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ASSEMBLY**



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at 3 p.m.  
New York

SUMMARY RECORD OF THE 19th MEETING

Chairman: Mr. ALLAF (Syrian Arab Republic)

later: Mr. MAMPUYA-MUSUNGAYI NKUEMBE (Zaire)

CONTENTS

AGENDA ITEM 24: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES: 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 (Territories not covered under other agenda items) (continued)

AGENDA ITEM 90: 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: 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)

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 (continued)

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

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CONTENTS (continued)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (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)

HEARING OF A PETITIONER

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 24: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES: 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 (Territories not covered under other agenda items) (continued) (A/32/23 (Part II), A/32/23/Add.3-5, A/32/23/Add.6 (Parts I and II), A/32/23/Add.7, A/32/51, A/32/86, A/32/99, A/32/110, A/32/111, A/32/168, A/32/169, A/32/172, A/32/303, A/32/304; A/C.4/32/4, A/C.4/32/5; A/C.4/32/L.5, L.11, L.15 and L.17)

AGENDA ITEM 90: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/32/23/Add.9, A/32/73, A/32/90, A/32/253)

- (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)

AGENDA ITEM 93: QUESTION OF EAST TIMOR: 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) (A/32/73, A/32/90)

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/32/23 (Part V), A/32/87 and Add.1 and 2, A/32/286; A/AC.109/L.1174)

- (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) REPORTS OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/32/3 (chap. VII, sect. E), A/32/286)

AGENDA ITEM 96: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/32/283)

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/32/277)

1. Mr. RENTON (Papua New Guinea) said that his Government continued to pay particular attention to decolonization, since neighbouring Territories were in the process of pursuing their own independence. As Papua New Guinea had achieved its independence peacefully two years previously, his country wished to see that its neighbours were granted the same rights. The process of decolonization in the Pacific area was an initial move towards the creation of a regional identity. It was essential that all the peoples of the Pacific islands presently administered by metropolitan States should be given the opportunity to exercise their right to self-determination and independence.
2. His delegation was pleased to note that the administering Powers, in particular the United States and France, were co-operating with the Special Committee on questions relating to their Territories in the Pacific. Thus Tuvalu and the Solomon Islands would achieve independence in 1978 and the process of decolonization was under way in the Gilbert Islands. On the question of the New Hebrides, the majority party would not be taking part in the forthcoming election, because its request that only natives of the New Hebrides should be allowed to vote in the election had not been met. Nevertheless, that party should form the Government and power should be transferred to it as soon as possible, and not in 1980.
3. The Government of Papua New Guinea strongly supported the process of decolonization and hoped that all the remaining Territories under colonial administration would achieve self-determination in the immediate future.
4. Mr. ANWAR SANI (Indonesia)\* said that the Committee had once again been used by the spokesman of the so-called FRETILIN as a forum for making the most fantastic claims and the wildest possible accusations. Those claims and accusations were merely a repetition of the ritual FRETILIN propanganda themes, only more exaggerated, and had no relevance whatsoever to the real situation in East Timor. The baseless tales told by the spokesman of FRETILIN had unfortunately been echoed in the statements of a few delegations when the latter had referred to the question of East Timor.
5. It was not his intention to reply one by one to the remarks that had been made on East Timor by previous speakers. Some might be really concerned about the exercise of the right to self-determination, others might be expressing their ideological or regional solidarity with the supporters of FRETILIN and others again had jumped on the opportunity to play the role of champions for self-determination, using the jargon of stereotyped slogans to create with words a revolutionary image to compensate for the lack of real revolutionary experience and tradition. He wished, however, to make an exception with respect to the representative of Algeria. Of course, he could not hope to equal the eloquence and lyricism of Ambassador Bedjaoui, but he could match his sincerity. The representative of

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\* This statement has been given full coverage in the summary record in accordance with the decision taken by the Committee during the meeting.

(Mr. Anwar Sani, Indonesia)

Algeria had been correct when, referring to the relationship between Algeria and Indonesia, he had said that a long common history, marked by the same religious belief, by the same aspiration to freedom and a shared struggle against foreign domination, had woven strong bonds between Bandung and Algiers, between Algeria and Indonesia, an Islamic land so generously open to the world that it seemed to have been scattered over the ocean in thousands of splinters.

6. Algeria and the Algerian people had always occupied a special place in the hearts and affection of the Indonesian people. It was a source of deep satisfaction to Indonesia that it had been able to make its modest contribution to the heroic struggle of the Algerian people for freedom and independence. Indonesia highly appreciated the unreserved support which it had received from Algeria when it had fought for the unity and integrity of its national territory. In other causes and forums, such as the Non-Aligned Movement, Algeria and Indonesia had also shared the same goals and aspirations. In view of those special qualities in the relations between the two countries, Algeria's failure to see the unique nature of the developments and Indonesia's role in East Timor in its proper perspective was a matter of deep regret to his delegation. He hoped in all sincerity that the day would soon come when Algeria would have a better knowledge and understanding of what was really happening in East Timor. He had confidence in the sense of objectivity and reality of the Algerian people.

7. A few delegations had launched baseless accusations of killings, atrocities and rape, as if such acts were the order of the day in East Timor. They could only be considered as gratuitous insults born in minds blinded by arrogance and bias and really not worth refuting. Integration had been a political decision based on the political will of the East Timorese people. No one with any sense of objectivity could believe that, in their efforts to give effect to their decision and to promote further national unity, the authorities in the province of East Timor would tolerate, let alone condone, killings and rape. FRETILIN had lost whatever support or sympathy it had had among the people just because of the killings it had committed. The Committee should know that the leading positions in the provincial administration were occupied by East Timorese and that part of the security forces were composed of East Timorese, many of them former FRETILIN supporters who had surrendered to the provincial authorities.

8. Visitors to East Timor would see members of the security forces working together with the local people in their fields or repairing roads. They would find them in the classrooms of the local schools as part-time teachers, or on the playing-fields as sports and boy-scout leaders. Coming from the people, they remained among the people, working with them and helping them.

9. He thanked those delegations which had expressed their understanding and support for the Indonesian position on East Timor.

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(Mr. Anwar Sani, Indonesia)

10. In view of the ignorance of the facts that had transpired from some statements, he wished to state once again Indonesia's position regarding East Timor, before giving a picture of recent developments and the current situation in the province.

11. It would be recalled that at the 1001st meeting of the Special Committee on decolonization, held in Lisbon in June 1975, the Indonesian delegation had stated the principles which lay behind Indonesia's position on East Timor. Firstly, Indonesia had no territorial claims on East Timor and fully respected the right to self-determination of the people of East Timor. Secondly, the process of decolonization in East Timor should be implemented in a democratic and orderly manner with the participation of all segments of the population. Thirdly, it was the responsibility of the administering Power to prepare the population for the exercise of their right to self-determination in order that they might exercise it with full awareness of the implications of their decisions for their own future. Fourthly, if the population of East Timor, in the exercise of their right to self-determination, should decide to become independent through integration with Indonesia, in view of the close ethnic and cultural links existing between the peoples of Indonesia and East Timor, Indonesia was prepared to welcome that Territory as an integral part of the Indonesian State with the same rights and obligations as the other parts in accordance with its Constitution.

12. On the basis of that position, Indonesia had on several occasions made attempts to co-operate with the administering Power in order to find ways and means to implement the process of decolonization in a peaceful manner. With that objective in view, discussions had been held with the Portuguese Government in Lisbon, London, Jakarta and Rome. Throughout that period, FRETILIN had continued to demonstrate its opposition to a genuine act of self-determination by the people of East Timor. It had refused to attend the Macao meeting proposed by Portugal and scheduled to take place from 26 to 28 June 1975. The objective of that Conference had been to fix the date on which the right to self-determination could be exercised by the people. The boycott by FRETILIN of the meeting had made it impossible to reach agreement on the date thereby greatly obstructing the decolonization process. That had been acknowledged by the Portuguese delegation in its statement before the Fourth Committee on 11 December 1975.

13. At the meeting between the Ministers for Foreign Affairs of Portugal and Indonesia held at Rome on 1 and 2 November 1975, it had been agreed that the fundamental responsibility for the decolonization of what had been Portuguese Timor remained with Portugal.

14. Portugal, then still formally considered as the legitimate authority in the Territory, had undertaken to make every effort to move towards an orderly implementation of the act of self-determination. The two ministers had also agreed on the urgent need to restore peace and order in the Territory so as to enable its people freely to decide their own future. However, the implementation of that agreement had also been sabotaged by FRETILIN.

