



SUMMARY RECORD OF THE 17th MEETING

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued)

Hearing of petitioners (A/C.4/42/3 and Add.1 and 3)

1. The CHAIRMAN reminded the Committee that it had decided to grant the requests for hearing contained in documents A/C.4/42/3 and Add.1 and 3.
2. At the invitation of the Chairman, Miss Jackson (American Association of Jurists) took a place at the petitioners' table.
3. Miss JACKSON (American Association of Jurists) said that the people of Western Sahara had not yet been able fully to exercise their fundamental right to self-determination. Although considerable progress had been made since the proclamation of the Saharan Arab Democratic Republic (SADR) as an independent State in 1976, serious obstacles remained to be overcome. The principal obstacle was Morocco's refusal to withdraw its military forces from the region and to negotiate the terms of a cease-fire. That unjust aggression against the Saharan people was an affront to the basic principles of international law and must be brought to a speedy end in the interests of justice and international peace. In that connection, the immediate implementation of resolution AHG/Res.104 (XIX) of the Organization of African Unity (OAU) and General Assembly resolution 40/50 was essential in order to bring about a just and definitive political solution of the conflict. The American Association of Jurists urged the international community to intensify its efforts with a view to ensuring the rapid implementation of those resolutions. It also called upon the Governments of the United States, France and Saudi Arabia to terminate their military assistance to Morocco, since such assistance had enabled that country to pursue its colonial objectives and to deprive the Saharan people of their most basic rights. Lastly, it supported the efforts undertaken by the United Nations and OAU to bring about a just solution for the conflict. Morocco, for its part, must prove, as the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) had proved, that it was prepared to join in that process.
4. Miss Jackson withdrew.
5. At the invitation of the Chairman, Miss Attix (Western Sahara Campaign for Human Rights and Humanitarian Relief) took a place at the petitioners' table.
6. Miss ATTIX (Western Sahara Campaign for Human Rights and Humanitarian Relief) said that Western Sahara was a territory which must be decolonized. The Saharan people were perfectly entitled to defend their fundamental freedoms, including their right to self-determination, by the means provided to them under international law. The Moroccan invaders had interrupted the process of decolonization by denying such self-determination and by launching a war of annexation against the Territory. They were violating the fundamental rights and

(Miss Attix)

freedoms of the population, in particular by adopting emergency legislation in order to give very broad powers to the police authorities. Thousands of people had disappeared as a result, while hundreds had been detained or tortured.

7. The continuing war had created political tensions in the region, which was very rapidly being militarized. Such militarization had an adverse effect on the development of the local peoples; thus, Morocco's arms imports had disturbed its trade and its budget. Morocco had recently completed the sixth of the walls it was building in order to cordon off Western Sahara. In doing so, it had two objectives. Firstly, it wished to draw the Mauritanian Government - which was trying to remain neutral but would perhaps be forced to defend its territorial integrity as the conflict drew so close to its principal economic centre - into the war. Secondly, Morocco was seeking to bring the territory's coast under its control with a view to preserving fishing rights and to deny the Frente POLISARIO access to the coasts, in order to reassure the countries of the European Economic Community (EEC) and to attract investment from them.

8. Any agreement between Morocco and EEC to place the territorial waters of Western Sahara under Moroccan jurisdiction would be incompatible with the status of the Territory, which was subject to the supervision of the United Nations and OUA. Furthermore, the conclusion of such an agreement and the presence of foreign investment would bring into play the same economic interests which had been "negotiating" the independence of Namibia with South Africa. The process of decolonization could only be complicated and delayed thereby.

9. The only solution was to implement without delay the United Nations-supported peace plan contained in OAU resolution AHG/Res.104 (XIX), which provided for a free and fair referendum following a cease-fire between Morocco and the Frente Polisario. However, care would have to be taken that the result of such a referendum was not predetermined by Morocco, which had since 1976 been actively engaged in the "Moroccanization" of the Territory, installing its own administration and encouraging the mass settlement of its nationals. Morocco's heavy presence had already been denounced by the Secretary-General of the Frente POLISARIO as "an important obstacle" to the peace efforts of the United Nations and OAU. It constituted an extremely cynical move on the part of Morocco, running directly contrary to the principle of self-determination and to international law. A referendum organized under such conditions would be nothing more than a sham. That situation and the construction of the sixth wall gave the lie to soothing statements in which the Moroccan ruler pretended that he would willingly accept the results of the referendum, regardless of the outcome.

