indonesia had in large part been due to the international community and, in particular, to the United Nations. In the situation which Indonesia had then faced, it had had many friends. In January 1949 Pandit Nehru had convened in New Delhi a special meeting of representatives from 14 Third World States which had moved strong resolutions in Indonesia's favour and had helped influence the world body. Later, the Security Council had induced the Netherlands to recognize the justice of Indonesia's cause and to effect the final transfer of sovereignty.
5. Throughout the five years of Indonesia's armed struggle against the Dutch, and indeed until 1975, no Indonesian leader or political grouping of importance had shown the slightest interest in the adjacent Portuguese colony of East Timor. Similarly, none of Indonesia's supporters in the late 1940s and the 1950s had seen the decolonization of East Timor as being in any way connected with the Republic of Indonesia. Only in 1975, when that wholly separate Territory and people, with a wholly separate past, had endeavoured to free itself from colonialism, had an Indonesian Government of a new complexion decided to intervene, in contravention of the right of the people of East Timor to pursue a wholly separate future if they should so wish. Only since 1975 had some of those, including Australia, who in 1949 had stood by the principle of self-determination seen fit to ignore the brutal annexation of East Timor by Indonesia's military leadership.
6. It was manifest that the people of East Timor had been afforded no opportunity to decide their future in freedom, and the judgement of the Fourth Committee had been to that effect during each of the past five years. In the light of detailed testimony given before the Committee, it was equally manifest that the people of East Timor had suffered and continued to suffer grievously from the perpetuation of Indonesia's claimed annexation of their country. Indeed, there were ample indications that the people of East Timor, as the people of Indonesia had done some 32 years earlier, rejected alien rule and would continue to struggle for their liberty.

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(Mr. Roff, Professor of South East Asian
History, Columbia University)

7. Events in East Timor represented what was still fortunately a relatively rare phenomenon in the decolonization process, namely, the arbitrary recolonization of a colonial Territory by a more powerful neighbour, itself only 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 unequal relationship which resulted; however, it made it more difficult to engender the proper international response. The most obvious case parallel to that of East Timor was that of Western Sahara as an instance of decolonization imperfectly carried out, by Spain rather than Portugal, and pre-empted by an aggressive and power-hungry neighbour.

8. The essence of the situation in East Timor was that the original process of decolonization had never been adequately carried out, as indeed had been the case until recently with respect to Zimbabwe and was still the case with Western Sahara. He therefore proposed that the Fourth Committee should urge the General Assembly to use its good offices to encourage Portugal not merely to continue to withhold recognition from the Jakarta Government but to resume temporarily its decolonizing responsibilities, in the interests solely of securing for the people of East Timor the conditions under which a genuinely free and democratic act of self-determination could take place. The heroic struggle and high statesmanship of the Government and people of Zimbabwe had shown that such a process was possible, given the necessary act of imagination and adequate international support. It was hard to believe that the Government of Portugal, which had steadfastly refused to relinquish its legal responsibilities in East Timor, and the people of East Timor, would not together welcome such an opportunity.

9. Miss NICTERLEIN (Minority Rights Group) speaking particularly in reference to General Assembly resolution 35/27 which requested the United Nations Children's Fund, The World Food Programme and the Office of the United Nations High Commissioner for Refugees to render, within their respective fields of competence, all possible assistance to the people of East Timor, recalled that in late 1979 an Australian journalist had brought back photographic proof of starvation and malnutrition in East Timor as terrible as that in Biafra or Kampuchea. An American journalist had reported in The New York Times in January 1980 that the Indonesian army's policy of resettling the population in areas where it could be controlled would make East Timor permanently dependent on food imports.

10. Later that year a pro-integrationist American academic allowed into the Territory had reported that perhaps 15 per cent of the population had died as a direct and indirect result of the political struggle from wounds, famine and disease; the traditional pattern of agriculture had been broken and the agricultural basis of the large resettlement centres was inadequate to provide for the population. He had found that the people stayed in the resettlement areas because it was there that they found the medical and feeding points of the International Committee of the Red Cross (ICRC) and the Catholic Relief Services (CRS). In an editorial in July 1980, The New York Times had cited reports by refugee priests that much of the food intended for the starving, including nearly \$13 million worth of American aid, had been embezzled by Indonesian officials.