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(Mr. Anwar Sani, Indonesia)

15. Despite repeated demonstrations of Indonesia's good faith, those sincere efforts to promote a peaceful process of decolonization had been in vain because of the rapidly deteriorating situation in East Timor, provoked by FRETILIN. Indonesia's concern had been to prevent a bloody civil war at its own doorstep. Unfortunately, it had proved impossible to prevent the conflict, as FRETILIN had been determined to impose its will by force of arms, rejecting the peaceful exercise of the right to self-determination by the entire people.

16. The civil war, between August and December 1975, had been marked by a series of atrocities committed by FRETILIN in an attempt to liquidate its political opponents, in the beginning through intimidation, later through killings. The mass graves discovered in the vicinity of Ailieu and Same, where many leaders of the APODETI and UDT parties murdered by FRETILIN had been hastily buried, had opened the eyes of the people of East Timor, if not the eyes of those who blindly supported FRETILIN, to the fate which would have awaited them, had FRETILIN come to power.

17. For the benefit of those delegations which constantly accused Indonesia of killings and atrocities, he wished to quote a few paragraphs from the letter of the Minister for Foreign Affairs of Portugal to the Secretary-General dated 23 August 1975 (S/11813): "The Portuguese authorities, together with those of Australia and Indonesia, meanwhile succeeded in obtaining the minimum and indispensable means of transportation necessary in order to commence evacuation of 1,400 people concentrated in the area of the port of Dili. This evacuation began today, 23 August, at 0500 hours GMT, resulting in the embarkation of a few hundred people. The embarkation operation proceeded normally with the use of barges that transported the evacuees from land to the Norwegian ship 'Lloyd Bekke', which was located at a distance from the port of Dili for reasons of security. However, as of 0740 hours, these boarding operations were hampered because one of the political factions involved in the armed conflict under way - FRETILIN - imposed difficulties and offered resistance to the operation, including bombardment with mortars of the port area. At the same time, conditions in the capital became chaotic, with generalized panic spreading throughout the population as a result of the murder of hundreds of inhabitants, including women and children. Aside from the risk faced by people still waiting to be evacuated from Dili, we are aware that approximately 50 nationals and foreigners are being held in the interior as hostages. In view of these circumstances, the Governor of Timor sent a message, constituting an SOS, asking for the immediate intervention of international forces, designated from one or more countries in the area, so as to put an end to the above-mentioned situation."

18. He reminded the Committee that the letter had been written at a time when Indonesia had not been involved in the clashes in East Timor. His delegation hoped that the sponsors of the so-called FRETILIN would study the relevant documents in order to form as objective an opinion as possible on the whole issue.

19. FRETILIN had gained the upper hand initially because it had enjoyed extensive military backing from members of the former Portuguese colonial army, the Tropas,

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(Mr. Anwar Sani, Indonesia)

who were experienced fighters thanks to the fact that they had been used against the freedom fighters in the Portuguese territories in Africa. The arms handed over to FRETILIN by those irresponsible elements in the Portuguese colonial army, as well as the great number of Tropas who had joined the movement, had made it possible for FRETILIN to drive back the other parties. Further events had made it plain that FRETILIN and its supporters in the colonial administration were out to liquidate their opponents, the other four political parties, which represented the majority of the people. FRETILIN had been preparing for an outright seizure of power in the Territory, rejecting a genuine act of self-determination. In the process, thousands of the followers of the other parties had been murdered, imprisoned or driven into exile.

20. The outbreak of the civil war and the reign of terror let loose by FRETILIN had caused thousands of East Timorese to flee for safety to the western part of Timor, which was Indonesian territory. That had naturally been a cause of great concern to the Indonesian Government, which had been unprepared for such a massive influx of refugees and the resulting threat to the social and economic life in Indonesian Timor.

21. The Portuguese Government had proved unable to control its colonial army or to stop the killings and the bloodshed. As the situation had continued to deteriorate, the colonial government had abandoned the capital on 26 August 1975 and had fled, together with its staff, first to Atauro, an island off the coast of East Timor. Later, they had left the Territory altogether, leaving a power vacuum in East Timor. The administering Power had been compelled to acknowledge its complete inability to control the situation in the Territory in a letter to the Secretary-General dated 28 November 1975 (A/10402). The letter had stated, inter alia, that the Portuguese authorities did not have the means to assure the normalization of the situation in Timor.

22. Amidst the chaotic conditions which had prevailed after the administering Power had abandoned the Territory, the four political parties opposed to FRETILIN - UDT, APODETI, KOTA and Trabalhista - which had been supported by the overwhelming majority of the people, had managed to regroup and had rapidly gained the upper hand, liberating almost all populated areas in the Territory. FRETILIN, finding itself in a desperate situation, had unilaterally declared independence on 28 November 1975, thereby denying the large majority of the people their right to self-determination.

23. In that context, he wished to quote an additional paragraph from the letter of the administering Power, dated 28 November 1975: "The fait accompli that FRETILIN intends to establish with this declaration, aside from foreseeably aggravating the conflict between the political parties, has made difficult, if not impossible, the establishment of an agreement between the above-mentioned parties that would make possible the development of the decolonization process of Timor in harmony with the principles defined by the United Nations and accepted by Portugal."

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(Mr. Anwar Sani, Indonesia)

24. It was only logical that, in response, the four political parties representing the majority of the people had, in their turn, declared independence on 30 November 1975 and had demanded immediate integration with the Republic of Indonesia. The four political parties had requested the assistance of Indonesia in restoring peace and order in the Territory. Indonesia's involvement in East Timor had been at the specific request of the people of East Timor themselves. Requesting and receiving aid from others was nothing exceptional. Neither was the sending of volunteers in compliance with a specific request by the people, a purely Timorese phenomenon. It was well known that volunteers had been sent across borders and over vast distances to help one side or the other in an armed internal conflict. Nevertheless, the Indonesian Government, maintaining its basic principles regarding the right to self-determination, had insisted that any decision with regard to the future of East Timor should be the outcome of the exercise of the right to self-determination by the entire people of the Territory.

25. Portugal, theoretically still the administering Power, had recognized neither of those two acts. However, that had been no longer relevant to developments in the Territory. Because it had abandoned the Territory and because it had proved completely incapable of controlling the situation or restoring law and order, Portugal had deprived itself of its formal rights as administering Power. In the existing power vacuum, the four political parties had consolidated their position. After the liberation of Dili, the capital, they had formed a Provisional Government for the Territory on 17 December 1975. The Provisional Government, recognized by Indonesia as the sole responsible administration in the Territory and one enjoying the support of the people, had gradually restored peace and order in East Timor. Once that had been achieved, the Provisional Government had taken steps to expedite the implementation of the right to self-determination. To that end, elections had been held by the Provisional Government of East Timor for the establishment of a People's Representative Assembly in accordance with the traditional practices prevailing in the Territory, and some former members of FRETILIN had been elected to that Assembly. For example, Jose Goncalves, the former FRETILIN "Minister for Economic Affairs", Joao Pedro Soares, the former FRETILIN military commander in Mantuto, and other had been elected.

26. The first act of the People's Representative Assembly had been to determine the political future of the Territory. Meeting in Dili on 31 May 1976, the Assembly had decided that East Timor should become independent through integration with Indonesia. A consensus decision to that effect had been taken in the presence of diplomats and foreign journalists invited to observe the proceedings. The decision had been transmitted to the Government of Indonesia with the request that it should be accepted. Recognizing that the interests of the East Timorese people should be paramount, and acting on the request of the Indonesian Parliament, the Government of Indonesia had dispatched a fact-finding mission on 24 June 1976 to verify the wishes of the people of East Timor. In accordance

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(Mr. Anwar Sani, Indonesia)

with the positive recommendation of that mission, Indonesia had accepted the formal integration of East Timor on 17 July 1976. On that date, East Timor had become an integral part of the Republic of Indonesia as its twenty-seventh province. The process of decolonization in East Timor had been completed.

27. It was clear from those developments that Indonesia and the majority of the people of East Timor, represented by their parties, had always upheld the principle of the right to self-determination. It was FRETILIN which, from the very beginning, had denied that right to the majority of the people by force of arms. It was only when its cause had been lost that FRETILIN's spokesmen and its supporters abroad had started clamouring for the right to self-determination. His delegation hoped that the Committee would take note of that fact.

28. Some delegations had remarked that the United Nations was not involved in the process of decolonization in East Timor. They insisted that the United Nations should send a mission to the Territory. With regard to United Nations involvement and the question of sending a United Nations mission, he reminded the Committee of the efforts which had been made by the Provisional Government of East Timor and by Indonesia to involve the United Nations in the decolonization process in East Timor. It seemed relevant to point out that the various organs of the United Nations had been kept fully informed of developments in the Territory, and had been formally invited on at least four occasions to send a mission.