10. Despite its declarations of neutrality, the United States Government had recently demonstrated its support for Morocco by deciding to sell it tanks which would be shipped to Western Sahara. Contrary to the claims of the suppliers, such military aid, which followed an already considerable amount of previous aid, would contribute neither to the security nor to the development of the region. Certain members of Congress had even protested against those sales, stating that the interests of the United States would be much better served by working for peace in the region than by supporting the war.

(Miss Attix)

11. The OAU peace plan, which reaffirmed the principles of international law, constituted a viable formula for ending a conflict which was becoming ever more complex, and enabling the Saharan people to exercise their legitimate rights. In that connection, the dispatch by the United Nations of a technical mission to the region was welcome.
12. Miss Attix withdrew.
13. At the invitation of the Chairman, Mr. Mansur (Minister for Foreign Affairs of the Saharan Arab Democratic Republic) took a place at the petitioners' table.
14. Mr. MANSUR (Minister for Foreign Affairs of the Saharan Arab Democratic Republic) paid tribute to the 99 countries which had voted in favour of General Assembly resolution 41/16, calling for the opening, in the shortest possible time, of direct negotiations between SADR and Morocco with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum for self-determination, without any administrative or military constraints, under the auspices of OAU and the United Nations. It was also pleased that four more countries (Trinidad and Tobago, Belize, Saint Kitts and Nevis and Antigua and Barbuda) had recently recognized SADR, bringing to 69 the number of countries which had diplomatic relations with the Saharan Government. Thus, the Saharan Republic, which had also been admitted as a full member of OAU, enjoyed increasing support from the international community in its legitimate struggle to attain respect for its sovereignty and independence.
15. At the same time, Morocco was finding itself increasingly isolated because of its war of aggression against the Saharan Republic. While cynically claiming to be seeking peace and ready to accept a referendum, Morocco, in defiance of General Assembly resolution 41/16 and OAU resolution AHG/Res.104 (XIX), was sowing death and destruction, reinforcing its military capability, expanding its occupation zone and accelerating the establishment of Moroccan settlers, about 100,000 of whom were already in place. It was pursuing a policy of terror and total repression against the civilian population. Morocco claimed to be seeking peace but it refused to negotiate the conditions for a cease-fire. Scorning the joint OAU-United Nations good offices missions, Morocco had extended its "wall" by 600 kilometres, sometimes stationing military forces in the immediate vicinity of the Mauritanian border, posing a serious threat to peace in the region. In the circumstances, the Saharan Republic had no choice but to exercise its right to self-defence and step up its war operations. Its forces had launched an effective offensive against the "wall" and a number of successful military operations which had dealt a severe blow to the Moroccan forces and to their morale. The Moroccan Government was resorting to drugs and the offer of special bonuses to make its forces more eager for battle. The war was currently costing it some \$4 million a day, clear proof of the madness of that country, whose foreign debt was \$18 million and two thirds of whose population was illiterate and lived below the poverty level. In the occupied areas, Morocco was waging a "dirty war" and more than 500 civilians had disappeared. A great many of them were in concentration camps and prisons in Morocco and they were often critically ill. It was important for the international community to bring pressure to bear on the Moroccan Government to release those detained Saharan citizens immediately and end its campaign of terror.

(Mr. Mansur)

16. If Morocco withdrew its forces and its administration from the occupied territories, the Saharan Republic would undertake simultaneously to declare a cease-fire and to submit to United Nations monitoring. Unfortunately, the talks had shown that Morocco believed that the United Nations presence in the Territory should be purely symbolic and that it was up to its own forces and administration to monitor the referendum. Paradoxically Morocco, which had itself in 1975 demanded the withdrawal of the Spanish presence as a prerequisite for the holding of a referendum and called for a United Nations administration, had been refusing for 11 years to accede to the same demand on the part of the Saharan people and the international community. Morocco was in the process of preparing a sham referendum. In the last few months it had been ascertained, for instance, that Moroccan settlers were flooding into the Saharan Republic, in a new version of the infamous "Green March". Morocco was endeavouring systematically to destroy the Saharan identity and culture in order to "Moroccanize" the Territory. It was extending the "wall", deploying more military forces than ever and trying to involve foreign economic interests in the mining, fishing and tourist sectors in the occupied zones in order to finance its war effort.