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(Miss Nichterlein, Minority Rights Group)

11. It was possible to obtain some idea of the relief operations in East Timor by scrutinizing the auditors' report to ICRC and the report of CRS on its programmes of emergency assistance to East Timor covering the period of June 1979 through August 1980. In East Timor, contrary to its usual practice, ICRC had entrusted detailed operational activity and accounting functions to the Indonesian Red Cross (PMI), with the ICRC providing material and technical support. ICRC, which normally should have monitored the financial and medical progress of the relief operation, had been in fact unable to do so because its auditors had been unable to visit East Timor and had instead simply accepted the PMI assurances that all but .01 per cent of the approximately 4,300 tonnes of commodities sent to East Timor had been distributed.

12. The CRS' report on its operations in East Timor was drawn up by officials who, when they had not left the region entirely, rarely left Jakarta for Dili and had, in effect, handed over their programme of disaster assistance in East Timor to the same agents who had created the disaster, the Indonesian occupying forces: the CRS programme had been dependent on Indonesian Government transport and there had been no Americans overseeing the receipt and distribution of the goods in Dili or the villages of the hinterland. Moreover, the reported receipt of food commodities in the CRS account sheet as submitted to the office of United States Foreign Disaster Assistance did not tally with the United States Department of Agriculture's figures for CRS procurements for Indonesia, nor with yet another set of figures provided by the Office of United States Foreign Disaster Assistance itself. By any of the three accounts, however, more food had been shipped than had been distributed in East Timor.

13. Whatever CRS relief had been reaching the East Timorese had been cut off in December 1980. The ICRC programme had finished in April 1981. Thus, the handful of foreign observers who had been given the awesome task of saving the people of East Timor from a famine induced by war had left the Territory, while 8,000 troops had been sent to East Timor to reinforce the 30,000 Indonesian troops already there. The last major Indonesian campaign to eliminate the resistance of the Fretilin Revolucionaria de Timor Leste Independente (FRETILIN) had resulted in the famine of 1979. Unless the Fourth Committee and the General Assembly acted immediately to send observers and aid teams to the Territory, the current offensive might result in the extermination of the other half of the East Timorese people.

14. Mr. CHAMBERLAIN (East Timor Human Rights Committee) said that the Committee he represented had been established to organize discussions about East Timor at the grass-roots level throughout the United States and to educate the American public about the United States Government's responsibility for Indonesia's continued violations of the human rights of the people of East Timor and their right to self-determination. In investigating the situation in East Timor, he himself had personally interviewed recent refugees in Portugal, spoken with Indonesian citizens and Government personnel in the United States and checked information received from those sources against reports by the United States State Department, the Indonesian Government and individuals who had visited East Timor over the past three years, and against the evidence presented at the Permanent People's Tribunal session on East Timor held in Lisbon in June 1981. He had also met with Portuguese Government officials and representatives of the people of East Timor.

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(Mr. Chamberlain, East Timor Human Rights
Committee)

15. The verdict of the Permanent People's Tribunal, circulated in document A/36/448-S/14640, had corroborated extensive violations of human rights as well as breaches of international law and internationally accepted norms by Indonesia, and complicity in those crimes by several nations, particularly Australia and the United States. The continuing struggle for freedom had intensified in East Timor since the summer of 1980: independence fighters, led by FRETILIN, had staged major attacks on several cities, including Dili. The effectiveness was evident from the steps taken by Indonesia and the United States to repress it by widespread military force. Once the International Red Cross had announced that it would be withdrawing from East Timor in April 1981, Indonesia had launched a new military campaign to drive the insurgents from their mountain hideouts into the plains where they could be captured. It was reliably reported that all able-bodied East Timorese from the ages of 15 to 50 were being conscripted to assist the Indonesian army. That new campaign was particularly distressing because as it had left many of the crop-growing areas devastated or abandoned, it once again raised the spectre of famine.
16. There had of course been a concomitant diplomatic campaign - thus far unsuccessful - to end international discussion of the question of East Timor, at the United Nations and elsewhere. But even an American academic admitted to East Timor to bolster the campaign had found that East Timor had become a country of internal refugees resettled in villages on the Javanese pattern with an inadequate agricultural basis, and that the strategy was obviously aimed at the cultural and psychological identification of the East Timorese people with the Indonesian people.
17. His Committee spoke for the many thousands of United States citizens who supported the people of East Timor in their struggle and the United Nations in its efforts to ensure their rights. The reality of that concern among Americans was demonstrated by the hundreds of public discussions, radio programmes and newspaper articles that had been devoted to the question throughout the United States over the past year, with the support of a broad spectrum of community groups that included hunger coalitions, religious gatherings, human rights organizations, United Nations associations and several major universities.
18. His Committee urged the United Nations itself to do something concrete to publicize the question of East Timor. It might, for instance, considering publishing an updated report on the situation as part of its Decolonization series, based on the most recent developments.
19. Sister LUPO (Clergy and Laity Concerned) said that her organization of more than 20,000 members and supporters worked for peace and justice, especially on issues in which the United States Government or corporations were involved, and challenged the people of the United States to apply their religious or ethical values to current issues and to demonstrate their concern. In applying the imperatives of justice - a theological imperative shared by all religious people and a moral and ethical imperative shared by all human beings - to the events in East Timor over the past six years, the group found clear evidence of unjust action on the part of the Indonesian Government.

