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FOURTH COMMITTEE
12th meeting
held on
Thursday, 31 October 1985
at 10.30 a.m.
New York

W/5A COLLECTION

SUMMARY RECORD OF THE 12th MEETING

Chairman: MR. CHAMORRO MORA (Nicaragua)

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

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1. Mr. DIALLO (Mali) said that, since the adoption 25 years earlier of the Declaration on the Granting of Independence to Colonial Countries and Peoples, more than 800 million human beings had regained their freedom, more than 100 States had achieved independence and colonization had ceased to pose as a philanthropic or civilizing act.

2. The decolonization process was not complete, however, for some peoples were still subject to servitude and oppression and the exploitation of their natural resources, contrary to the fundamental objectives of the United Nations Charter. The fact that the same resolutions concerning the Territories still under colonial domination were adopted year after year did not mean that that was a secondary issue which could be disregarded. The only way to achieve decolonization was to apply strictly and immediately the principle of self-determination. Unfortunately, decolonization was becoming an element of the rivalry between the great Powers, which was being exacerbated by the activities of transnational corporations and by the intensification of military activities in colonial Territories. Were it not for the fact that the colonial Powers persisted in maintaining the economic privileges of the large monopolies and in holding on to strategic bases throughout the world in order to prop up their hegemonistic policies, Namibia and the other remaining dependent countries would by now have freed themselves from colonial domination and exploitation.

3. General Assembly resolution 39/40 indicated different means of resolving the painful crisis of Western Sahara. His country believed that the Fourth Committee should consider the question calmly, in order to create a climate of confidence that would make constructive talks possible between the parties. The principle that the parties concerned must agree to the holding of a referendum on self-determination deserved genuine support. It was important to take into account the political will expressed clearly by the Heads of State of the African countries and to strengthen and promote individual and collective efforts to arrive at a just and lasting solution.

4. The principle of self-determination was inconceivable without the real and express will of the peoples concerned. Two dangers must be avoided in order for that principle to be respected: the tendency to disregard the fate of what were referred to as the "small Territories", and the risk of decolonization becoming a part of the rivalry between the great Powers. It was essential that the possibilities offered by self-determination should in no case be prejudiced. None of the administering Powers must shirk its legal, political and economic obligations to the peoples of the remaining colonial Territories. Now, more than ever, colonial peoples must choose their own destiny, and his country would continue to support firmly their struggle for independence, sovereignty and dignity.

5. Mr. SAHRAWI (India) said that decolonization was one of the most momentous contributions made by the United Nations and one which had revolutionized the international order and brought the Organization closer to its goal of universality. India had been in the vanguard of the struggle against colonialism and its independence in 1947 had been, in a sense, a harbinger of the winds of change that had subsequently blown across the colonial empires. Vestiges of

(Mr. Sahrawi, India)

colonialism remained, however, the most glaring example being Namibia, where the Pretoria régime persisted in defying the universal will.

6. The complexities of each colonial situation made it impossible to apply uniform solutions. However, all the colonial Territories had the inalienable right to self-determination and independence, regardless of their size, population, geographical situation or resources. It was incumbent upon the administering Powers not only to promote the welfare of the peoples concerned but to educate them about the options available to them so that they were able objectively to judge for themselves what was in their best interest. The political, military, economic, social or cultural policies of the administering Powers must not fetter the right of self-determination.

7. Concerning the question of Western Sahara, his country had taken careful note of the proposals made by Morocco to the General Assembly (A/40/PV.46, pp. 37-45). For many years the international community had reaffirmed the inalienable right of the Saharan people to self-determination and independence. Two years previously, the Organization of African Unity had adopted a landmark resolution (AHG/Res.104 (XIX)) on the subject, setting out a precise course of action for promoting the decolonization of that Territory. Regrettably, that resolution remained to be implemented. It was his delegation's hope that the question would be resolved peacefully as early as possible, within the framework of the relevant resolutions of OAU and the United Nations, and that immediate steps would be taken towards that end.