29. As early as 17 September 1975 - at the beginning of the conflict - the parties concerned had informed the United Nations of the bloody strife and killings in East Timor, but no action had been forthcoming from the relevant organs of the United Nations.

30. When the Security Council had decided to send a Special Representative of the Secretary-General on a mission to East Timor - although Indonesia had been opposed to the relevant resolution - Indonesia and the Provisional Government of East Timor had extended full co-operation to him because they had been of the view that the United Nations should be involved in the decolonization process. That visit of the Special Representative of the Secretary-General had, however, remained the only one made on behalf of the United Nations.

31. In a cable addressed to the Secretary-General, dated 12 March 1976, the Head of the Provisional Government had stated: "I wish to assure Your Excellency that if it should be the wish of the Security Council that your Special Representative pay a second visit to East Timor in order to obtain a more comprehensive report on the situation in East Timor, we would certainly be prepared to provide all the necessary facilities to ensure the success of his Mission." There had been no response to that invitation.

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(Mr. Anwar Sani, Indonesia)

32. In his statement before the Security Council on 12 April 1976 (S/PV.1908), the representative of the Provisional Government of East Timor had stated: "If the United Nations, this Council or the Committee of 24 desires to send a mission to the Territory to witness the real situation in East Timor, it is welcome to do so. The Provisional Government will do its utmost to facilitate such a visit."

33. Referring to that statement, the representative of Indonesia, speaking at the 1909th meeting of the Security Council on 14 April 1976, had pointed out that: "To accept that invitation either by requesting the Secretary-General to have his Special Representative visit East Timor again or by sending a United Nations mission will be the easiest way to find out whether the claims and accusations made by FRETILIN are based upon facts or whether they are all lies fabricated by a handful of self-styled leaders who have left East Timor after they unleashed the tragic fighting in the Territory and who have since lost contact with the people and developments in East Timor. A visit by the Special Representative of the Secretary-General or by a United Nations mission would provide the opportunity to obtain first-hand knowledge of the real situation in the Territory and the wishes of its people."

34. Once again there had been no response from the relevant United Nations organs. It was no wonder that the people of East Timor had decided to take the implementation of their right to self-determination into their own hands.

35. On 24 May 1976 the Provisional Government of East Timor had invited the Committee of 24 to dispatch a mission to East Timor to observe the first meeting of the People's Representative Assembly. There had been no response.

36. On 10 June 1976 Indonesia had invited the Committee of 24, the Security Council and the Secretary-General to visit East Timor concurrently with the visit of a mission to be sent by Indonesia to the Territory. The response to that invitation had been negative.

37. The records of the General Assembly and the Security Council testified to the efforts on the part of the Provisional Government of East Timor and the Government of Indonesia to have a United Nations mission visit East Timor. Regrettably, no positive action had been taken by the competent organs of the United Nations on any of those invitations. The Government of Indonesia and the people of East Timor had amply demonstrated their good faith in that respect, and the claim advanced by some that the United Nations had been excluded from the decolonization process in the Territory therefore lacked validity.

38. It was only after the negative response of the United Nations to every invitation to visit the Territory that the Provisional Government of East Timor had gone ahead with the exercise of the right to self-determination. In that exercise

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(Mr. Anwar Sani, Indonesia)

the people of East Timor had decided to become independent through integration with the sovereign Republic of Indonesia, in accordance with General Assembly resolutions 1514 (XV) and 1541 (XV). Some delegations, intentionally or otherwise, were inclined to forget resolution 1541 (XV), which was most essential for the implementation of the right to self-determination.

39. With regard to the process of decolonization, it had to be borne in mind that neither the Charter nor resolutions 1514 (XV) and 1541 (XV) prescribed processes which should be blindly followed; each case of decolonization should be understood in the context of its own peculiar characteristics. He did not need to remind the members of the Committee that there had been cases in the history of decolonization in which local circumstances had made popular consultation through plebiscite or a referendum unnecessary, and cases in which other forms of consultation had been accepted with or without United Nations supervision or observation. In the history of decolonization, no two cases had been implemented in exactly the same way. Each case had to be viewed in its own particular situation and circumstances, taking into account the historical, social, cultural and political realities prevailing in the territory concerned.

40. Peace and tranquillity had been restored in the province of East Timor and people had returned to their normal activities, as had been testified to by many foreign visitors to the province. FRETILIN, as an organized political movement, had ceased to exist in East Timor.

41. Indeed, sporadic disturbances of the peace, caused by desperate elements of the former FRETILIN, still occurred in remote areas of the province. But they were purely terrorist acts of no strategic or tactical importance. In order to keep further bloodshed to a minimum and to heal the wounds and division caused by the civil war, the Government of Indonesia had announced a general amnesty for all those who voluntarily surrendered before the end of the year. A large number of former FRETILIN followers had taken advantage of that offer, and they had been returned to their respective villages.

42. It had been reported, however, that scattered remnants of FRETILIN bands hiding in the mountains were racked by dissension and had even fallen to fighting among themselves. Many of those wanting to surrender under the general amnesty offered by the Government had been prevented from doing so by the armed radical elements among the remnants of FRETILIN. Therefore, an atmosphere of fear and distrust prevailed within the various groups. In that context he quoted from an article in the newspaper Le Monde dated 17 September 1977, which said:

"Mr. Francisco Xavier do Amaral, the President of FRETILIN and of the 'Democratic Republic of East Timor' proclaimed in November 1975, was arrested (along with several important civilian and military figures) on 7 September. He is accused of trying to kill the principal leaders of FRETILIN, contacting

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(Mr. Anwar Sani, Indonesia)

the Indonesians with a view to surrender, and leading the life of a liurai (feudal lord of the colonial period). He and his accomplices will be tried by a 'people's court'."

43. The "President" of the so-called FRETILIN had been politically eliminated. As his woman companion had been found killed, it was to be feared that he and his companions had been physically liquidated in the meantime. The terror tactics which the so-called FRETILIN had employed against its political opponents during the civil war had apparently been turned against its own remaining followers. That development represented the last stage in the disintegration of the group. No diagrams on paper could change the facts, neither could fantastic claims and baseless accusations.

44. However, a few agitators claiming to represent the so-called FRETILIN abroad, with the support of some misguided countries, continued to try to confuse world opinion, as they were trying to do in the Committee.

45. In the existing circumstances the security forces in the province would have to increase their vigilance to ensure the safety of those who wished to make use of the amnesty and surrender; there should be no repetition of what had happened to do Amaral and his followers. It was the responsibility of the security forces to prevent reprisals on the part of the loose bands, remnants of the so-called FRETILIN, against those who had decided to return to their villages.

46. In the light of what was happening in East Timor, it was ridiculous to entertain the fantastic claims of successes made by the spokesman of the so-called FRETILIN, that it controlled 85 per cent of the territory and 95 per cent of the population in the province. If the claims of support and successes had borne any semblance of truth, certainly there would not have been such violent clashes within the leadership of the remnants of the so-called FRETILIN. Francisco do Amaral and his followers certainly would not have thought of surrendering unless they had arrived at the conclusion that the FRETILIN cause had become hopeless. Claims to the contrary were obviously absurd.

47. With the completion of the decolonization process in the Territory, law and order had gradually been restored and the people were concentrating their efforts on reconstruction and development. Independent foreign observers had visited the province of East Timor, including members of a United States Congressional delegation who had concluded in their report to the Congress that "the Indonesian Government was making a determined effort to assist Timorese economic development" and that the people themselves, far from being repressed, had appeared "free and uninhibited". Congressman William Goodling, a member of the Congressional delegation, who had been quoted in the letter of the self-styled "ambassador" of the so-called FRETILIN circulated in document S/12408 through the courtesy of the Permanent Representative of Mozambique, had stated in an interview on 4 September 1977 that:

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(Mr. Anwar Sani, Indonesia)

"there were no signs of tension. Everybody is going about their business as though nothing has really happened ... /and/ ... you see very little evidence of any military activity ...".

48. The Dutch Television journalist Robert Kroon, after recent extensive visits to different parts of the province, had concluded that the people had resumed their ordinary modes of living and that the economy and social life of East Timor had vastly improved. He had also reported that at no time during his travels had he encountered evidence of continued FRETILIN activity. He had called the figure of 100,000, maintained by a FRETILIN spokesman as the number of people killed, grossly exaggerated. The claim that there was still a critical situation in the province of East Timor was pure nonsense and was in complete contradiction with the existing realities, as had been testified to by the many foreigners who had visited the province.