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(Sister Lupo, Clergy and Laity Concerned)

20. The facts of the Indonesian military aggression against the people of East Timor and their leaders, and of the severe famine and the many thousand deaths which had resulted, were well documented in reports of the United Nations, the United States Government and Amnesty International. It was evident that the respect for human life and the right to self-determination were accepted by Indonesia: Indonesia had argued for its own right to self-determination in its struggle for independence in 1945. Therefore, the obligation to recognize the same right for others was to be expected of it. Indonesia apparently admitted that obligation, for it claimed that it had supported the right to self-determination of the people of East Timor by its annexation of the Territory. It was then, the legitimacy of Indonesia's annexation that had to be questioned, since those who had requested it were living in exile and represented only a small minority of the people, and there was continuing resistance by those living in the Territory itself.

21. Moreover, Amnesty International and East Timorese refugees had reported that the human rights situation in East Timor was deplorable. The fighting had caused a severe famine, more than 200,000 people had been killed, hundreds of thousands had seen their homes destroyed and countless more had been forcibly relocated by the Indonesian military. In no way could such acts be justified as the price for defending the rights of the Indonesian people, for FRETILIN had never invaded or threatened Indonesian territory or the Indonesian people. The devastation of the land and people of East Timor was a blatant violation of human life and basic rights, amounting to genocide.

22. The same principle of justice had to be applied to the actions of other Governments regarding the takeover of East Timor, especially the actions of the United States Government. By supplying the major part of Indonesia's military equipment, it had made the occupation of East Timor possible and thus shared the guilt and responsibility for Indonesia's unjust action. Furthermore, the diplomatic support which the United States had given Indonesia, at the United Nations and elsewhere, was equally to be condemned. Even as lip service was being paid to justice as a universal principle of action, that same principle was being supplanted by a desire for economic and political domination in which the end justified the means.

23. Clergy and Laity Concerned asked the United Nations, whose function was to uphold the respect for justice by all, to make every effort to end the foreign domination to East Timor.

24. Mr. CLARK (The International League for Human Rights) noted that it was now six years since Indonesia had invaded East Timor in flagrant breach of international law, and that he was speaking on the subject on behalf of his organization for the fourth time. He hoped that the Committee would once again express the international community's condemnation of Indonesia's action.

25. In the first place, Indonesia had deprived East Timor of its right to self-determination, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. Indonesia claimed that it had not deprived East Timor of its right to self-determination, because the East Timorese had indicated their preference for integration with Indonesia, in no less than four acts: but none of

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(Mr. Clark, The International League for
Human Rights)

those acts satisfied the conditions set forth by the General Assembly for a legitimate expression of will to integrate with a sovereign State, which was an option available to a Territory in the fulfilment of its right to self-determination. Referring to principle IX of General Assembly resolution 1541 (XV), he said that two of the four acts obviously failed to satisfy that principle, since neither the November 1975 Proclamation, issued by the coalition of four parties sympathetic to union with Indonesia, nor the Indonesian fact-finding mission of June 1976 in any resembled a plebiscite based on universal adult suffrage.

26. The remaining two acts cited by Indonesia - the May 1976 resolution of the East Timor Regional Popular Assembly and the subsequent petition to Indonesia's President and Parliament presented by the representatives of East Timor - both proved grossly inadequate in the light of principle IX. The representative of the Regional Popular Assembly had been elected in accordance with the principle of one man/one vote solely in the capital city of Dili; in other districts, they had been chosen in conformity with "the principles of consensus and consent". Hence only 5 out of 28 representatives had been elected by popular vote. Moreover, the absence of a public record of the proceedings made it difficult to determine who had participated in the elections and whether the district elections had represented the will of the people.