8. Lastly, emphasis must be placed on the contribution made by the United Nations Educational and Training Programme for Southern Africa, which had played an important role in providing opportunities for academic and technical training to students in South Africa and Namibia who would otherwise lack such opportunities. India had contributed financially to the Programme and had also granted scholarships so that African students might pursue studies in Indian educational institutions. Due attention should be accorded to the recommendations contained in the report of the Secretary-General (A/40/781) in order that the Programme might continue its noble mission.

HEARINGS OF PETITIONERS

9. At the invitation of the Chairman, Mr. Cruz (Old People Square Level and Justice Organization of Ponape) took a seat at the petitioners' table.

10. Mr. CRUZ (Old People's Square Level and Justice Organization of Ponape) said that the Administering Authorities had educated the people to obey and do as it was told. During the Japanese administration, unthinkable atrocities had been committed, and since the United States of America had 40 years earlier taken over the administration, it had devoted itself to lying and deceiving the people, instead of developing the economy and improving the educational level, thereby ensuring itself the possibility of continuing to control the population of the Territory.

(Mr. Cruz)

11. While giving some information on the Japanese and United States administration in some parts of the Trust Territories of the Pacific Islands, he said that, prior to the Second World War, the Japanese had taken over land without paying any compensation to landowners and had destroyed the economy of the indigenous peoples, as well as discriminating against them on grounds of race, and that during the war the natives' food had been rationed and they had been forced to work for the military forces. Since the war, the United States had set up medical and laboratory tests and experiments, as a consequence of which nearly all illnesses currently existed in those islands. He therefore asked the United Nations to put an end to those activities.

12. The promise of the United States Government to satisfy the war damage claims of the inhabitants of the islands had been merely a mockery, since no one had received full compensation. Thus, the Micronesian Claims Commission had never consulted the claimants, and the forms included a clause stipulating that the claimant could not collect the total amount allocated. After 40 years it was not possible to remain patient and silent; the time had come to receive compensation. The agreement signed by the United States and Japan did not provide full compensation for the damage inflicted; those two countries liquidated debts of \$1 million with payments of \$100 or even \$10, as was the case with regard to the island of Kosrae, whose payment under the head of war damage compensation was \$5. The Old People Square Level and Justice Organization of Ponape intended to claim \$105,067,311 for 3,931 claimants from Ponape and Kosrae.

13. Mr. Cruz withdrew.

14. At the invitation of the Chairman, Mr. Teehan (Guam Landowners Association) took a seat at the petitioners' table.

15. Mr. TEEHAN (Guam Landowners Association) said that it was discouraging and unacceptable that the administering Power of Guam, despite its commitment to promote and protect the rights and interests of the people of the Territory, should have been able to prevent the United Nations obtaining a true picture of the actual situation in that Territory and of the major changes that were ensuring the elimination of the Chamorro people as the authentic and sovereign master of its own land and that, furthermore, it had done nothing to enable the United Nations to ascertain the validity of its reports. Moreover, the participation of the Chamorro people in United Nations activities had been very scant, owing both to the fear of suffering reprisals and also to that people's ignorance of the opportunities afforded them by the Organization, because to date the United States had done nothing to disseminate the contents of article 73 of the Charter or the relevant resolutions of the United Nations

16. It was clear that the United States legal system would irrevocably defeat the Chamorro people through the judgements relating to the illegal appropriation of land and self-determination. The people of Guam therefore desired the assistance of the United Nations in the resolution of those problems and, at the same time, considered that the United States might be magnanimous and generous with that

(Mr. Teehan)

people which had sacrificed and lost so much of its land in defence of the continental United States.