17. Faced with such manoeuvres, the Saharan Republic, exercising its right of self-defence, would continue to fight until the Moroccan troops had withdrawn. Only then could a truly free referendum be organized, in accordance with OAU and United Nations resolutions. Those two organizations must work to defeat the designs of Morocco, which flouted international law and aimed to stifle the aspirations of the Saharan people in order to legitimize its occupation. The Saharan Government disclaimed responsibility for any harm or damage done to foreign persons or property present without its consent in the area occupied by Morocco; full responsibility for such an occurrence would rest with Morocco.

18. A technical survey mission would be more useful after a political agreement had been concluded than before, for any information it might gather on the spot in time of war would be likely to change immediately after its departure. Such information could therefore not serve as a basis for negotiations. Yet the Saharan Republic none the less accepted the dispatch of such a mission and was fully prepared to co-operate in its successful completion. The Moroccan occupier was worried and sought to mask the true state of affairs. It was holding more than 2,000 young Saharans at a military centre in the occupied area in order to prevent them from demonstrating when the technical survey mission arrived. It had decided to promote certain token Saharans to administrative posts and was getting ready to release a few long-term prisoners to conceal the existence of its repressive apparatus.

19. The Saharan Republic fully endorsed the development of the Maghreb, but the process was unfortunately being impeded by Morocco's ambition for domination. After Morocco had become independent in 1956, all the dependent peoples of the region had hoped that it would help them to free themselves from the colonial yoke. Instead, Morocco had moved against any anti-colonialist resistance, against Algeria, against Mauritania, against the Saharan Republic. Its contribution to the development of the Maghreb could be summed up as 25 years of instability, mistrust and hatred. Development could take place only against a background of peace,

(Mr. Mansur)

self-determination by all peoples of the region, and recognition of all nations in the region. If it really wished to contribute, Morocco must renounce its war of aggression against the Saharan Republic and its policy of expansion. Just as in the Hitler era it would have been inconceivable to establish the powerful European Economic Community currently in existence by seeking to impose Nazi domination on neighbouring peoples, the development of the Maghreb would be impossible so long as the Moroccan régime tried to realize its dream of a "greater Morocco" comprising part of Algeria, Western Sahara, Mauritania and part of Mali.

20. As far as the Saharan Government was concerned, it was preparing for peace in the liberated zones and in the refugee camps through a novel process of education and training which would allow its people to rise to the task that awaited them after the war. Among the recent successes could be mentioned the opening of schools, hospitals and social centres, the renewed cultivation of land owing to a improved use of ground water, the establishment of livestock co-operatives and crafts workshops. Its literacy campaign was continuing. Its training efforts had borne fruit and the number of graduates was increasing. Important progress had been made in preventive medicine and in the campaign against epidemic and endemic diseases and infant mortality.

21. The leaders, political forces and peoples of the Maghreb as well as the rest of the international community must promote the right of the Saharan people to self-determination and must work to bring about peace, co-operation and understanding in the region despite Morocco's selfish and expansionist intentions.

22. Mr. Mansur withdrew.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/42/23 (Part VI), 111, 178, 224, 357, 417, 601, 606, 651; A/AC.109/889-891, 892 and Add.1-2, 893 and Add.1, 894 and Add.1, 895, 896 and Add.1-2, 897, 898 and Add.1, 899-903, 904 and Corr.1, 905-912, 913 and Add.1, 914, 915, 918, 921; A/C.4/42/L.4 and L.5)

(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) REPORT OF THE SECRETARY-GENERAL (continued)

AGENDA ITEM 108: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/42/23 (Part IV), 171, 577/Rev.1)

(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

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AGENDA ITEM 110: 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/42/23 (Part IV), 264 and Add.1; A/AC.109/L.1620; E/1987/85)

- (a) REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES
- (b) REPORT OF THE SECRETARY-GENERAL

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/42/3, chaps. I, VI and VIII; A/C.4/42/L.3)

AGENDA ITEM 111: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/42/628; A/AC.4/42/L.2)

AGENDA ITEM 112: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES: REPORT OF THE SECRETARY-GENERAL (continued) (A/42/578)

23. Mr. BADAWI (Egypt) said that the elimination of colonialism, one of the noblest purposes of the United Nations since its foundation, had its justification in the Charter itself, which provided that non-self-governing peoples must have access to self-determination and independence. It was in that field that the Organization had recorded its greatest successes - witness the many former colonial Territories which were now Members - to the point that the map of the world had been completely changed. The Movement of Non-Aligned Countries, of which Egypt was a founder, had also played a considerable role, making world public opinion aware of the importance of decolonization and working to make it a reality.