27. Nor could it be claimed that the proceedings of the Regional Popular Assembly had been conducted impartially, as required by principle IX. The United Nations had declined to supervise the East Timor consultation, and the observers present had been diplomats from States arguably sympathetic to Indonesia. Moreover, the conditions had prevented diplomats from playing an effective role as impartial observers; neither the diplomats nor the attending journalists had been able to interview members of the Assembly, and since the speeches had been made in Portuguese, many of the diplomats and journalists had been unable to understand them. The absence of effective third-party supervision of the elections was particularly relevant in view of the many reasons to suspect that the entire process had been a sham conducted either by the Indonesians themselves or by factions heavily under their influence. Moreover, integration had been the only item on the Assembly's agenda and it was clear that no other alternatives had been debated.

28. Principle IX also provided that the peoples of a territory should make a responsible choice with full knowledge of the change in their status, yet there had been no educational campaign to present the relevant issues fully and fairly, or any evidence to show that the people had been informed about the consequences of integration with Indonesia. The consultation and the designation of representatives had taken place in the midst of continuing fighting and Indonesian occupation, circumstances not likely to foster an informed and responsible choice. For similar reasons it was unlikely that the consultation with the East Timorese people satisfied the provision of principle IX that the Territory should have attained an advanced stage of self-government with free political institutions.

29. Thus Indonesia's reliance on the four so-called acts of expression as genuine acts of will was completely unacceptable, and its invasion and occupation of East Timor, as well as its formal declaration of integration, constituted grave violation of East Timor's right to self-determination.

(Mr. Clark, The International League for Human Rights).

30. Indonesia had invoked the geographic, historical, ethnic and cultural ties uniting East Timor with Indonesia, and had suggested that East Timor was an integral part of the Indonesian nation, on the basis of a little-used interpretation of paragraph 6 of General Assembly resolution 1514 (XV) to mean that decolonized territories could be reintegrated with sovereign nations having a well-established historical claim to the territory without prior consultation with the indigenous population.

31. Legally speaking the case was weak, and it had no basis in fact. That paragraph provided that any attempt at the partial disruption of the national unity and the territorial integrity of a country was incompatible with the purposes and principles of the Charter. The paragraph had been intended to prevent one section of the population of a non-self-governing-territory from seceding from it, at or after the territory's independence, the aim being to ensure that the act of self-determination occurred within the established boundaries of colonies rather than within subregions, and to prevent Katanga-type secessions or separate agreements with the former colonial Power. Thus, attempts by Indonesia to invoke that provision were unacceptable.

32. Moreover, Indonesia's historical claim to East Timor was spurious; there was no convincing proof that East Timor had ever been an integral part of the pre-colonial Indonesian empire, and in fact the ethnic and cultural roots of the East Timorese and the Indonesians suggested the contrary. Furthermore, any such defense by Indonesia contrasted with its own declarations, in the context of the discussion of the West Irian issue, that it had no intention of claiming East Timor as an integral part of its colonial or pre-colonial legacy. Even if historical, ethnic and cultural ties between East Timor and Indonesia existed, they would not make Indonesia's actions legal, and Indonesia could not rely on paragraph 6 to support its claims.

33. In a statement made by its minister for Foreign Affairs, Adam Malik, in December 1974, Indonesia had also attempted to defend its invasion and occupation of East Timor on the grounds that independence was not a realistic hope because of the backwardness and economic weakness of the population, an argument that clearly violated the provisions of paragraphs 2 and 3 of the Declaration.

34. Indonesia had denied East Timor's right of self-determination by reintegrating it, and had violated international law - particularly Article 1, paragraphs 1 and 2, and Article 2, paragraph 3, of the United Nations Charter - by invading it. It had attempted to justify that action by invoking the right of self-defense, but that doctrine, as defined in Article 1 of the Charter, permitted only the employment of commensurate force and required the defending State to notify the Security Council immediately of its actions. Yet there was no evidence to prove Indonesia's allegation that East Timorese troops had ever launched unprovoked attacks on Indonesian territory; and even if they had, Indonesia had still violated Article 51 of the Charter, because its invasion of East Timor was grossly disproportionate to whatever border incursions may have occurred and it had never notified the Security Council of its actions.