17. The Guam Landowners Association was composed of families which had been dispossessed of their land by the United States and which intended to use all available means to ensure that that land was restored to its legitimate owners. Furthermore, it rejected the statements by the United States that it was taking measures to correct the atrocities and injustices committed against the people of Guam through the plundering of its sole resource, its land, and it vehemently condemned the Omnibus Territories Bill of 1984, concerning land claims, because its only purpose was to attempt to deprive the Chamorro people of that resource. The people of Guam believed that, if the United States had paid just compensation at the time of appropriation, they would not currently have a surplus of land for sale or unused; that situation was, in reality, the culmination of a United States land speculation project that had lasted 40 years.

18. The continued United States military presence in Guam after the Second World War represented a grave impediment to the exercise by the indigenous population of the island of its right to self-determination.

19. The Chamorro people, despoiled of its lands for the sake of the strategic requirements of the United States and other interests in the United States commercial sector, also suffered the destruction of its culture and was backward with regard to economic, cultural, social and educational aspects owing to the isolation and monopoly imposed on it by the United States for many years. To that had soon been added the loss of its political control, which had been precipitated by the continuous and uncontrolled flow of emigrants from Asia and America, which had been unleashed in 1962 with the lifting of the security restrictions and which had usurped the Chamorro people's exclusive right to sovereignty over the island.

20. The armed forces and Government of the United States had announced their intentions to sell part of the land which they occupied to the Government of Guam at a high price that it would find difficult to pay, because they would be offered to the highest bidder at a great loss to the Chamorro people, which was incapable of competing for its own land against powerful transnational corporations, immigrant businessmen and United States real estate developers. The Guam Landowners Association, which represented more than 83 per cent of the land occupied by the United States, was striving to have that land restored to its original owners and denounced the Omnibus Territories Bill, whereby, on the pretext of making restitution for the historic injustices of the past 40 years, the United States Government was cleverly depriving the Chamorro people of their land.

21. He also denounced the contamination of island resources by United States military activities and requested that a fact-finding mission should be sent to the island to ascertain the situation of the Chamorro people on the spot. He suggested that the United Nations should not confine itself to the conservation of the Chamorro language but should play a more active role in relation to the monitoring of economic and political events in Guam, in order to help to ensure that they were in the interests of the Chamorro people, in accordance with the protection guaranteed it by international agreements and the Charter of the United Nations.

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22. Mr. DEYHIM (Islamic Republic of Iran), referring to the administering Power's promise to return the land to its owners, asked what practical progress had been made in the distribution and restoration of lands belonging to the indigenous inhabitants rather than to immigrants or foreign occupiers.

23. Mr. TEEHAN (Guam Landowners Association) replied that, thus far, the land had not been returned to its owners. In a few isolated cases, small parcels of land had been returned, but not to their original owners and instead to foreign interests or speculators who reaped huge profits from them. The return of the land was still under negotiation, as it had been for 40 years now. The fact was that the land that should have been returned had yet to be restored to its original owners.

24. Mrs. BERMUDEZ GARCIA (Cuba) requested facts and figures on the control of Guam's economy and asked who ran the main businesses on Guam.

25. Mr. TEEHAN (Guam Landowners Association) said that 85 per cent of the industrial sector was controlled by foreign economic interests, mainly United States, Japanese and Chinese capital, which ran the hotel and tourist industry, Guam's main industrial sector. Those interests gave preferential treatment to other ethnic groups that provided them with cheap labour, with the result that the indigenous population had been displaced in that sector. In the construction sector, Filipino and Chamorro labour was used. Guam's commercial establishments were in the hands of Americans, Japanese, Indians and Koreans, and Asian businessmen had taken over the island's small trade, thereby also displacing the Chamorros. The inhabitants of the island were compelled, by the lack of employment opportunities in the private sector, to leave the Territory or work for the Government or the United States military administration.

26. Mr. YOSSIPHOV (Bulgaria) asked whether the administering Power had made provisions for a process of self-determination and, if so, how that process had been conducted and to what extent the population had participated in the so-called act of self-determination. He also wished to know whether the Territory's 20,000 military personnel participated in the electoral process.