49. It was also important to note the progress that the East Timorese had achieved in the fields of reconstruction and development. The provincial administration, with the assistance of the Central Government and the administrations of other provinces in the country, had embarked on the immense task of economic and social development. Those efforts were being undertaken under a leadership composed of native East Timorese, who occupied offices at all levels of the provincial government, including those within the local security forces. A great number of training programmes had been initiated in the various branches of government to improve their technical capabilities. Several important programmes designed to provide the Province with the essential infrastructure had been initiated. Special attention was being given to agriculture and education. The provincial administration was determined to continue and to accelerate the progress which had already been achieved. The initiation of those economic and social programmes had only been possible because of the restoration of normal conditions in the province and the support extended by the people themselves. That had been accompanied by sincere efforts on the part of the provincial administration to heal the wounds and division caused by the civil strife.

50. In order to assist the Committee to take a more balanced view of the report by James Dunn, which had been so lavishly quoted by the petitioner, he wished to complete the quotations by an extract from an article which had appeared in the 1 March 1977 issue of the Australian magazine Newsweekly, saying:

"The latest allegations of Indonesian atrocities in East Timor by Mr. Dunn coincide with an international operation, in the United States and the United Nations, to destroy Indonesia's credibility in the western world. Mr. Dunn recently returned from a trip to Portugal, financed by non-governmental organizations, including Australian Catholic Relief and Community Aid Abroad, during which he spoke to refugees from Timor. Mr. Dunn was an Australian Consul in Dili from 1962 to 1964, but since 1969 has worked

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(Mr. Anwar Sani, Indonesia)

for the legislative research service's foreign affairs group. He visited East Timor in October/November 1975, shortly after FRETILIN seized power in the bloody civil war of August 1975, as a leader of a "fact-finding" mission sponsored by the Australian Council for Overseas Aid (ACFOA). This was shortly before the unilateral declaration of Independence by FRETILIN ... After returning to Australia, Dunn emerged as a committed supporter of FRETILIN, whom he regarded as sole spokesman of the Timorese people, in spite of the documented evidence of mass executions by FRETILIN and persecution of its enemies.

51. "The extent of the Timor people's hostility to FRETILIN can be gauged from the fact that there were 40,000 Timorese refugees from FRETILIN in August/September 1975. They fled to Australia, Indonesia and Portugal. This estimate was made by Labour's Foreign Minister, Senator Willesee, in Parliament on October 7, 1975, and independently by the Portuguese newspaper O Dia on May 4, 1976. First-hand reports of death threats and executions by FRETILIN during the civil war were reported by Timorese refugees in the Melbourne Herald on September 6, 1975, by a Portuguese doctor evacuated from Dili (Melbourne Age, August 30, 1975), by priests from East Timor (Sydney Morning Herald, October 18, 1975) and by a former Dili Seminary Professor (Asian Report, July 15, 1976). Yet Mr. Dunn, who visited East Timor shortly after FRETILIN's seizure of power (in October/November 1975), claimed that FRETILIN enjoyed widespread support from the population. At the time, he also said that FRETILIN leaders wanted Portugal to return to East Timor to resume the process of decolonization. It is difficult to reconcile this assessment with the fact that FRETILIN refused to participate in joint talks of all political groups in May 1975, sponsored by the Portuguese Government, on decolonization. FRETILIN's actual intentions were revealed on November 28, 1975, when it unilaterally declared East Timor independent. In summary, many of Mr. Dunn's opinions about FRETILIN are contradicted by evidence from independent sources, and the Timorese themselves."

52. His delegation did not need to go into detail concerning the unfounded allegations by James Dunn, called an Australian diplomat by the spokesman of FRETILIN in order to impress the Committee. In his own statement during a hearing in the United States Congress on 23 March 1977, answering a question from Congressman Burke, Mr. Dunn had said:

"I understand. My point is, I was not there when the atrocities were committed, nobody was. I am only assessing these people and the report I have prepared was not designed to be the last word on it. My hope was it would be looked into and the atrocities would be checked. I would like to be proved wrong".

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(Mr. Anwar Sani, Indonesia)

53. On a question from Congressman Burke as to where Mr. Dunn had got his figure of 100,000 killed, Mr. Dunn had replied:

"I did not raise the figure. I only used figures that have been given to me by sources which I thought worth considering. I have never suggested that that is an accurate figure. I have no way of knowing. It looks to me to be rather high" (document 88-077, dated 23 March 1977, page 42).

54. It should be clear that the figures mentioned by the petitioner and his tales of atrocities did not hold water. There was no need for further comment on the unfounded and fantastic allegations and claims made by Mr. Dunn and echoed by some delegations. The spokesmen of the so-called FRETILIN had become victims of their own propaganda. Gradually, by continuous incantations, they had come to believe their own self-fabricated stories.

55. Since its emergence as an independent country, Indonesia had supported without qualification the struggle of the liberation movements in Africa and everywhere else in the world, and it would continue to do so until the last vestiges of colonialism, racism and apartheid had been eradicated. Its unqualified commitment to the legitimate cause of its Arab brothers in the Middle East was too well known to need elaboration.

56. Indonesia had made its concrete contribution to the fight against colonialism in all its forms and manifestations, against racism and apartheid, and to the defence of the right to self-determination of peoples under colonial domination.

57. The problem of East Timor had ceased to exist as a problem of decolonization on the accession of the territory to independence through integration with the Republic of Indonesia. He wished to quote part of the statement made in the General Assembly by Mr. Adam Malik, the head of the Indonesian Delegation, who until the end of the previous September had been Foreign Minister of Indonesia for more than 11 years, and had since been elected Speaker of the Indonesian Parliament and concurrently Speaker of the People's Consultative Assembly, which was one of the most important positions of responsibility in Indonesia. Mr. Malik had said:

"The problem of East Timor has ceased to exist as a problem of decolonization. Its people, in the exercise of their right of self-determination, have made their choice to be independent through integration with Indonesia, and this process was completed on 17 July 1976. As a result of these developments, East Timor and East Timorese have become an integral part of the Indonesian Nation".



(Mr. Anwar Sani, Indonesia)

58. His Government regarded all matters relating to any part of Indonesia as the internal affairs of Indonesia, and it considered inappropriate and rejected any interference in its internal affairs on the part of any State or organization.

59. Mr. ESFANDIARY (Iran), speaking on a point of order, proposed that, because of its interest, the statement by the representative of Indonesia should be given full coverage in the summary record of the meeting.

60. Mr. DUBEY (India) supported the proposal of the representative of Iran. The statement by the representative of Indonesia gave details about the real situation in East Timor; Indonesia was in fact the only authoritative source on the question, since East Timor formed an integral part of that country.

61. The CHAIRMAN reminded the Committee of the financial implications of giving full coverage to a statement. As there were no objections, he proposed that the Committee should accept the proposal of the representatives of Iran and India.

62. It was so decided.

63. Mr. MUNYAO (Kenya) said that the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples was not new; it was in fact to be found on the Committee's agenda every year. It was a tragedy that some Members of the Organization continued to give more importance to economic gains than to the freedom and dignity of the oppressed and colonized peoples. His delegation was equally concerned at the new phenomenon that had hindered the realization of independence in some parts of the world, namely, that historical, cultural and ethnic ties were often quoted as reasons for not implementing the Declaration. His delegation believed that such an approach was dangerous and represented a potential source of tension as well as a threat to international peace and security.

64. His delegation supported without reservation the complete elimination of the remaining manifestations of colonialism and called for the immediate granting of independence and freedom to all colonized peoples, especially those of southern Africa who, moreover, were the victims of inhuman racist Governments.

65. The offer of educational and training facilities to colonized people represented the most effective and important way of preparing them for independence. Kenya had always offered, and continued to offer, substantial assistance in those matters to the inhabitants of Non-Self-Governing Territories, particularly to students from Zimbabwe, Namibia and Azania. UNESCO was currently engaged in talks with Kenyan officials to explore the possibility of offering places to displaced students from southern Africa. Kenya would support without reservation any resolution intended to give further assistance in those matters to the peoples of the Territories in question; he called upon all Member States

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(Mr. Munyao, Kenya)

to do likewise, and in particular to give special consideration to the question of emergency assistance to children from Soweto and elsewhere who were escaping from racist persecution.

66. Certain specific cases were the cause of considerable concern to his delegation, which disapproved in particular of the invasion of East Timor by the armed forces of the neighbouring State. His Government rejected the claim that the people of the Territory had freely exercised their right to self-determination. He called upon all interested parties to abide by Security Council resolution 384 (1975) and General Assembly resolution 3485 (XXX); he considered that there was a very simple way of testing whether the people of the Territory had been able to express themselves freely on the matter. His delegation urged Indonesia to consider that option.

