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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**

(covering its work during 1991)

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CHAPTERS IV and V

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** This document contains chapters IV and V of the Special Committee's report to the General Assembly. The general introductory chapter will be issued under the symbol A/46/23 (Part I). Chapters II, VI and IX also relate to the present chapters. Other chapters of the report will be issued under the symbol A/46/23 (Parts II and IV-VII). The complete report will be issued subsequently as Official Records of the General Assembly, Forty-sixth Session, Supplement No. 23 (A/46/23).

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CHAPTER IV

ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA

A. Consideration by the Special Committee

1. At its 1377th meeting, on 21 February 1991, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1755), the Special Committee decided, inter alia, to take up the above item as appropriate. The Committee further decided that the item should be considered at its plenary meetings and, as appropriate, by its Subcommittee on Small Territories in connection with its examination of specific Territories.
2. The Special Committee considered the item at its 1382nd, 1383rd, 1386th, 1393rd and 1397th meetings, between 5 and 23 August 1991.
3. In its consideration of the item, the Special Committee took into account the provisions of the relevant resolutions of the General Assembly, including in particular resolution 45/17 of 20 November 1990 relating to foreign economic activities in colonial Territories. The Committee also took into account the relevant provisions of Assembly resolution 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; resolutions 40/56 of 2 December 1985 and 45/33 of 20 November 1990 relating to the twenty-fifth and thirtieth anniversaries, respectively, of the Declaration; and resolution 45/34 of 20 November 1990 on the implementation of the Declaration. The Committee also took into consideration the relevant documents of other intergovernmental bodies concerned, to which reference is made in the seventh preambular paragraph of the resolution it adopted on 23 August (see para. 11).
4. During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing information on economic conditions, with particular reference to foreign economic activities, in the following Territories: Anguilla (A/AC.109/1073), the Cayman Islands (A/AC.109/1075), the United States Virgin Islands (A/AC.109/1076), Montserrat (A/AC.109/1077) and Bermuda (A/AC.109/1078).
5. At its 1383rd meeting, on 7 August, the Committee granted a request for hearing to Mr. J. A. Gonzalez-Gonzalez. Mr. Gonzalez-Gonzalez made a statement at the 1386th meeting, on 8 August (A/AC.109/PV.1386).
6. The general debate on the item took place at the 1382nd, 1383rd, 1386th and 1393rd meetings, on 5, 7, 8 and 14 August, respectively. The following Member States took part in the debate: China and Indonesia (A/AC.109/PV.1382); Fiji, Cuba and the Union of Soviet Socialist Republics at the 1383rd meeting (A/AC.109/PV.1383); the United Republic of Tanzania at the

1386th meeting (A/AC.109/PV.1386) and Papua New Guinea at the 1393rd meeting (A/AC.109/PV.1393). At the 1386th meeting, the representative of the United Republic of Tanzania replied to a question put to him by the representative of Norway (A/AC.109/PV.1386).

7. At the 1386th meeting, on 8 August, statements were made by the representatives of Papua New Guinea, the Syrian Arab Republic and Norway (A/AC.109/PV.1386).

8. At the 1397th meeting, on 23 August, the Acting Chairman drew the attention of the members to draft resolution A/AC.109/L.1773 submitted by him after consultations with the members of the Special Committee, and informed the Committee that a delegation had requested a separate vote on the seventh preambular paragraph and operative paragraph 5 of the draft resolution.

9. The Special Committee took action on draft resolution A/AC.109/L.1773 as follows:

(a) A separate vote was taken on the seventh preambular paragraph of the draft resolution. The paragraph was retained by a vote of 19 to 3, with 1 abstention.

(b) Separate vote was taken on operative paragraph 5. The paragraph was retained by a vote of 16 to 3, with 3 abstentions.

(c) The draft resolution, as a whole, was adopted by a vote of 20 to none, with 4 abstentions. Statements were made by the representatives of Norway, the Union of Soviet Socialist Republics, Bulgaria, the Congo, Ethiopia and Czechoslovakia.

10. On 4 September, copies of the resolution (A/AC.109/1091) were transmitted to all States, the specialized agencies and other organizations of the United Nations system and to the Organization of African Unity (OAU).