27. Mr. TEEHAN (Guam Landowners Association) said that the population had not been prepared for the act of self-determination when the so-called referendum had been held because the latter had not been limited exclusively to the Chamorro people. All but one of the village delegates had filed a request for postponement of the process until the population was prepared for it. Because the United States Government, whose obligation it had been to present officially the options open to the population and to support a referendum on self-determination for Guam had failed to disseminate the necessary information, the population had not participated actively in the referendum. As to the percentage of those voting, only 37 per cent of the population had taken part in the referendum because of the confusion that had reigned regarding the issues being voted on, which showed that the indigenous population had not been prepared for the referendum. Americans, Asians and also United States military personnel had participated in the vote on the issue of self-determination for Guam. With regard to the current participation

(Mr. Teehan)

by United States personnel in the local elections, the Supreme Commander of the Naval Forces of the Mariana Islands had not only publicly endorsed the participation of military personnel in Guam's elections but had even urged greater participation.

28. Mr. BRAVO (Angola) requested details on the demographic composition of the people of Guam and information on the legal status of the indigenous population and of immigrants.

29. Mr. TEEHAN (Guam Landowners Association) replied that, according to the latest official census, 47 per cent of the population were Chamorros and 36 per cent were Filipinos who had been brought to the island principally by the United States, to work on the military bases, and by the transnational corporations, which used them as cheap labour. Then there was a group for which there were no percentage figures, consisting of United States military personnel, American civilians and administrative personnel of the United States Armed Forces. It was estimated that, unless the current rate of immigration from Asia was halted, the indigenous population of Guam would eventually be displaced in its own land, even though the Chamorros were still the largest ethnic group and had no intention of leaving their own country.

30. Mr. LE KIM CHUNG (Viet Nam) observed that it was well known that Guam had been transformed into one of the largest and most important United States strategic military bases in the region and asked whether the existence of the military bases on the island had a positive or a negative impact on the indigenous population. He also wished to know what threat the existence of those bases posed to the security of other countries in the region, and requested background information on the situation.

31. Mr. TEEHAN (Guam Landowners Association) said that, historically, the United States Armed Forces had impeded the economic and social development of the indigenous population. After the Second World War and until 1963, no one had been able to enter or leave the island without the authorization of the Naval Forces and it had been impossible to take any measure which might enhance the economic well-being of the population. When the borders had been opened and other ethnic groups, United States businessmen and transnational corporations had arrived on the island, the indigenous population had been unprepared to compete with them. Moreover, as long as one third of the land was occupied by military bases, the population would always be at a disadvantage. Regarding the impact that a military base might have on the civilian population, he wished to point out that anywhere on earth where there were military bases with nuclear weapons there was a risk not only of war but also of accidents, radiation and all kinds of disasters that were a constant source of concern for the inhabitants.

32. Mr. ARNOUSS (Syrian Arab Republic) asked what role the administering Power played on Guam and what effects its presence had on the inhabitants' cultural and national identity and, in particular, on their language.

33. Mr. TEEHAN (Guam Landowners Association) said that after the Second World War, United States military personnel tried to Americanize the indigenous population and between 1944 and 1950 the naval authorities had prohibited the use of the indigenous language of Guam. Between 1950 and 1968, the prohibition had come from another source, for Guam had had a Governor appointed by the President. After 1968, the restrictions on the use of the indigenous language had been removed. Recently, however, the administering Power had once again begun to restrict the free use of the indigenous language, as was indicated by a note issued by the Naval Forces on 21 October 1985 regarding the language used during working hours on the base. That note stipulated that, for reasons of communication with the rest of the workers and the staff, and also for reasons of unity and cohesion, English would be the only language that could be used during working hours. The order had later been rescinded as a result of pressures and of the indignation it had aroused among the local population, and in 1985 the official languages of the island were, according to the local laws of Guam, English and the indigenous Chamorro language. That showed how the administering Power, instead of promoting the national identity of the Chamorros, had done everything possible to crush it.

34. Mr. Teehan withdrew.

The meeting rose at 1.05 p.m.