67. His delegation was also concerned at the delay in granting independence to Belize. Some progress had been made in negotiations on the question, but those should not be used as the reason for denying the people of Belize their inalienable right to self-determination, independence and territorial integrity. His delegation hoped that, through the co-operation of all the Governments concerned, it would have the pleasure of welcoming Belize as a Member of the Organization, if possible at the next session.

68. The question of Western Sahara called for an urgent solution. The people of Western Sahara must be permitted to exercise their right to self-determination and his delegation, which could not accept any form of colonialism in the Territory, called upon the former colonial Power and the parties to the present conflict to put an end to clandestine deals and to apply the provisions of the Charter of the United Nations and of the relevant resolutions of the General Assembly.

69. His delegation also deplored the perverted interpretations given to self-determination and decolonization by certain Powers in order to circumvent the provisions of the Charter as well as resolutions of the United Nations. Such activities could only damage international relations and lead to conflicts.

70. In conclusion, he urged all member States to honour the Declaration on the Granting of Independence to Colonial Countries and Peoples and to do all in their power to rid the earth of the scourge of colonialism.

71. Mr. Mampuya-Musungayi NKUEMBE (Zaire) took the Chair.

72. Mr. BLANCHFIELD (Trinidad and Tobago) said that his Government had always supported the right of peoples in Non-Self-Governing Territories to self-determination and independence. In many cases, the Territories where the decolonization process had not yet taken place were small, with poor resources and economies which were highly susceptible to external influences. The United Nations had nevertheless determined that those characteristics were not factors which should inhibit the right of the peoples of those Territories to self-determination and independence. He took note of the progress made in various Territories in implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples.

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(Mr. Blanchfield, Trinidad and Tobago)

73. The British Virgin Islands, Montserrat and the Turks and Caicos Islands had not yet reached decisions on their constitutional status; the Cayman Islands had chosen to maintain their constitutional relationship with the United Kingdom. The West Indies Associated States of Dominica and St. Lucia had set 1978 as the target date for their accession to independence, while Antigua and St. Vincent had not as yet set firm dates but had indicated a willingness to seek independence before 1981. Constitutional discussions were continuing in St. Kitts, Nevis and Anguilla. The people of the United States Virgin Islands were engaged in elaborating their own constitution but had not yet been able to effect any change in their relationship with the United States; the United States Government should continue its programme of political education in the territory.

74. On the question of the Pacific Territories, his delegation welcomed the co-operation of the Governments of Australia and New Zealand with the Committee of 24, as well as their proposals for promoting the economic and social well-being of the peoples in the Territories for which they remained responsible and providing them with a constitution in accordance with their wishes. Several Pacific Territories and others in the Caribbean continued to be plagued by the problems of under-development. The administering Powers must try to diversify the economies of those Territories, to continue to provide budgetary and other development aid and to enlist the assistance of the specialized agencies so as to strengthen the sometimes extremely fragile economies of those Territories.

75. Finally, the problems which continued to exist in East Timor and in Western Sahara had resulted from the failure to implement resolution 1514 (XV). His delegation therefore supported all efforts aimed at bringing about the realization of the aspirations of the peoples of those Territories in accordance with the resolutions of the General Assembly and with the Charter of the United Nations.

76. Mr. ROSSIDES (Cyprus) said that, on the question of the decolonization of Territories such as Western Sahara, East Timor and Belize, his delegation was convinced that the peoples of those Territories had the right to self-determination and independence. The principle of decolonization applied to all territories and neighbouring countries did not have the right to annex a territory under any pretext whatsoever.

77. The question was why those rights were not implemented and why the opinion handed down by the International Court of Justice on the question, as well as resolutions of the General Assembly, remained a dead letter. However decolonization had made great progress since the foundation of the United Nations and the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The old empires had been dismantled and a number of independent small States had appeared on the international scene. But problems had arisen which could not be ignored for they were linked with the way the world had evolved.

78. In order to assess the problem properly it was necessary to return to its origins: the world today was totally different from what it had been 100 or even 50 years ago. Technical progress had increased the role of wars in the world.

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(Mr. Rossides, Cyprus)

Peace nowadays was only an interval between two wars, in so far as States regarded war as a legitimate exercise of their sovereignty and the rule of force had become the accepted way of resolving problems. Furthermore the use of planes and aerial bombing had extended war to cities and civilians. To alleviate that situation the United Nations had been established, and, in contrast to the League of Nations, it has been founded on the principle of the non-use of force; in the spirit of the authors of the Charter, an era of peace and progress would result not from the balance of force but from the implementation of decisions of the General Assembly and of the Security Council. Unfortunately, the Charter had not been respected, any more than the decisions of the Security Council. A world of anarchy had therefore returned in which the law of the strongest ruled and where security hung on a precarious balance of forces. In a polarized world in which two Great Powers confronted each other, competing in an armaments race, there was nothing but disorder and insecurity.

79. In such a state of affairs, the countries which emerged on the international scene faced great difficulties in achieving and preserving their independence. The resolutions and decisions of the Security Council remained a dead letter, and they had no recourse in case of attack. Decolonization and the emergence of new States had underscored the interdependence of nations. The sooner countries adapted to the new international situation resulting from technical progress, from the establishment of the United Nations and from decolonization, and implemented the Charter, the sooner mankind would be able to make real progress.

80. A great forward step had been taken recently when the Security Council had adopted a resolution on South Africa: for the first time in the history of the United Nations, it had been decided to take action under the provisions of Chapter VII of the Charter. The implementation of those provisions would lead to the strengthening of international security and to the introduction of a legal order which would make it possible to protect the rights of small countries during the process of decolonization.

81. The representative of Cyprus therefore hoped that the populations of Western Sahara, East Timor and Belize would be enabled to exercise their right to self-determination.

82. Mrs. JOKA-BANGURA (Sierra Leone) introduced draft resolution A/C.4/32/L.5 on the question of the Gilbert Islands and welcomed the active co-operation of the administering Power with the United Nations, as a result of which the Territory had been able to evolve in conformity with resolution 1514 (XV). One question which arose however was that of the Banaban Community. It had been gratifying to read in the report of the Special Committee (A/32/23/Add.4, chap. XIX) that steps had been taken to provide additional guarantees and to ensure a special autonomous position for Ocean Island within the Gilbert Islands. The concern of the co-sponsors over that issue had been expressed in operative paragraph 3, in which the special rights and interests of the Banaban Community had been mentioned.

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(Mrs. Joka-Bangura, Sierra Leone)

83. The co-sponsors had for the time being decided not to press for a vote on draft resolution A/C.4/32/L.11. They had introduced certain amendments (A/C.4/32/L.19) to reflect the real situation in the Territory. In fact, the administering Power had decided not only to participate in the Working Committee but to allow the presence of a visiting mission in one of its Territories. Furthermore according to the statement made the previous day by the representative of the administering Power, the people of Guam had expressed their desire for the retention of the military base on that island. The resolution adopted by the legislature of the Territory of Guam which he had read out had been eloquent on that point and any resolution adopted by the Committee should therefore express the hope that the presence of the base on the island would not hinder the decolonization of the Territory. At the same time the cardinal importance of sending a visiting mission to the Territory to assess the situation and to ascertain the true aspirations of the people must be emphasized.

84. With respect to the draft resolution on the New Hebrides contained in document A/C.4/32/L.15, his delegation had noted with satisfaction that one of the two administering Powers had participated in the relevant work of the Special Committee during the current year and hoped that that practice would be continued, as it would help to expedite the process of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

#### HEARING OF A PETITIONER

85. The CHAIRMAN informed the Committee that the representative of the Frente POLISARIO wished to make a further statement and suggested that the request should be granted.

86. Mr. HAMMOUD (Morocco) expressed the reservations of his delegation on granting a hearing to the representative of the Frente POLISARIO. He was surprised that the Committee should agree to hear an organization which was not recognized by any international organization, including the United Nations.

87. Mr. OULD CHEICK (Mauritania) expressed the same reservations as the representative of Morocco and reminded the Committee that it was a movement which had not been recognized by any regional organization, any more than by the United Nations, and that the Committee was not in the habit of hearing the same petitioner twice on the same question.

88. The CHAIRMAN took note of the reservations expressed by the representatives of Morocco and Mauritania, which would be noted in the summary record of the meeting. In the absence of any other objections, he proposed that the Committee should grant the request of the representative of the Frente POLISARIO.

89. It was so decided.

90. At the invitation of the Chairman, Mr. Mansour (Popular Front for the Liberation of Saguia El-Hamra and Rio de Oro) took a place at the petitioner's table.

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91. Mr. MANSOUR (Popular Front for the Liberation of Saguia El-Hamra and Rio de Oro)\* thanked the Committee for having allowed him to provide additional information on the question.