24. But the task was not completed and the United Nations, as the conscience of the world, must discharge its responsibilities with respect to the peoples which were still denied the right to freedom and independence. In resolution 845 (IX) adopted in 1954 the General Assembly had indicated one of the aspects of that responsibility by requesting Member States to provide education to enable the inhabitants of Non-Self-Governing Territories to prepare themselves to take charge of their countries on their independence. His own country offered nationals of such Territories or newly independent countries study and training fellowships in various subjects. It had also set up a number of technical co-operation funds to promote similar activities on a bilateral basis. It was to be hoped that the present economic conditions would not prevent an increasing number of countries from giving their assistance as well. In that connection, his delegation expressed its satisfaction with the efforts made by the Advisory Committee on the United Nations Educational and Training Programme for Southern Africa, a programme which must be supported financially and must strengthen its co-operation with the various United Nations bodies. Those bodies must in turn ensure better co-ordination of their activities with the United Nations and expand and diversify their work on behalf of non-self-governing peoples, in order to speed up their accession to independence.

(Mr. Badawi, Egypt)

25. His delegation had noted with interest the Secretary-General's report on Western Sahara (A/42/601) and the passage on that question in the Secretary-General's report on the work of the Organization. Egypt had also followed closely the initiatives and good offices undertaken in collaboration with the Chairman of the Organization of African Unity with a view to bringing the various parties closer together. It hoped that those efforts would achieve a peaceful and final settlement of the conflict and it welcomed the concrete progress that had been made, for the parties were now agreed on a common goal, which was to permit the people of Western Sahara to make a free choice as to its future within the framework of a referendum supervised by the United Nations, which had concrete experience in that field. The area of agreement was broad enough to prompt the hope that the parties would manage to find a route to the common goal. Another encouraging result of the efforts made in the international arena was the announcement of the dispatch of a technical mission to obtain additional information with a view to the preparation of concrete proposals to facilitate an agreement on the terms of a cease-fire and the preparations for the referendum. The parties must show the necessary flexibility and political will and refrain from any act which might harm the current good offices. In that connection, his country paid a tribute to the efforts of the Secretary-General and of the current OAU Chairman and it hoped that the draft resolution which the Committee submitted to the General Assembly would support that action.

26. Mr. LOHIA (Papua New Guinea) said that it was greed and self-interest which explained the continuation of colonialism in Namibia, New Caledonia and elsewhere and which enabled the South African régime to maintain its policy of apartheid. South Africa and Namibia possessed strategic minerals which were vital to those who continued to collaborate with South Africa. If apartheid were abolished and a democratic Government established, the black people would have political power and control the country's natural resources. It was easy to imagine what the consequences of such a change would be. It was therefore hardly surprising that such a prospect should cause certain Governments to take totally unacceptable positions. Namibia's independence was closely linked to the ending of apartheid. But to assume that the ending of apartheid could come about from within indicated great naivety and indeed insensitivity to the sufferings of the black people. Comprehensive economic sanctions against South Africa were therefore necessary.

27. The Sahraoui people should be allowed to choose its future freely and express clearly its national identity and sovereignty.

28. The colonial situation of New Caledonia had been reaffirmed by General Assembly resolution 41/41 A. France must therefore ensure that the Territory moved towards self-determination and independence and thereby comply with the accepted international procedures laid down in General Assembly resolutions 1514 (XV) and 1541 (XV). It could not act unilaterally, as it had done on 13 September 1987, to organize a so-called "act of self-determination".

29. The issue of franchise was fundamental to an act of self-determination. The Kanaks accepted that the other ethnic groups settled in the Territory had the right to participate in any genuine act of self-determination, since it was a matter of

(Mr. Lohia, Papua New Guinea)

vital concern to them. On the other hand, a person who had lived only a few years in New Caledonia could not claim to be in the same situation. The Administering Authority, aware that the United Nations was extremely sensitive on the question of political rights, had tried to amalgamate the right to vote to elect a Government with the right to vote in a referendum on self-determination, which was an inalienable right of any colonized person. Those two issues were fundamentally different. The Administering Authority was urged to demonstrate the necessary political will and sensitivity. A genuine dialogue with the FLNKS was of utmost importance.

