

GENERAL
ASSEMBLY

THIRTY-SIXTH SESSION

Official Records*



LIBRARY

NOV 3 1982

UN/SA COLLECTION

FOURTH COMMITTEE

20th meeting

held on

Wednesday, 4 November 1981

at 10.30 a.m.

New York

SUMMARY RECORD OF THE 20th MEETING

Chairman: Mr. JAMAL (Qatar)

CONTENTS

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items)(contin

(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

(b) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 92: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued)

(a) REPORT OF THE SECRETARY-GENERAL

(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

AGENDA ITEM 93: QUESTION OF EAST TIMOR (continued)

(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

(b) REPORT OF THE SECRETARY-GENERAL

/...

* This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room A-3550, 866 United Nations Plaza (Alcoa Building), and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate fascicle for each Committee.

Distr. GENERAL

A/C.4/36/SR.20

10 November 1981

ORIGINAL: ENGLISH

CONTENTS (continued)

AGENDA ITEM 95: 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) 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

(b) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (chap. XXX) (continued)

AGENDA ITEM 96: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued)

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

ORGANIZATION OF WORK

The meeting was called to order at 11 a.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (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, 584, 602, 626; A/C.4/36/L.2, L.3/Rev.1, L.6, L.8; 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)

(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

(c) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 92: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/36/23 (Part III), 116 and Corr.1, 160, 563, 566, A/C.4/36/L.10)

(a) REPORT OF THE SECRETARY-GENERAL

(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

AGENDA ITEM 93: QUESTION OF EAST TIMOR (continued) (A/36/23 (Part V), 160, 448, 598; A/C.4/36/L.7; A/AC.109/663)

(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

(b) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 95: 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/36/23 (Part III), 116 and Corr.1, 154 and Add.1-3, 566; A/AC.109/L.1389; A/C.4/36/L.9)

(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

(b) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (chap. XXX) (continued) (A/36/3/Add.30, 138, 421 and Corr.1, 566, 584)

AGENDA ITEM 96: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/36/147; A/C.4/36/L.5)

/...

AGENDA ITEM 97: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES: REPORT OF THE SECRETARY-GENERAL (continued) (A/36/580; A/C.4/36/L.11)

General debate (continued)

1. Mr. SANI (Indonesia) said that his delegation regretted that the Fourth Committee had once again been obliged to witness the parade of "petitioners" on the non-existing question of East Timor. Indonesia had always respected the right of self-determination of all peoples under colonial and alien domination, including the people of East Timor. The people of that territory had exercised their right to self-determination in a manner of their own choice, in conformity with their own traditions and customs, and had made the irrevocable decision to become independent through integration with Indonesia. That right had been exercised in accordance with General Assembly resolutions 1514 (XV), 1541 (XV) and 2625 (XXV), and the United Nations had been kept informed of every step of the process.
2. The declarations of the Fifth and Sixth Conferences of Heads of State or Government of Non-Aligned Countries, held at Colombo and Havana in 1976 and 1979, respectively, had been invoked in the preamble to draft resolution A/C.4/36/L.7. The sponsors of the draft resolution had conveniently forgotten that the validity of the paragraph dealing with East Timor in those declarations had always been challenged and there had been no consensus for its inclusion. A proposal to include a similar paragraph in the final communique of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held in New Delhi in February 1981, had been rejected.
3. After Portugal had abandoned its responsibility for East Timor, the so-called Frente Revolucionária de Timor Leste Independente (FRETILIN) as well as the other political parties in the territory had declared the independence of East Timor in November 1975. While the so-called FRETILIN had wanted East Timor to be independent as a new State, the other parties, clearly representing the overwhelming majority of the people of East Timor, had simultaneously declared the independence of East Timor through integration with Indonesia. Following the collapse of the so-called FRETILIN, the people of East Timor, on 31 May 1976, had decided, in the exercise of their right to self-determination, to become independent through integration with Indonesia. By those acts the people of East Timor themselves had clearly terminated the responsibility of Portugal as the colonial Power. It was therefore absurd to claim that Portugal should continue to be considered the administering Power in East Timor.
4. The reference in the draft resolution to a new outbreak of famine in East Timor was a fabrication without basis. The International Committee of the Red Cross had concluded, on terminating its work on East Timor in April 1981, that there was no longer a danger of famine. Following the introduction of better seeds, improved agricultural methods and better irrigation, the food crops during the past two years had been very good, while the improvement of road communications had made it possible for the surplus to be transported to localities where storage facilities were available.

/...