92. In order to justify their claims to Western Sahara, the enemies of the Saharan people had not hesitated to resort to lies and to falsify the realities of the history of that people, taking advantage of the lack of information of the international community on the question. In fact, the colonialist Government of Spain had considered Western Sahara during its colonial period as a private domain, an area about which even Spanish citizens were not entitled to know anything.

93. The history of the decolonization of Western Sahara was a complex story from which the essence should be extracted in order to dispel all doubts. The representative of the Frente POLISARIO was concerned only to provide the Committee with as many facts as possible to enable it to carry out its noble task and help it to find a just and concrete solution in keeping with the wishes of the Saharan people, which were to re-establish its sovereignty and to achieve full liberation.

94. The issue of decolonization of the Western Sahara had to be seen first and foremost in the light of the heroic history of its people and the victorious struggles they had long waged against foreign invasion and occupation, under whatever banner and whatever its origin, and in its historical context. The history of the Saharan people was a perennial source of glorious exploits and events that demonstrated that it had been an independent people for centuries. Yet it was now facing an attempt to deny its fundamental and natural rights to self-determination and independence, through a policy based on claims and manoeuvres that were inevitably doomed to failure.

95. A short comparative study of the political systems in existence in each of the three countries (Morocco, Mauritania and the Western Sahara) when the colonizers arrived sufficed easily to demonstrate the fundamental differences which existed between those peoples.

96. Whereas in Morocco and Mauritania, where power had been in the hands of an emir and a sultan respectively, political organization had been vertical in structure, democracy had always been the rule in the Western Sahara. It was in

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\* The statement of the representative of the Frente POLISARIO has been given full coverage in the summary record in accordance with the decision taken by the Committee during the meeting.

fact one of the oldest democracies in Africa. Power had rested with a 40-member assembly called the "Eit Arbin", which was the highest executive organ of the country and met twice a year in a regular session to elect a president whose term of office covered the period between sessions. The assembly could also meet in a special session when circumstances required. In addition, the assembly had a judicial and legislative council that could be convened when necessary, and an army, to which each family had to supply a son, to safeguard the external security of the country. Internal problems were settled by a "council of elders" appointed by the assembly. When a problem arose with tribes in neighbouring countries, the assembly appointed a kafir, or ambassador, to handle the negotiations.

97. In its inquiry, the International Court of Justice had confirmed that state of affairs and had unequivocally affirmed that the Saharan people had not been under the sovereignty of either Morocco or Mauritania.

98. One of the first (and principal) juridical and political instruments by which the sovereignty of the Western Sahara had been recognized internationally, unfortunately for the signatories of the so-called "Madrid Agreement", was the Treaty of 18 May 1767 concluded between Sultan Mohammed Ben Abdallah of Morocco and Charles III of Spain, article 8 of which stated, "His Moroccan Majesty refrains from discussing the settlement which His Catholic Majesty wishes to establish south of Wad-Nun, because he cannot assume responsibility for any mishaps and misadventures which might occur there, since his sovereignty does not extend beyond that point".

99. His successor, Mulay Sliman, had adopted the same position in the Meknès Treaty of 1 March 1799. That position had been reiterated in treaties concluded at a later date, such as the Anglo-Moroccan Treaty of 9 December 1856 which recognized that the Sultan's sovereignty ceased at Wad-Nun, as did article 8 of the 1861 Treaty between Morocco and Spain.

100. The Moroccan historian El Aloui, in his book entitled "Kitab El-Istiqsa El Aqbar El-Magreb El-Aqsa" had written that "the area of the Western Maghreb is bounded on the east by Muluya and the Taza Mountains, on the north by the Mediterranean and on the south by the Atlas mountains". The position of the Western Sahara with regard to Morocco, which was now claiming that territory, was therefore clear. The Atlas mountains, that had existed since time immemorial, formed a natural boundary between two peoples, two cultures, two ways of living, dressing and feeling, in short, between two societies. The famous North African historian Ibn-Khaldun, in his book "Muggadama" had stated with regard to the geographical boundaries of Morocco that "Maghreb El-Aqsa is bounded on the east by the Muluya and extends as far as Safi, a headland jutting into the sea, and runs south as far as the Darnes mountains".

(Mr. Mansour)

101. The resistance of the Saharan people to Moroccan expansionism and the expeditions and plundering by the Moroccan sultans in the regions of the African Western Sahara which was their country, was a well-known phenomenon in the countries of the area. In 1584, the Moroccan sultan Mulay El-Mansour (the "Black Sultan") had tried on several occasions to cross the territory of the Western Sahara to march on the Mali Empire (which comprised the present Republic of Mali and Mauritania) but had met with strong armed resistance on the part of the Saharan people, who had forced him to retreat.

102. Relations between the Saharan people and their southern neighbour had developed in a similar context. Although on some occasions those relations had been based on good neighbourliness and mutual respect, the history of the Western Sahara and Mauritania was marked by a series of wars and armed confrontations between the two countries, as illustrated by the battles of Ntchaback, Um Tounsi, Um-Aguaba, Hofret-Wadan, Miyeh, Leglaib, Lajard, Tiguiguil, and so on.

103. The colonization of the Western Sahara by Spain and that of Mauritania by France had only served to confirm in geographical terms a situation which had existed long before. Moreover, the attitude of the French administration in Mauritania towards Saharans who passed through that territory bore witness to that. Until 1960, when Mauritania had become independent, there had been a special office to deal with migrations of Saharan nomad tribes temporarily encamped in Mauritania. That office could be compared to an immigration service in a modern State. The Saharans were therefore considered as immigrants to Mauritania, in other words, foreigners.

104. That situation derived from a convention signed on 30 April 1907 between Colonel Goureaud, Commissioner of Saint-Louis, of which Mauritania was a dependency, and the Saharan tribal chiefs who had come to negotiate a policy of good neighbourliness and the right of passage over grazing land. Lack of rainfall in certain areas forced the tribes to move. Under the terms of that Treaty, "the persons and goods of such friendly tribes will be respected in all areas where the French come into contact with them. The caravans of such tribes may travel freely on Mauritanian territory. The Saharans pledge themselves to comply with the political and administrative regulations and, above all, before entering the territory, to apply in person at French frontier posts for permits and to pay the customs duty applicable to foreigners". Likewise, "the Saharans formally pledge themselves not to take up arms against the French, not to engage in raids (military operations) against tribes under French control and not to give asylum or assistance in their camps to the enemies of the French".

105. The subsequent struggle of the Frente POLISARIO against Spanish colonialism was therefore part of the continuing course of the Saharan people's heroic history. Given their previous denials, it was heartening to hear the aggressors tell the Committee that the Frente POLISARIO was an authentic liberation movement.

106. The representative of Mauritania had stated that his country had recognized and supported the Frente POLISARIO in its struggle against Spanish colonialism. It

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(Mr. Mansour)

was obvious that that recognition had come about in the light of the goals of the Saharan people's liberation movement. Those goals had been set forth in the National Programme of Action adopted at the Second Congress of the Frente POLISARIO, "the Congress of martyred Abderrahman Abdalaha", held from 25 to 31 August 1974. The second paragraph of that Programme, which dealt with long-term objectives, made provision for: (a) national liberation from all forms of colonialism and the achievement of full independence; (b) the creation of a republican régime with the effective participation of the people; (c) the achievement of genuine national unity, and so on.

107. The objectives set out in the statutes and the Programme of the Frente POLISARIO continued to be the sacred goals for which the Saharan people were struggling. The three points of the National Programme of Action of the Frente POLISARIO left no doubt as to its objectives and threw light on all the untruths and acrobatics to which the aggressors of the Saharan people were resorting in order to justify the unjustifiable.

108. He was also sure that the Committee had been told that, after denying the existence of a liberation struggle against Spanish colonialism, the Mauritanian aggressors had acknowledged that, in 1975, the Frente POLISARIO had freed Spanish military prisoners after negotiations with the Spanish Minister for Foreign Affairs on the procedures for granting independence to the Saharan people in conformity with the wishes of that people and the obligations of the administering Power. However, the fact that Mauritania had finally admitted that it recognized the liberation movement of the Saharan people had had only scant results which its later betrayal had cancelled out in the eyes of the Saharan people. Nonetheless he wished to recall, for purposes of clarification, the deceitful conduct of Mauritania in its support of the Frente POLISARIO in its struggle for national independence in the Sahara. Instead of fulfilling its obligations as the neighbour of the colonized Territory, Mauritania, which had recognized the Frente POLISARIO as an authentic liberation movement, had prevented it from firing a single shot from Mauritanian territory and had persecuted and searched daily the Saharans who had sought refuge in Mauritania. However, that had not been enough for Mauritania; it had also seized the goods which the Frente POLISARIO had captured from the enemy and the aid which it was receiving from Libya, Algeria and other friendly countries.