30. The Kanaks, who formed the largest ethnic group in New Caledonia, had always opposed French colonialism, but had maintained, under the leadership of FLNKS, a policy of non-violence, despite provocations, intimidation and harassment. New Caledonia had strategic minerals and presented a forward military outpost for France in the region, and the Kanaks therefore had to be suppressed. Demographic policies that were to the disadvantage of the Kanaks had been deliberately encouraged; the colonial system of justice was tainted with racism, and the attitude of France had never suggested that that country was capable of giving back to the Kanaks their land, natural resources and sovereignty. At the time of the referendum, there had been several thousand troops in the Territory.

31. The administering Power had not demonstrated its willingness to meet its obligations or to co-operate with the Special Committee on decolonization. It should be condemned not only because it was arrogant and hypocritical, but also because it made a mockery of the provisions of the Charter and the relevant United Nations resolutions. Together with the other South Pacific Forum countries, Papua New Guinea condemned the so-called referendum which the French Government had staged in September 1987, an exercise which the Kanaks had also rejected. France must also be condemned for its deliberate campaign of disinformation on the actual situation in New Caledonia, especially with regard to the oppressed, robbed and colonized Kanak people. Document A/42/651, circulated at the request of France, contained tendentious information. The majority of the States Members of the United Nations urged France to co-operate with the Organization in bringing about an end to the colonial situation in New Caledonia.

32. Mr. McDOWELL (New Zealand) said that the work of the United Nations had helped to promote a change in the way the world looked. The Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV)), which had defined how the United Nations perceived self-determination, and resolution 1541 (XV), which had spelt out the conditions for ensuring that self-determination was exercised, were essential in giving the colonized peoples a platform so that their voices might be heard directly by the world community. Those instruments had stood the test of time and had clearly helped not only the colonized, but the colonizers too. The experience of the South Pacific had been without exception a positive one. Although the transition period to self-government and independence was seldom without trauma, New Zealand had not had any occasion to regret involving the United Nations in the process of decolonizing those Territories for which it had formerly been responsible. In accordance with its obligations, his Government had recently reported on the one Territory for which New Zealand retained

(Mr. McDowell, New Zealand)

responsibility - Tokelau. The report of the Visiting Mission which had been to Tokelau in 1986 had been translated into Tokelauan and had been discussed in full in the Territory. The United Nations had an important and continuing role as Tokelau moved, at its own pace, towards a decision on its future status. It was against that backdrop that New Zealand's position on the Non-Self-Governing Territory of New Caledonia should be seen. In a nutshell, New Zealand was not asking France to do what New Zealand had not been prepared to do.

33. The draft resolution on the question of New Caledonia, submitted by the Special Committee on decolonization (A/42/23 (Part VI)), was moderate and contained no attack on France or condemnation of its actions, but simply invited that country to follow the precedents in the region and get itself off the hook. In submitting the draft resolution, the countries of the South Pacific sought co-operation, and not confrontation with France.

34. Attention should be drawn to the fact that no direct reference was made in the draft resolution to the referendum held on 13 September 1987, because it had not been a valid act of self-determination. For an act of self-determination to be valid, it had to be fully in accordance with the principles and practice of the United Nations. All options for the future should be available. There should first be a programme of political education in which all options were impartially presented and the consequences fully explained. In actual fact, those conditions had not been met. Even the French administrators had not had a clear idea of the implications of a "statute of internal autonomy". What had been made clear was that if the people had chosen independence, they would have received no further help from France. There had not been a free choice. The administering Power had promoted a particular choice, and the alternatives had not been adequately explained. A period of preparation in which there had been only circumscribed dialogue, and throughout which there had been a strong military presence, had not created an atmosphere for free and impartial consideration of the Territory's long-term future. Lastly, the results of the referendum had been the subject of considerable distortion. It had been claimed that 98.3 per cent of the voters had voted in favour of keeping New Caledonia within the French Republic. But only 59.1 per cent of the voters had participated in the referendum, and more than 80 per cent of the indigenous people had stayed away.