35. Indonesia had further argued that its troops had been sent into East Timor in response to a request of four political parties representing the majority of the

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(Mr. Clark, The International League for
Human Rights)

population, and claimed that it had the right under international law to assist another State acting in self-defense as defined in Article 51 of the Charter. For that assistance not to violate another State's territorial integrity or political independence, as protected in Article 2, paragraph 4, of the Charter, the intervening State had to be invited by the recognized Government of the second State. Yet the Indonesian Government had itself acknowledged that no faction could authoritatively claim to represent the people of East Timor, and that Portugal remained the administering Power. The joint resolution of the four political parties therefore could hardly constitute such an invitation.

36. Indonesia had also invoked the debatable argument that its actions had been necessary to maintain the long-term stability of Indonesia and of South-East Asia, but the doctrine of self-defense did not recognize the right of a State to launch a preventive attack against a neighbouring State or Territory and required that the use of force must be commensurate with the immediate danger.

37. Indonesia's final argument was that its invasion had been undertaken in order to assist thousands of East Timor refugees who were in critical need of food, shelter and medical care. While it was undoubtedly true that even before the invasion, the people of East Timor had suffered abject poverty and possibly human rights violations, Indonesia's intervention had failed to meet any of the accepted international legal norms for justifying humanitarian intervention. Indonesia had not requested assistance from the United Nations or any international agencies and its use of force was disproportionate to any possible humanitarian objectives. In fact, it had aggravated and prolonged the inhuman conditions prevailing in East Timor and continued its occupation even after its objectives had been achieved. Even more significantly, annexation was not a necessary or inevitable consequence of humanitarian intervention, and that particular act cast significant doubt on the argument that the invasion had been motivated primarily by humanitarian considerations.

38. In the light of the considerations he had outlined, his organization urged the Committee to keep the item of East Timor on the General Assembly's agenda with a view to giving effect to article 5, paragraph 3, of the definition of aggression in General Assembly resolution 3314 (XXIX), which stated that no territorial acquisition or special advantage resulting from aggression was or should be recognized as lawful, and to paragraph 5 of the Declaration on the Strengthening of International Security in General Assembly resolution 2734 (XXV), which stated that no territorial acquisition resulting from the threat or use of force should be recognized as legal. His organization also considered that it was particularly important for the General Assembly to adopt another resolution denouncing Indonesia's use of force against East Timor and reaffirming East Timor's right of self-determination.

39. Mr. ROFF, Miss NICTERLEIN, Mr. CHAMBERLAIN, Sister LUPO and Mr. CLARK withdrew.

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General Debate

40. Mr. ADHAMI (Syrian Arab Republic), Rapporteur 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, introducing the chapters of the report (A/36/23, parts III, V and VI of the Special Committee relating to agenda items 19, 92, 93 and 95, said that parts V and VI related to specific Territories under agenda item 19 and part III to item 92 to information from Non-Self-Governing Territories: part V also concerned item 93, on the question of East Timor, while Part III referred to the implementation of the Declaration by the international institutions concerned.

41. The Special Committee had been guided by General Assembly resolution 35/119, paragraph 12, and by the relevant provisions of the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 35/118. In accordance with those resolutions, the Special Committee had given extensive consideration to the situation in the Territories concerned as well as to other related questions. In particular, with regard to the smaller territories, the Committee had once again approved a series of recommendations which were set forth in the relevant chapters.

42. In connection with its consideration of those Territories, the Special Committee had continued to receive the co-operation of the administering Powers. By accepting invitations extended to it by the administering Powers concerned, the Special Committee had dispatched two visiting missions in 1981, to Tokelau and American Samoa respectively. It was the intention of the Special Committee, subject to the approval of the General Assembly, to hold one or two extra-session meetings to consider those Territories as soon as the reports of the two visiting missions became available. The Special Committee, conscious of the constructive results achieved by previous United Nations visiting missions in securing first-hand information about the Territories concerned, had once again stressed the need to continue to dispatch such missions to colonial Territories in order to facilitate the full and speedy implementation of the Declaration with respect to such Territories.