B. Decision of the Special Committee

11. The text of the resolution (A/AC.109/1091) adopted by the Special Committee at its 1397th meeting, on 23 August 1991 (see para. 9), appears under section C, in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

12. In accordance with decisions taken at its 1377th and 1393rd meetings, on 21 February and 14 August 1991, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft resolution:

Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

The General Assembly,

Having considered the item entitled "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa",

Having examined the chapter of the 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 relating to the item, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as all other relevant resolutions adopted by the Assembly on this subject, including, in particular, resolution 43/47 of 22 November 1988 declaring the period 1990-2000 as the International Decade for the Eradication of Colonialism,

Reaffirming the solemn obligation of the administering Powers under the Charter of the United Nations to promote the political, economic, social and educational advancement of the inhabitants of the Territories under their administration and to protect the human and natural resources of those Territories against abuses,

Reaffirming that those economic and other activities which impede the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and obstruct efforts aimed at the elimination of colonialism, apartheid and racial discrimination in South Africa and in colonial Territories are in direct violation of the rights of the inhabitants and of the principles of the Charter and all relevant resolutions of the United Nations,

Seriously concerned about the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their rights to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence,

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Bearing in mind the relevant provisions of the final documents of the successive Conferences of Heads of State or Government of Non-Aligned Countries and of the resolutions adopted by the Assembly of Heads of State and Government of the Organization of African Unity,

Strongly condemning the collaboration by certain countries with the racist minority regime of South Africa in the nuclear field, which, by providing that regime with nuclear equipment and technology, enables it to develop nuclear and military capabilities and to become a nuclear Power, thereby strengthening its abhorrent system of apartheid,

Conscious of the continuing need to mobilize world public opinion against the involvement of foreign economic, financial and other interests that obstruct efforts to eliminate colonialism and racism, particularly in South Africa, thereby violating the right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence, to apply pressure on transnational corporations to refrain from any investment or activity in South Africa, to encourage a policy of systematic divestment of any financial or other interest in corporations doing business with South Africa and to counteract all forms of collaboration with the apartheid regime,

1. Approves the chapter of the 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 relating to the item; 1/

2. Reaffirms the inalienable right of the peoples of colonial and Non-Self-Governing Territories to self-determination and independence and to the enjoyment of the natural resources of their Territories, as well as their right to dispose of those resources in their best interests;

3. Reiterates that any administering or occupying Power that deprives the colonial peoples of the exercise of their legitimate rights over their natural resources or subordinates the rights and interests of those peoples to foreign economic and financial interests violates the solemn obligations it has assumed under the Charter of the United Nations;

4. Reaffirms its concern over the activities of those foreign economic, financial and other interests which continue to exploit the natural resources that are the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, as well as their human resources, to the detriment of their interests, thus depriving them of their right to control the resources of their Territories and impeding the realization by those peoples of their legitimate aspirations for self-determination and independence;

5. Condemns those activities of foreign economic and other interests in the colonial Territories that are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV), and the efforts to eliminate colonialism, apartheid and racial discrimination;

6. Strongly condemns the collaboration of certain countries, in particular Israel, with the racist minority regime of South Africa in the nuclear field and calls upon those Governments concerned to refrain from supplying that regime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment;

7. Strongly condemns the collaboration with the racist minority regime of South Africa of certain countries as well as transnational corporations that continue to make new investments in South Africa and supply the regime with armaments, nuclear technology and all other materials that are likely to buttress it and thus aggravate the threat to world peace;

8. Calls upon all States to take urgent, effective measures to terminate all collaboration with the racist regime of South Africa, in particular in the military and nuclear fields, and to refrain from entering into other relations which run counter to the maintenance of existing sanctions against the regime in violation of the relevant resolutions of the United Nations and of the Organization of African Unity;

9. Calls once again upon all Governments that have not yet done so, to take, in accordance with the relevant provisions of General Assembly resolution 2621 (XXV) of 12 October 1970, legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories that are detrimental to the interests of the inhabitants of those Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories;

10. Calls upon those oil-producing and oil-exporting countries that have not yet done so to take effective measures against the oil companies concerned so as to terminate the supply of oil and petroleum products to the racist regime of South Africa;

11. Reiterates that the exploitation and plundering of the marine and other natural resources of colonial and Non-Self-Governing Territories by foreign economic interests, in violation of the relevant resolutions of the United Nations, is a grave threat to the integrity and prosperity of those Territories;

12. Invites all Governments and organizations of the United Nations system to take all possible measures to ensure that the permanent sovereignty of the peoples of colonial and Non-Self-Governing Territories over their natural resources is fully respected and safeguarded;

13. Urges the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable right of the peoples of the colonial and Non-Self-Governing Territories to their natural resources and to establish and maintain control over their future development, and requests the administering Powers to take all necessary steps to protect the property rights of the peoples of those Territories;

14. Calls upon the administering Powers concerned to ensure that no discriminatory and unjust wage systems or working conditions prevail in the Territories under their administration and to apply in each Territory a uniform system of wages to all the inhabitants without any discrimination;

15. Requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, to inform world public opinion of those activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

16. Appeals to mass media, trade unions and non-governmental organizations, as well as individuals, to coordinate and intensify their efforts to mobilize international public opinion against the policy of the apartheid regime of South Africa and to work towards the non-relaxation of existing measures against that regime in order to accelerate the process of constitutional change;

17. Decides to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interest of the indigenous peoples and at promoting the economic and financial viability of those Territories, in order to facilitate and accelerate the exercise by the people of those Territories of their right to self-determination and independence;

18. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the General Assembly at its forty-seventh session.