35. His Government did not believe that the "marginalizing" of the indigenous people was a positive way to prepare for self-determination. Instead, France must resume contact with all interested parties and accept the offer of dialogue made by the South Pacific Forum. Unfortunately, such a dialogue would not be furthered by some of the tactics pursued by France in the current debate. His Government objected strongly to the scurrilous allegations made about New Zealand by France in document A/42/651. The subject was not before the Fourth Committee, but New Zealand was prepared to discuss, in the appropriate United Nations forums, the safeguarding of the interests of indigenous peoples. It had already done so frequently and openly.

(Mr McDowell, New Zealand)

36. Even after the boycott of the referendum by the pro-independence parties, France had made no effort to resume the dialogue with those groups. That complete breakdown in communication was the most serious aspect of the current situation. Accordingly, his Government urged France to resume the dialogue with all communities in New Caledonia while there was still time.

37. Mr. WOLFE (Jamaica) said that his country had always supported peoples struggling to exercise their right to independence and self-determination, which was enshrined in the Charter and in the Declaration on the Granting of Independence to Colonial Countries and Peoples. As the aspirations of those peoples were protected by legal provisions, colonial Powers that interfered with the right to self-determination did so in violation of international law.

38. The tragic situation in Namibia was a failure for the United Nations. At their latest summit conference, in Vancouver, the Commonwealth countries had expressed their concern that that situation seemed to be deadlocked, and had emphasized that Security Council resolution 435 (1978) provided the only basis for a settlement of the Namibian problem. They had reiterated their rejection of any form of "linkage". It would be good if the Security Council could set the date for the implementation of resolution 435 (1978) at no later than 31 December 1987, as requested by the United Nations Council for Namibia. The Security Council should also commit itself to implement comprehensive and mandatory sanctions against South Africa. It was also urgently necessary to call for an end to the wanton exploitation by the Pretoria régime of Namibia's economic resources. The recent social unrest in the Territory, in particular the strike by 4,000 workers of the Tsameb Corporation, which had been brought about by intolerable living and working conditions, showed clearly that the Namibian people had more to gain than to lose from the presence of foreign economic interests. The Special Committee should therefore support the calls made by the South West Africa People's Organisation (SWAPO) to follow more closely the developments in Namibia and expose more vigorously the atrocities of the apartheid régime.

39. With regard to the other Non-Self-Governing Territories, the administering Powers must not forget their special obligation to ensure the harmonious development of the Territories under their control and to create conditions that would enable their peoples to exercise their inalienable right to self-determination. In no case should territorial size, geographical location or limited resources be invoked to delay the process.

40. In the case of the British Caribbean dependencies, the United Kingdom Government had always stated that its policy was neither to force its dependent Territories to become independent nor to stand in the way of independence if that was the wish of their inhabitants. Furthermore, the United Kingdom was taking care to see that the economic and political situation in those Territories was such as to allow the inhabitants to make their choice freely. Jamaica welcomed that policy. It was clear from the papers prepared by the Secretariat that independence was still perceived as the logical and inevitable outcome of the decolonization process, but at the same time, the inhabitants of those Territories often felt that their economic and social development was not yet such as to allow them to consider that option.

(Mr. Wolfe, Jamaica)

41. In Montserrat, the ruling party, the People's Liberation Movement, had stated its intention of severing the remaining constitutional ties with the United Kingdom should it be returned to power in the next elections. The Government appeared to feel that the Territory was not yet ripe for independence, which would, in any event, be decided by referendum. If such a consultation was organized, it would be advisable for a visiting mission to be sent to the Territory. In Bermuda, the issue of independence remained a matter of active debate, despite the defeat of the proposal for a referendum in April 1987. It looked as though there was a general consensus that the Territory ought to prepare for independence. It would undoubtedly be advisable for a visiting mission to go there if a constitutional conference or a referendum was arranged. In Anguilla, the Constitutional Review Committee had submitted its report to the House of Assembly which would, after considering it, forward it to the United Kingdom Secretary of State for Foreign and Commonwealth Affairs. Jamaica looked forward with interest to the decision that the administering Power would adopt, in consultation with the elected representatives in Anguilla, concerning the Territory's future status.

42. The administering Power should seek closer involvement by the United Nations specialized agencies in order to develop the economic and social infrastructure in the dependent Territories. In that connection, the role already being played by UNDP, UNESCO, FAO and WHO was to be commended.