109. Morocco, for its part, had thrown Saharan refugees fleeing the Spanish Legion into its prisons and concentration camps while Moroccan officials had quite simply captured Saharan nationalists and handed them over to the Spanish, who had left them to die in Spanish prisons.

110. While Mauritania had certainly recognized the Frente POLISARIO as an authentic movement struggling for the independence of the Sahara, that recognition had in fact served Mauritanian interests at the time. Mauritania had systematically used its recognition of the Frente POLISARIO and its support of the movement as a means of blackmail when it requested aid from Spain. Spain's development of the

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(Mr. Mansour)

Imapec Fisheries at Nuadiba (Mauritania), the result of that odious conspiracy, was just one of many flagrant examples.

111. The United Nations Mission headed by Ambassador Simon Ake of the Ivory Coast, which had visited the Territory in May 1975, had noted the climate of terror and repression in which the Saharan refugees were living in Morocco and Mauritania.

112. The Moroccan Government had gone so far as to herd the Saharan refugees in Morocco into concentration camps and replace them by Moroccans in Saharan disguise during the Mission's visit.

113. In order to divert world opinion from the consequences of the crime they had perpetrated against a small people, Morocco and Mauritania were trying to convince the world that they were engaged in a conflict with other countries. That device could only be denounced as ridiculous and absurd, as the representatives of the Saharan people had already indicated. World opinion and the members of the Committee were only too aware that what was involved was not a conflict between Algeria and Morocco or between Algeria and Mauritania, but an aggression perpetrated against the Saharan people by Morocco and Mauritania, with the criminal complicity of Spain.

114. However, the aggressors should learn from history and realize that the policy of secrecy and concealment to which they had resorted could not hold back the tide of progress. The manoeuvres of the aggressors of the Saharan people were aimed at preventing the international community and international organizations from assuming their responsibilities towards the Saharan people, but they were doomed to failure.

115. The members of the Committee had undoubtedly been extremely surprised to learn that the Spanish Government wished to share responsibility for its crime with the rest of the international community, when its representative had affirmed that Spain alone was responsible. In so doing, Spain had adopted a truly Cartesian approach in order to lighten its guilt and evade its responsibility. However, he wished to draw the attention of the Spanish Government to the fact that the Western Sahara had never been colonized and sold by Mali, or by Tanzania or by the Federal Republic of Germany. Spain was the colonial Power in Western Sahara, and the Madrid tripartite agreement had been signed by Spain, not by Switzerland or Peru.

116. The members of the Committee must have been equally surprised, and justifiably so, to hear Spain launch an appeal for a generous and constructive approach to the future. How could Spain talk of generosity in the future when its hands were still red with the blood of the people which it had colonized for almost a hundred years and which continued to suffer the tragic consequences of its betrayal? One could not embark on the future without living through the present. A policy of evasion could not absolve Spain of its responsibilities.

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117. Accordingly, the international community should take the necessary steps, in conformity with the Charter, to compel Spain to assume its responsibilities as the administering Power whose obligations towards the colonized country would remain until the Saharan people was able to exercise its right to self-determination and independence.

118. He had already expressed his position clearly with regard to the plots and manoeuvres being used to try to interrupt the constructive debate in the Fourth Committee on the substance of the question of Western Sahara and thus prevent the Committee from assuming its impartial role with regard to a decolonization question on the pretext that some Head of State or other was currently approaching OAU on that subject. The Committee must be honest with itself, have the courage to assume its responsibilities and look the truth squarely in the face.

119. The failure to hold the Summit Conference of Heads of African States on the Western Sahara, which the Mauritius Summit had advocated two years ago, had been due to the arrogant and negative attitude adopted by those countries which were now calling for such a conference in order to gain time and thus usurp the rights of the Saharan people and confront the international community with a fait accompli. By that tactic, they hoped to avoid taking a responsible position on the crime and the war against Western Sahara, the extent and gravity of which were increasing daily. Morocco and Mauritania, sometimes with the complicity of other countries, were responsible for the failure to hold an OAU Summit Conference on the question.

120. The most recent positions taken in Africa on the convening of that Summit Conference were the following: first, the decision of the Government and Political Bureau of the Republic of Gabon set forth in a Ministry of Foreign Affairs Communiqué, declaring that Gabon had refused to admit to its territory representatives of the Saharan people who wished to explain their problems to the current President of OAU, Omar Bongo; and secondly, the recalcitrance of Morocco and Mauritania, which made their participation in the Summit Conference contingent on the exclusion of the representatives of the Saharan people, thus flouting the resolution in which the African Heads of State meeting in Mauritius, taking note of the existence of that people, had decided to hold a Summit Conference. The terms of that resolution were as follows:

"Recalling in particular its affirmation of the sacred principle of self-determination,

1. Invites all the parties concerned and interested, including the people of the Western Sahara, to co-operate with a view to achieving a peaceful solution of the conflict in the interests of peace, justice and goodneighbourliness in the region with due regard for the charter of the Organization of African Unity and the Charter of the United Nations;

2. Decides to hold a special session at the level of Heads of State and Government with the participation of the people of the Western Sahara for the purpose of finding a just and lasting solution to the problem of the Western Sahara."

(Mr. Mansour)

121. The progressive expansion and intensification of the war in the Western Sahara must be stressed. The Saharan people, which had been engaged in direct combat with the aggressive forces of Mauritania and Morocco, were now being attacked by an overseas Power. The French Government, as was known, had decided to send troops to help exterminate a small people on the pretext of protecting the activities of its nationals in Mauritania.

122. The reason for that intolerable intervention was not the one which had been cited. There were not only French nationals living in Mauritania; there were many other foreigners from various parts of the world. The Frente POLISARIO had never molested foreigners living in Mauritania or elsewhere, and would never molest them.

123. The Saharan people respected the territorial integrity and sovereignty of Mauritania but would continue its resistance, in self-defence, against the Mauritania army until it had evacuated the Sahara and had put an end to its aggression against the Saharan people.

124. The war of survival which the Saharan people was waging in exercise of its right of self-defence pitted it against hostile armies and those who helped them. It was obvious that the Saharan people had no choice but to defend itself against those who behaved like aggressors and gave it no option. He noted that the region had been transformed into a war zone and that the immediate consequences were beyond control. For its part, the Frente POLISARIO had always told foreign nationals to avoid the region which, unfortunately, had become a theatre of daily combat operations since Morocco and Mauritania had invaded the country.

125. He quoted a statement reported in Le Monde of 5 May 1977 by Mr. Eudeline, a French Army Colonel, since October 1975 in charge of security in the combat zones (South Sahara, North Mauritania): "The forgotten war of the Sahara has been marked by violent clashes since November 1975". Mr. Eudeline cited a few examples like the destruction of the Ain Bentili garrison by the Saharan army on 20 January 1976. He noted that Moroccan planes had been shot down in those clashes. When the Colonel, whose presence indicated the extent of the French military presence, informed his Government of the danger in the combat zone, he was recalled to France.

126. The core of the problem, however, was that the French Government wanted to use French nationals for political purposes in order to justify its military presence and to prevent continued Saharan resistance. French soldiers, disguised as technicians, had been serving for some time in the armies of Morocco and Mauritania in the genocidal war which they were waging against the Saharan people. The newspaper The Guardian gave many examples. He would mention only a few. Colonel Esquilat, Chief of Staff of the French Forces in Mauritania, who had commanded operation "ECOUVILLON" against the Saharan nationalists fighting Spain in 1957, was now serving in the ranks of the Mauritanian army at Zuérate as a technical adviser of the Mauritanian Mining Company (SNIM).

127. At Atar, the commanding officer of the base was Commander Deputy of the French Army. More than 200 other soldiers, officially recognized by the French

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Government, were stationed between the major strategic points of Mauritania (Nuadibu, Zuérate, Atar).

128. In order to illustrate his account, he first quoted from the newspaper Le Figaro of 4 November 1977 as follows: "I am convinced", said the shop steward of the mine, Mr. Milliotte, "that the enemy can find ways of infiltrating. I believe that commando operations would be possible from inside. A rebel looks just like a peaceful citizen". He then quoted from France-Soir of 3 November 1977 as follows: "The restaurant of the Hotel Chinguit at Nouakchott looks like an army mess hall in Strasbourg or Pau. Sergeants, lieutenants, commanders, seated four to a table according to rank. Unarmed, in impeccable evening clothes ... in fatigues and ranger boots. The representatives of the French technical assistance mission have exchanged their red parachutist or black infantryman berets for green Mauritanian army berets. The air force cadres wear the khaki cap of the local air force, which for the most part has yet to be created. Since their arrival from France a month and a half ago, at the request of President Moktar Ould Dadda, these 50 or so men have been wearing uniforms with Mauritanian insignia, and unit insignia stamped with the cross of the Islamic Republic on the pocket ... For several days, a 'Bréguet Atlantic' based in Dakar (Senegal) has been combing the Mauritanian Sahara for FOLISARJO columns. Several columns of Land Rovers have already been sighted. That naval air force plane had already proved its effectiveness in the search operations at the beginning of last year".