43. The question of the extension of assistance by the organizations in the United Nations system to the people of the colonial Territories, particularly those in southern African, had also continued to engage the close attention of the Special Committee. In particular, the Special Committee was concerned that the assistance extended to the colonial peoples, in particular the people of Namibia and their national liberation movement, the South West Africa People's Organization, was far from adequate to meet their pressing needs. The Special Committee accordingly recommended that the organizations concerned should initiate or broaden contacts with those peoples, review their procedures with respect to the formulation and preparation of assistance programmes and projects and introduce greater flexibility in those procedures so as to be able to extend the necessary assistance without delay.

44. The Special Committee had recommended a number of measures to assist in the effective implementation of the Declaration in respect of the various colonial Territories and was confident that the Fourth Committee would pay due respect to those measures in formulating its recommendations.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/36/23 (Parts III, V and VI), 116 and Corr.1, 138, 155, 156, 287, 412, 421 and Corr.1, 488, 512, 522, 525, 566; A/AC.109/643-646, 647 and Corr.1, 648-651, 652 and Corr.1, 654-659, 661, 662 and Corr.1, 665, 667, 670, 671)

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AGENDA ITEM 97: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES: REPORT OF THE SECRETARY-GENERAL (A/36/580)

45. Mr. BARBOSA DE MEDINA (Portugal) said that his country, although it had no territorial ambitions in East Timor, was aware of its historical responsibility to protect the national rights and identity of the people of East Timor and would do its utmost to carry it out in the spirit of the United Nations Charter. His Government had accordingly made sincere efforts to set up an international commission to consider the problem of sovereignty and self-determination in East Timor, but they had failed because of Indonesia's obstinate resistance.

46. It was the duty of the international community and the United Nations to persist in their efforts to find a lasting solution to a legally and morally intolerable situation with due regard for the legitimate interests of all parties concerned.

47. His delegation wished to draw the Committee's attention once more to the fact that basic human rights continued to be systematically violated in East Timor because of the tragic conditions prevailing there and that, despite the commendable efforts of the International Committee of the Red Cross to alleviate the attendant suffering of the population, another serious famine was to be expected in the Territory as a consequence of recent events.

48. In the light of those considerations, his country appealed to the international community to take effective measures to reach a definitive solution to the problem of East Timor. His Government would spare no effort in collaboration with the competent international institutions, to guarantee the people of East Timor a peaceful future in the context of full legality.

49. Mrs. GONTHIER (Seychelles) said that her Government's position on the question of East Timor had been consistent with the principles of the United Nations Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as with General Assembly and Security Council resolutions calling for prompt withdrawal of Indonesian armed forces in order to enable the people of East Timor to exercise its right to self-determination. Since Indonesia had ignored that appeal, the Assembly should keep the matter on its agenda until the people of East Timor, under the leadership of FRETILIN, had achieved its independence and the right to determine its own future in peace and security.

50. Indonesia continued to reject any United Nations mediation in the conflict and to escalate its military operations in the Territory, at the cost of mounting casualties among the innocent in the face of heroic armed resistance. The people of East Timor and their liberation movement, FRETILIN, currently faced a repetition of the famine it had suffered two years previously as a result of Indonesia's massive military intervention. A re-enactment of that tragedy - which could have been averted had the international community acted promptly and with the co-operation of the Government of Indonesia, and had the United States Government, oblivious to the gravity of the situation, not continued to supply Indonesia with the weapons which made its genocidal war possible - was inevitable unless the Western Powers, which were mainly responsible for what was happening, intervened immediately in order to avert it. The famine in East Timor had been caused not by natural disasters but by a deliberate policy of the of Indonesia to break the backbone of the liberation movement by forcibly evacuating half the population into so-called resettlement camps, where thousands had perished.

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(Mrs. Gonthier, Seychelles)

51. Had it not been for Indonesia's armed aggression, East Timor would have achieved its independence by October 1978, in accordance with the decolonization programme of the Portuguese Government. Indonesia's claim that a free choice had been made in East Timor in May 1976 was incorrect. The Special Committee of 24 played no role in the "rigged" elections held while the entire population was fighting Indonesia's occupation. For an act of self-determination to be considered genuine, the United Nations must play a role in every stage leading to the holding of general elections or a referendum to determine the real wishes of the people. If, as Indonesia insisted, FRETILIN did not represent the people of the Territory, it was hard to understand its reluctance to submit to an internationally supervised referendum to ascertain the real aspirations of the people.