(Mr. Sani, Indonesia)

5. The draft resolution had referred to the so-called FRETILIN as the liberation movement of East Timor. Since its total collapse in early 1976, FRETILIN had ceased to exist in East Timor. A few of its followers might still be hiding in inaccessible places fearing to surrender because of probable retaliation by the people for the atrocities they had committed. Others had run away from East Timor and among them had been those who were continuing their efforts to liberate East Timor from Lisbon and New York.

6. The so-called FRETILIN had entirely lost whatever little support it might have had in East Timor in 1975 because of the atrocities it had committed. Evidence of such atrocities was contained in the memoirs of an East Timorese who had been forced by the so-called FRETILIN to join it in late 1975 and who had escaped only in 1978. The writer of those memoirs was none other than Arsenio Ramos Horta, a brother of José Ramos Horta who, two weeks previously, had permitted to address the Fourth Committee as a petitioner on behalf of the so-called FRETILIN.

7. In his statement in the plenary Assembly in September 1981, the Minister for Foreign Affairs of Portugal had claimed that his country had shown an availability for dialogue that had unfortunately not met with an adequate response. There had, however, been meetings between Indonesia and Portugal in Lisbon, Jakarta, Rome and New York before the Portuguese colonial administration had abandoned East Timor. Preparations for subsequent meetings in New York requested by the Portuguese had invariably been cancelled, also at the request of the Portuguese. Furthermore, representatives of Portugal and Indonesia had in fact met in a third country in the recent past.

8. He wished to make it clear that, whatever discussions might take place between Indonesia and Portugal, the political and constitutional status of East Timor as an integral part of Indonesia was not negotiable. The decision of the people of East Timor was irrevocable. The Fourth Committee's discussion of the so-called question of East Timor was an interference in the internal affairs of Indonesia in contravention of Article 2, paragraph 7, of the Charter. His delegation categorically opposed draft resolution A/C.4/36/L.7, which had nothing to do with the real situation in the province and completely ignored the legitimate decision of the people of East Timor. Within the unitary State of Indonesia, East Timor enjoyed the same rights and opportunities and the same responsibilities as the other provinces. Indonesia was fully committed to respect the decision of the people of East Timor and was determined to oppose any attempt to undermine its sovereignty, territorial integrity and national unity.

9. The CHAIRMAN announced that the general debate had been concluded.

Introduction of draft resolutions

10. Mr. GONZALEZ CESAR (Mexico), introducing draft resolution A/C.4/36/L.3/Rev.1 on behalf of its sponsors, said that the preamble set out the legal and political background which placed the problem of Western Sahara within the framework of a typical decolonization process. The basis of the draft resolution was to be

/...

(Mr. Gonzalez Cesar, Mexico)

found in steps taken by the United Nations and OAU to solve the problem, which was not a dispute but a process of decolonization. The draft resolution differed from General Assembly resolution 35/19 in that it contained no specific condemnation of Morocco or call for troop withdrawal; its purpose was to seek consensus.

11. In the preamble, note had been taken of the decision of the Assembly of Heads of States and Government of OAU to organize a self-determination referendum of the people of Western Sahara, as well as of the decision of the OAU Implementation Committee concerning the establishment of appropriate machinery for that purpose.

12. The operational paragraphs were self-explanatory. Their purpose was to establish ways whereby a solution could be found. OAU had decided that it was necessary to organize a general and not a partial referendum in order to learn the will of the people of Western Sahara. The sponsors were in agreement that peace in north-west Africa was linked to the free and democratic expression of the will of the people of Western Sahara concerning their future.

13. His delegation's co-sponsorship of the draft resolution was based on its long-standing support for the principles of the Charter concerning self-determination, non-intervention and the peaceful settlement of disputes. He hoped that the draft resolution would be acceptable to the Fourth Committee in its existing form.

14. Mr. MRANI ZENTAR (Morocco) said that his delegation had already had an opportunity to express its views concerning any divisive action at a time when Africa was calling for unity. At its Nairobi session, the Assembly of Heads of State and Government of OAU had succeeded, following the initiative taken by the King of Morocco in proposing that a supervised referendum should be held in Western Sahara, in breaking the long cycle of misunderstanding and re-evaluating the realistic possibilities of solving the problems that had arisen after the decolonization of Western Sahara. The OAU Implementation Committee had worked out an operational plan, in collaboration with the interested parties, to conduct a referendum in the Territory with United Nations assistance.