43. Drug trafficking in the Caribbean region remained an urgent problem. As was well known, a number of those islands were being used by traffickers from outside the region. Those activities threatened not only the social and economic fabric of those vulnerable Territories but also their political institutions. Jamaica therefore recommended that the administering Power, in consultation with the States members of the Caribbean Community and United Nations bodies, including the Commission on Narcotic Drugs, should take the necessary steps to put an end to those activities. During future visiting missions, the matter could be taken up with the administering Power and with local elected officials.

44. In respect to New Caledonia, the Commonwealth Heads of Government, meeting at Vancouver, had reaffirmed their support for the right of peoples to self-determination. They had noted that at the forty-first session of the General Assembly New Caledonia had been reincluded in the list of Non-Self-Governing Territories. They had expressed the hope that steps would be taken as soon as possible to ensure that the situation did not threaten the stability of the region, and had recognized the inalienable right of all the peoples of the Territory to participate by means of free and democratic processes in framing the society in which they lived. Jamaica, which had voted in support of the reinclusion of New Caledonia in the list of Non-Self-Governing Territories, believed that the administering Power's responsibilities included the obligation to transmit information on the Territory. It would be useful to have a visiting mission go to that Territory as well.

45. Mr. AL-ROUMI (Kuwait) said that his country had always steadfastly defended in all forums the right of peoples to self-determination and freedom from the colonial yoke. Accordingly, Kuwait had consistently supported the national liberation movements which were struggling to realize the legitimate rights of their peoples, including the Palestine Liberation Organization, the sole and authentic representative of the Palestinian people, and SWAPO, sole and authentic representative of the people of Namibia.

46. The United Nations had been involved in decolonization for a long time but nevertheless there subsisted colonial countries and peoples which were still suffering from racial discrimination and the evil practices associated with it. Clear examples of those practices could be found in the racist policy of Israel towards the Palestinian people and the policy of the Government of South Africa towards its non-white population. Those States which administered territories should respect United Nations resolutions and submit reports on the situation of the inhabitants and the economy of those territories. They should also help to draw up development plans which would enable the territories in question, after independence, to enjoy economic security.

47. The international community could not but commend the efforts of most of the United Nations specialized agencies and other organizations to assist the colonial peoples. Kuwait urged those specialized agencies which continued to support the régime in South Africa to stop doing so, in order to persuade it to renounce its policy of racial discrimination.

48. Faithful to the sacred principles of Islam, which forbade discrimination among human beings, whether founded on religion, language or race, Kuwait rejected the policy of racial discrimination and supported the liberation movements of South Africa and Namibia. It gave practical effect to that support in the form of assistance to the various funds and programmes established by the United Nations in behalf of southern Africa and Namibia, including the United Nations Educational and Training Programme for Southern Africa, and the granting of scholarships annually to students from the region. Kuwait would continue to urge that the colonial peoples should be allowed to live in their own land, exploit their own wealth, and help to further, along with all other countries, the reign of peace and justice in the world.

49. Mr. BLANC (France) said that his Government attached the greatest importance to the question of New Caledonia. New Caledonia was a French territory in the South Pacific. It was a balanced, multi-ethnic and multi-cultural society, where people of Melanesian origin lived together with people of other races from Europe, the Pacific and Asia. The Melanesians were the most numerous and constituted 43 per cent of the population. Elected representatives of Melanesian origin formed a majority in all New Caledonian institutions and participated to the full in the territory's democratic life. Contrary to the allegations made in some quarters, there was no massive inflow of immigrants to New Caledonia, nor were any of the Kanak people oppressed and deprived of their rights and subjected to colonial domination, repression or racism. Those who made claims to the contrary and said that New Caledonia was merely a colonial territory like so many others were rejecting the evidence and seeking to mislead international opinion.

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50. Meanwhile, no one denied the existence in New Caledonia of a pro-independence movement, which had developed mainly in the Melanesian community. The French Government naturally was taking into consideration the existence of that movement, which was completely legal, totally integrated into the political and institutional life of the territory, and had all the guarantees necessary for the promotion of its opinions within a democratic framework. However, it was understandable that the French Government was also concerned with the aspirations of the other inhabitants of the island, those who, irrespective of their geographical or racial origin, did not want independence. In that type of situation, only one principle was applicable, that of self-determination. That principle was universal in scope and, moreover, was set forth in the opening phrases of the Charter. Loyal to its democratic tradition, the French Government had thus given the population of New Caledonia an opportunity to exercise its right to self-determination. In a referendum held on 13 September 1987, it had asked voters to answer the only relevant question: did they want independence, or did they want to remain within the French Republic? So as to include only the permanent population, i.e., those truly concerned with the future of the territory, the required residency period for voters, usually set at six months for French elections, had been extended to three years. The response had been clear: 98.3 per cent of the voters, representing more than 57 per cent of registered voters, had voted for keeping the territory within the French Republic. All the details regarding that democratic, regular and unexceptionable act had been recorded in document A/42/651.