CHAPTER V

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

A. Consideration by the Special Committee

1. At its 1377th meeting, on 21 February 1991, by adopting the suggestions relating to the organization of its work put forward by the Chairman (A/AC.109/L.1755) the Special Committee decided, inter alia, to take up the above item as appropriate. The Committee further decided that the item should be considered at its plenary meetings and, as appropriate, by its Subcommittee on Small Territories in connection with its examination of specific Territories.

2. The Special Committee considered the item at its 1382nd, 1383rd, 1386th, 1393rd and 1397th meetings, between 5 and 23 August 1991.

3. In its consideration of the item, the Special Committee took into account the provisions of the relevant General Assembly resolutions, including in particular resolution 45/34 of 20 November 1990. By paragraph 10 of that resolution, the Assembly called upon the colonial Powers "to withdraw immediately and unconditionally their military bases and installations from colonial Territories, to refrain from establishing new ones and not to involve those Territories in any offensive acts or interference against other States". The Committee also took into account Assembly decision 45/1406 of 20 November 1990, by paragraph 12 of which the Assembly requested the Committee "to continue to examine this question and to report thereon to the Assembly at its forty-sixth session". Further, the Committee took into account the relevant provisions of Assembly resolution 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as resolutions 40/56 of 2 December 1985 and 45/33 of 20 November 1990 relating to the twenty-fifth and thirtieth anniversaries, respectively, of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

4. During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing information on military activities and arrangements in the following Territories: Bermuda (A/AC.109/1045), the United States Virgin Islands (A/AC.109/1066) and Guam (A/AC.109/1070).

5. The general debate on the item took place at the 1382nd, 1383rd, 1386th and 1393rd meetings, on 5, 7, 8 and 14 August, respectively. The following Member States took part in the debate: China and Indonesia (A/AC.109/PV.1382); Fiji, Cuba and the Union of Soviet Socialist Republics at the 1383rd meeting (A/AC.109/PV.1383); the United Republic of Tanzania at the 1386th meeting (A/AC.109/PV.1386) and Papua New Guinea at the 1393rd meeting (A/AC.109/PV.1393). At the 1386th meeting, the representative of the United Republic of Tanzania replied to a question put to him by the representative of Norway (A/AC.109/PV.1386).

6. At the 1386th meeting, on 8 August, statements were made by the representatives of Papua New Guinea, the Syrian Arab Republic and Norway (A/AC.109/PV.1386).

7. At the 1397th meeting, on 23 August, the Acting Chairman drew attention to draft decision A/AC.109/L.1772 submitted by him on the basis of consultations with members of the Special Committee.

8. At the same meeting, the Acting Chairman informed the Committee that a delegation had requested a separate vote on paragraph 7 of draft decision A/AC.109/L.1772. The Special Committee took the following action:

(a) A separate vote was taken on paragraph 7 of the draft decision. The paragraph was retained by a vote of 17 to 3, with 3 abstentions;

(b) The draft decision, as a whole, was adopted by a vote of 20 to none, with 4 abstentions (see para. 10). The representative of Norway made a statement (A/AC.109/PV.1397).

9. On 4 September, copies of the decision (A/AC.109/1090) were transmitted to all States, the specialized agencies and other organizations of the United Nations system and the Organization of African Unity (OAU).

B. Decision of the Special Committee

10. The text of the decision (A/AC.109/1090) adopted by the Special Committee at its 1397th meeting, on 23 August 1991 (see para. 8), appears under section C, in the form of a recommendation of the Special Committee to the General Assembly.

C. Recommendation of the Special Committee

11. In accordance with decisions taken at its 1377th and 1393rd meetings, on 21 February and 14 August 1991, respectively, the Special Committee recommends to the General Assembly the adoption of the following draft decision:

Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1. The General Assembly, having considered the chapter of the 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 relating to an item on the agenda of the Special Committee entitled "Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to

Colonial Countries and Peoples" 1/ and recalling its resolution 1514 (XV) of 14 December 1960 and all other relevant resolutions and decisions of the United Nations relating to military activities in colonial and Non-Self-Governing Territories, reaffirms its strong conviction that military bases and installations in the Territories concerned could constitute an obstacle to the exercise by the people of those Territories of their right to self-determination and reiterates its strong views that existing bases and installations, which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, should be withdrawn and that no further entrenchment should be condoned.