15. What OAU and its Implementation Committee now needed, therefore, was simply a resolution empowering the United Nations Secretary-General to take appropriate steps to assist OAU in carrying out its recent decisions. To that end, his delegation, together with other friendly delegations, had drafted resolution A/C.4/36/L.2, which was intended to authorize the necessary United Nations co-operation with OAU and was faithful in every point to the decisions of OAU.

16. Draft resolution A/C.4/36/L.3/Rev.1, on the other hand, prejudged the results of a referendum which had yet to be held, and it clearly violated both the letter and the spirit of the OAU decisions and of United Nations principles. Africa was organizing a referendum to ascertain what the free choice of the population of Western Sahara would be. OAU and its Implementation Committee had in their wisdom insisted on the freedom of that choice and had at no point tried to influence it.

/...

(Mr. Mrani Zentar, Morocco)

17. When it had become clear in the course of the Fourth Committee debates that one of the draft resolutions being submitted to the Committee on the question of Western Sahara contained provisions in flagrant opposition to the OAU decisions, the current Chairman of OAU had appealed to the sponsors of both draft resolutions to withdraw them so as to allow the Implementation Committee to carry out its mandate.

18. Morocco was responding to that appeal from OAU. In order both to allow the Implementation Committee to fulfil its responsibilities in an atmosphere of calm, and to allow a general consensus to be reached on a Fourth Committee draft resolution that would be in complete accordance with the decisions of OAU and its Implementation Committee, his delegation, with the agreement of the sponsors, was withdrawing draft resolution A/C.4/36/L.2. By adopting such a constructive attitude, Morocco was once again giving evidence of its attachment to OAU, its faithfulness to the commitments made at the Nairobi session and its determination to do nothing that might impede the implementation in good faith of the Nairobi decisions. Morocco was serving notice that it would not sanction any action that might compromise what it had achieved and what Africa had achieved at Nairobi.

19. Mr. PELLETIER (Canada), introducing draft resolution A/C.4/36/L.5 on the United Nations Educational and Training Programme for Southern Africa, stressed not only the great humanitarian value of the Programme and its importance for the future of the region but also the grave deficit it faced, and strongly appealed to all members of the international community to increase their contributions in order to ensure the continuation, effectiveness and expansion of the Programme. He hoped that the draft resolution could be adopted by consensus.

20. Mr. DENICHIN (Bulgaria), introducing draft resolution A/C.4/36/L.9 on the 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, said that the United Nations had every right to expect that those organizations would do everything possible in their respective fields to bring about a speedy implementation of the Declaration, particularly now that the colonial system was breathing its last. For a number of years, organizations such as UNIDO, UNESCO, FAO, ILO and UNICEF had devised programmes aimed at improving the economic and social conditions of colonial peoples. Their actual needs, however, especially those of the Namibians and their sole legitimate representative, SWAPO, greatly exceeded the assistance that had been rendered.

21. His delegation was convinced that a framework for the implementation of the Declaration by the specialized agencies and institutions could be provided by rendering assistance to colonial peoples, especially those of Namibia; by withholding all kinds of assistance from the racist regime of South Africa and severing all ties with it; by involving national liberation movements in the relevant activities of the specialized agencies and institutions; and by giving appropriate status to the representatives of liberation movements recognized by OAU.

/...

(Mr. Denichin, Bulgaria)

22. In the light of those criteria, it was especially regrettable that the International Monetary Fund and the World Bank - as had been made very clear in the report of the Special Committee of 24 and in a study prepared at the Special Committee's request - were still refusing to provide assistance to liberation movements and were maintaining their co-operative and even preferential, links with the South African regime. Such relationships were all the more deplorable at a time when South Africa had come to pose a nuclear threat as well.

23. Reading out the most important provisions of draft resolution A/C.4/36/L.9, he noted that it had drawn heavily on a resolution adopted by the Special Committee (A/36/23 (Part III), chap. VI, para. 17). He hoped that the draft resolution would be adopted by the Committee, thus helping the specialized agencies and institutions to fulfil their obligations.

24. The CHAIRMAN announced that Guyana should be added to the sponsors of draft resolution A/C.4/36/L.3/Rev.1, Egypt, Sierra Leone and Zimbabwe to those of draft resolution A/C.4/36/L.9, Algeria and Lesotho to those of draft resolution A/C.4/36/L.10, and Algeria, Lesotho, and New Zealand to those of draft resolution A/C.4/36/L.11.

ORGANIZATION OF WORK

25. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee was willing to extend the deadline for the submission of draft resolutions until 5 November 1981 at 6 p.m., so as to enable several members to conclude consultations on draft resolutions concerning small Territories.

It was so decided.

The meeting rose at 12.10 p.m.