52. His delegation called upon Indonesia to comply with the relevant General Assembly and Security Council resolutions and to co-operate with the United Nations and with Portugal, the administering Power, to enable the people of East Timor to exercise its right to self-determination and independence. It also called upon the Portuguese Government to live up to its responsibilities by promoting a world-wide campaign of information about the East Timor tragedy so that the international community could make the necessary representations to Indonesia to end its military occupation.

53. Mr. CASSANDRA (Sao Tome and Principe) said that the United Nations had demonstrated its capacity to bring about peaceful change by its accomplishments in the field of decolonization. The Committee should continue its consideration of the question of East Timor so that it could not be argued that the Indonesian annexation was to be accepted as a fait accompli. It was regrettable that after more than six years of resistance the people of East Timor had not been able to exercise their right to self-determination.

54. There was irony in Indonesia's failure to comply with United Nations principles and decisions relating to self-determination and its aggression against East Timor when those principles, and the United Nations forum, had proved so important to Indonesia when it had been asserting its rights against the Dutch at an earlier period. Now, Indonesian representatives were rejecting United Nations efforts to ensure a due process of self-determination and independence in East Timor as interference in Indonesia's internal affairs. Indonesia's valiant fight for its own independence was no justification for the neo-colonial course it was following in East Timor. East Timor was a colonial issue; Indonesians would never be able to make it a part of their country. The General Assembly had already adopted six resolutions reaffirming the inalienable rights to self-determination and independence of the East Timorese people. Similarly, the summit meetings of the non-aligned movement held in Colombo and Havana had upheld the right of the East Timorese to self-determination. The Indonesian Government had also been found guilty by the Permanent People's Tribunal in Lisbon of violating international law and human rights (A/36/448-S/14640).

55. It was the responsibility of the United Nations, in co-operation with Portugal as the administering Power and with FRETILIN as the sole authentic representative of the people of East Timor, to take action. His delegation fully supported the legitimate struggle of the Maubere people for self-determination, freedom and independence. Indonesia's adventure in East Timor was doomed to failure sooner or later, for the people of East Timor were determined to continue the struggle until they achieved total liberation.

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56. Mr. KASEMSRI (Thailand) said that his delegation's position on the question of East Timor had not changed: Thailand was satisfied that the decolonization of East Timor had been carried out in conformity with the Charter and General Assembly resolutions 1514 (XV) and 1541 (XV), thus terminating its colonial status.

57. Thailand fully supported the right of self-determination for people under colonial rule, foreign occupation and alien domination, and had always done so. In the case of East Timor it supported the position of the Indonesian Government that it had fulfilled its obligations with respect to decolonization, because the decision of the people of East Timor to be integrated with Indonesia had been taken with full opportunity to express their will through their elected representatives, who had made up the membership of the Regional Popular Assembly. They had done so on 31 May 1976 by choosing to end East Timor's colonial status through integration with the Republic of Indonesia. The decision had also been legally accepted by the Indonesian people through their National Assembly and Government, and on 17 July 1976 the President of Indonesia had promulgated Act No. 7/76 providing for the integration of East Timor into the Republic of Indonesia and the establishment of East Timor as the twenty-seventh province of that country. On several occasions members of the diplomatic corps in Jakarta had been invited to observe the process of self-determination in East Timor, and a representation of the Government of Thailand had participated in such visits.

58. Indonesia had undertaken all necessary measures in accordance with its own constitutional procedures with regard to East Timor, which was now an integral part of Indonesia. The Government was doing all it could to improve living standards in that province. Thailand considered that any interference in matters essentially within the domestic jurisdiction of Indonesia was contrary to the United Nations Charter and unjustified on any grounds. It would accordingly vote against measures that could be construed as contravening the letter and spirit of Article 2, paragraph 7, of the Charter.

59. The CHAIRMAN suggested that the list of speakers in the general debate on items 19, 92, 93, 95 and 12, 96 and 97 should be closed on 21 October at 6 p.m.

60. It was so decided.

REQUESTS FOR HEARINGS (A/C.4/36/2/Add.9-11)

61. The CHAIRMAN said that he had received three communications containing requests for hearings concerning an item on the agenda. He suggested that in accordance with the usual practice the communications should be circulated as Committee documents (A/C.4/36/2/Add.9-11) and considered at a subsequent meeting. If there were no objections he would take it that the Committee agreed to the suggestion.

62. It was so decided.

The meeting rose at 5.30 p.m.