129. The Saharan army was fighting bravely because it believed that its cause was just. The combat methods it used to recover its right to life and to dignity consisted in resisting enemy aggression in the field. The responsible and consistent conduct of the Frente POLISARIO had earned it the admiration and respect of world opinion.

130. The hostage of the century was the Saharan people, which was being subjected to genocide. That tragedy aroused the deepest indignation because it could only be regarded as an insult to mankind. If any human rights were being flouted, it was those of the Saharan people, which was being divided and forcibly deprived, with the connivance of the French Government, of its most basic and natural, human and moral rights.

131. The French Government must examine its conscience and realize that, contrary to its professed principles, it was helping to exterminate a people. Still more serious was the fact that France was fanning the flames by steeping that part of Africa in bloodshed, thereby compromising the noble cause of peace and co-operation among peoples which France, as the Power in the region, was obligated more than any other country to serve. It must be understood that the Saharan people, organized and led by the Frente POLISARIO, would fight to the end for the triumph of justice and the full recovery of its rights.

132. Hundreds of children, women and old people had been killed or wounded by French napalm provided to the Moroccan army, which was supported and advised by the French army. The blood of the Saharan people, which was being cruelly and unjustly shed, was like any other blood, and the wounds now being inflicted on the

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(Mr. Mansour)

Saharan people would pain as much in any other human being. How should a man react when his children were being unjustly attacked? Meanwhile, the French Government was asking the Saharans not to defend themselves against death.

133. The French Government was helping to take a whole people hostage, since it continued to arm and to aid Morocco and Mauritania in their criminal action against the Saharan people. It had now consummated that policy by deciding to intervene directly. The real reason for the military venture in which the French Government had become involved to deprive a people of the exercise of its right to self-determination and independence was to strengthen the Moroccan and Mauritanian armies which were sustaining increasingly heavy losses because of constant attacks by the Saharan liberation army.

134. The French Government had been one of the most active framers of the so-called Madrid tripartite agreement; it had probably believed that Morocco and Mauritania could simply take over Western Sahara. It was now intervening to prevent the defeat of the aggressors, having concluded that their most recent tactic of establishing a joint general staff consisting of Moroccan and Mauritanian forces was ineffectual. That was the reality. The Frente POLISARIO was nevertheless convinced that the international community and the French people would act in order to thwart that new French colonial expedition and to persuade the French Government, as a Member of the United Nations, and particularly the Security Council, to put an end to that intolerable and gross violation of the Charter of the United Nations.

135. The Frente POLISARIO was also confident that the French people would be able to take appropriate action to avoid that disaster. Its hope was based on the most recent statements made by the French political parties and trade union organizations to express their disapproval of the venture in which the French Government had become involved. He welcomed the repeated initiatives taken by Mr. Mitterand, First Secretary of the French Socialist Party, which sought to preserve French-Saharan friendship.

136. The dangerous and disastrous attitude of the French Government was a violation of the commitments which it had made to the Frente POLISARIO when the Foreign Secretary, stressing that his Government wished to maintain strict neutrality on the question of Western Sahara, had reaffirmed the position of his Government; it was based on the stand it had taken in the vote on the General Assembly resolutions relating to the right of the Saharan people to self-determination in accordance with the Charter of the United Nations and General Assembly resolution 1514 (XV). A communiqué on the subject had been issued on 26 October 1976 following a meeting between the French Secretary of State, Mr. Lenoir, and the Saharan Minister for Foreign Affairs, Mr. Hakim Brahim. The situation was clear unless the principles had changed between October 1976 and October 1977.

137. The Saharan people had hoped that France would remain neutral in the Saharan war. The friendly relations between France and all the peoples of the region and

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the fact that the war was taking place in Africa obligated France to remain neutral, and its responsibility as a Power concerned with the development of relations of peace and co-operation between Europe and the third world also made it incumbent upon it to maintain its distance with regard to the parties to the conflict, in compliance with the principles which it had endorsed as a Member of the United Nations.

138. The Frente POLISARIO had always attached and would continue to attach the greatest importance to friendship between France and the Sahara. The support which the friendly people of France was giving to the cause of the Frente POLISARIO was in keeping with that friendship and had been repeatedly expressed by political parties, trade unions, democratic organizations and associations promoting friendship with the Saharan people. Of the considerable evidence which testified to that fact, mention should be made of the courageous and historic statements by the French Socialist Party on 4 November 1977, in which it had denounced the Government's unilateral support of Moroccan and Mauritanian interests, its continuous disregard of the rights of peoples to self-determination and its refusal to recognize the Frente POLISARIO. In those statements, the French Socialist Party had criticized the military preparations and threats of the French Government. Those measures were the first elements of escalation and tension. The French Socialist Party had reaffirmed its support for the self-determination of the Saharan people under the leadership of its legitimate representative, the Frente POLISARIO. The statements of the French Communist Party were along the same lines and were equally strong.

139. The trade union organizations had consistently tried to support the just struggle of the Saharan people. The Saharan people expected from France nothing less than peace and respect. It was discomfiting to find that the Government of a Power like France was engaging in monstrous tactics aimed at diverting the attention of the international community from the peaceful solutions that might put an end to the tragedy being visited on a small nation.

140. He welcomed with enthusiasm the contacts which were being made between the representatives of the French Government and the Frente POLISARIO with a view to promoting understanding without the use of threats. As always, the attitude of the Frente POLISARIO towards the French people was characterized by a desire to preserve the friendship between the two countries.

141. The Saharan people would continue, with all the means at its disposal, to fight the Moroccan and Mauritanian forces which had committed aggression against it by violating its inalienable right to life and human dignity, which was its right as it was the right of peoples.

142. That was the information which the Saharan delegation had wished to impart to the Committee. He did not wish to conclude without reminding the members that the current session was the third Assembly since the aggression committed by the criminal forces of Rabat and Nouakchott against the Sahara and that the situation had continued to deteriorate. Now that the French had intervened militarily in support of the Moroccan and Mauritanian armies, the situation had entered into a

(Mr. Mansour)

new phase of internationalization, which might create an unprecedented danger for the entire region and for Africa. The situation had become so critical because the rebels in Morocco and Mauritania were disregarding United Nations resolutions. The Organization should not be cowed by the challenge hurled at it by the two aggressor countries. The international officials whom the General Assembly had entrusted with the implementation of its resolutions should also honour the trust which had been placed in them and provide the Assembly with all possible information concerning the development of the situation since the thirtieth session.

143. It should also be pointed out that the tendency to choose the easiest course was a phenomenon which could in no way contribute to the solution of the problem. It was therefore incumbent upon the Committee to deal with the obstacles which the Secretary-General was encountering in making the arrangements he had been instructed to make by the decision adopted by the General Assembly at its thirtieth session.

144. Mr. Mansour (Frente Popular para la Liberación de Saguia el Hamra y de Rio de Oro) withdrew.

145. Mr. RASON (Madagascar), supported by Mr. ARAUJO (Guinea-Bissau), requested that, as on the previous occasion, the very important statement of the representative of the Frente POLISARIO should be reproduced in extenso in the summary record of the meeting.

146. The CHAIRMAN drew attention to the financial implications of such a decision. If there was no objection, he suggested that the Committee should comply with the request.

147. It was so decided.

148. Mr. GARRIGUE-GUYONNAUD (France), speaking in exercise of his right of reply, expressed surprise at the comments which had just been made by the representative of the Frente POLISARIO concerning the kidnapping of French nationals in Mauritania. They were indeed hostages, that is, innocent civilians kidnapped in the territory of an independent country. France was therefore justified in demanding their release for humanitarian reasons and in being concerned at the threats made against French civilians engaged in development operations in friendly countries. Any measure envisaged by France would obviously be taken within the framework of existing agreements between the countries concerned and France counted on the support of all those who valued human rights so that those innocent civilians could resume a normal life and rejoin their families.

149. The CHAIRMAN announced that Senegal and Upper Volta had become co-sponsors of draft resolution A/C.4/32/L.5.

The meeting rose at 6.20 p.m.