2. The General Assembly reaffirms that it is the responsibility of the administering Powers to ensure that the existence of military bases and installations does not hinder the population of the Territories from exercising their rights to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations and the Declaration. Furthermore, aware of the presence of such bases and installations in some of those Territories, the Assembly urges the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States, and to comply fully with the purposes and principles of the Charter.

3. The General Assembly reiterates its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration which might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. The Assembly once again calls upon the colonial Powers concerned to terminate such activities and to eliminate such military bases in compliance with the relevant resolutions of the General Assembly.

4. The General Assembly reiterates that the colonial Territories and areas adjacent thereto should not be used for nuclear testing, dumping of nuclear wastes or deployment of nuclear and other weapons of mass destruction.

5. The General Assembly notes with serious concern that, in southern Africa in general, a critical situation continues to prevail as a result of South Africa's inhuman repression of the people of South Africa, and declares that the policy of apartheid and destabilization not only undermines the peace and stability of the southern African region but also constitutes a threat to international peace and security.

6. The General Assembly condemns the continued military, nuclear and intelligence collaboration between South Africa and certain countries, which constitutes a violation of the arms embargo imposed against South Africa by the Security Council in its resolution 418 (1977) of 4 November 1977, and which poses a threat to international peace and security. The Assembly urges the Security Council to consider, as a matter of urgency, the report of the Committee established under its resolution 421 (1977)

1/ The present chapter.

of 9 December 1977 2/ and to adopt further measures to widen the scope of its resolution 418 (1977) in order to make it more effective and comprehensive. The Assembly also calls for the scrupulous observance of Security Council resolution 558 (1984) of 13 December 1984 enjoining all States to refrain from importing armaments from South Africa. The Assembly is particularly mindful in that regard of a series of resolutions adopted by the Security Council, 3/ the General Assembly, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Special Committee against Apartheid, as well as the Movement of Non-aligned Countries, the Organization of African Unity, the Commonwealth and a number of intergovernmental and regional organizations.

7. The General Assembly considers that the acquisition of nuclear-weapon capability by the racist regime of South Africa, with its infamous record of violence and aggression, constitutes a further effort on its part to terrorize and intimidate independent States in the region into submission while also posing a threat to all mankind. The Assembly condemns the continuing support to the racist regime of South Africa in the military and other fields. In this context, the Assembly expresses its concern at the grave consequences for international peace and security of the collaboration between the racist regime of South Africa and certain Western Powers, Israel and other countries in the military and other fields. It calls upon the States concerned to end all such collaboration and, in particular, to halt the supply to South Africa of equipment, technology, nuclear materials and related training, which increases its capability to manufacture nuclear weapons.

8. The General Assembly strongly condemns the continuing collaboration of certain countries with the racist regime in the military and nuclear fields and expresses its conviction that such collaboration is in contravention of the arms embargo imposed against South Africa under Security Council resolution 418 (1977) and undermines international solidarity against the apartheid regime. The Assembly thus calls for the termination forthwith of all such collaboration.

9. The General Assembly urges all Governments, the specialized agencies and other intergovernmental organizations to provide increased material assistance to the thousands of refugees who have been forced by the oppressive policies of the apartheid regime in South Africa to flee into the neighbouring States and for the purpose of resettlement of those who are returning.

2/ Official Records of the Security Council, Thirty-fifth Year, Supplement for July, August and September 1980, document S/14179.

3/ Security Council resolutions 567 (1985) of 20 June 1985, 568 (1985) of 21 June 1985, 571 (1985) of 20 September 1985, 574 (1985) of 7 October 1985, 577 (1985) of 6 December 1985, 580 (1985) of 30 December 1985, 581 (1986) of 13 February 1986, 602 (1987) of 25 November 1987 and 606 (1987) of 23 December 1987.

10. The General Assembly deplores the continued alienation of land in colonial Territories, particularly in the small island Territories of the Pacific and Caribbean regions, for military installations. The large-scale utilization of the local resources for this purpose could adversely affect the economic development of the Territories concerned.

11. The General Assembly requests the Secretary-General to continue, through the Department of Public Information of the Secretariat, to inform world public opinion of the facts concerning the military activities and arrangements in colonial Territories which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV).

12. The General Assembly requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine this question and to report thereon to the Assembly at its forty-seventh session.