51. The countries of the South Pacific Forum, proceeding more by gratuitous statements than by logical reasoning, had bluntly asserted that the referendum had not been a free and authentic act of self-determination and that it had not been carried out in conformity with United Nations principles and practices. That statement was inaccurate in every way. Firstly, the referendum had clearly been a free and authentic act of self-determination. It had taken place in the conditions of peace and tranquillity necessary for balloting. The voters had not been constrained in any way and had been completely free to make their choice. The French and international press had been able to verify the voting on the spot without any hindrance. Used to French democratic debates, the population had been fully aware of the significance of its choice. The proposed option had been simple, and it had posed the essential question. The referendum had been preceded by a full electoral campaign in which each side had been given equal opportunity to air its opinion. The voting had been supervised by 200 judges who had been able to verify its regularity. The pro-independence parties, while calling for a boycott, had actually joined in the voting operation by participating in the official radio and television electoral campaign and by sending "monitors" into the polling places to observe the voting process.

52. Unable to seriously contest the conditions under which the voting had taken place, the countries of the South Pacific Forum had resorted to empty arguments. For example, they deplored the fact that the referendum had not been preceded by "political education", overlooking the fact that the New Caledonian population was one of the most highly educated in the South Pacific and that it had for several decades been participating fully in municipal, regional and national French

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elections. Nor would they convince anyone that the choice among five options that they had recommended would have been clearer than the choice offered in New Caledonia.

53. Secondly, the referendum had conformed to United Nations criteria regarding self-determination. First of all, no United Nations document made observation by the Organization a necessary condition for a self-determination ballot. Furthermore, in the texts adopted by the Organization regarding New Caledonia, there had been no requests for United Nations observers. In addition, the right to vote had been established "without any distinction as to race, creed or colour", in the words of General Assembly resolutions 1514 (XV) and 1541 (XV). Finally, and undoubtedly most important, the electorate had been defined on the basis of residency. In other words, the principle of "one man, one vote" had been applied, which was the same criterion and principle as that applied by the United Nations in votes on self-determination. Such an aspect was essential in multi-ethnic societies such as New Caledonia.

54. That principle could be traced back to resolutions regarding what later had become Zimbabwe, General Assembly resolution 1747 (XVI) in particular, in which the Assembly had defined in 1962 the criteria for self-determination in that territory before the unilateral declaration of independence by the white settlers in 1965. Even more relevant was the example of Fiji, a territory close to New Caledonia, which had a mixed population of Melanesian and Indian origins. The General Assembly had upheld several times, by its resolutions 1951 (XVIII), 2068 (XX) and 2185 (XXI), the application in that territory of the principle of "one man, one vote" without any mention of special rights for a particular ethnic group.

55. The choice made democratically on 13 September 1987 was unsatisfactory to the countries of the South Pacific Forum, which wanted a referendum necessarily favouring independence. For that, however, it was necessary to change the rules, limiting the right to vote in such a way that the pro-independence supporters would become the majority and, as a consequence, disregarding the principle of "one man, one vote". The countries of the South Pacific Forum were not asserting that clearly, and there seemed to be some disagreement among them on that point. Yet it was exactly that in reality to which they were asking the United Nations to lend its prestige and authority. They wanted a referendum whose result would be predetermined by a manipulation of the electorate. The criterion would essentially be a racial one. Some wanted to reserve the right to vote solely to voters of Melanesian origin, others to "long-term residents", without specifying the period of residency, which would undoubtedly be determined so as to bring about the desired objective. The extremely dangerous nature of that type of reasoning must be emphasized. Whenever theories based on special rights of a category of individuals had been applied, the result had been injustice, flagrant disregard for human rights chaos and violence. It was to that type of theory that the countries of the Forum made reference when they requested recognition of special political rights for peoples of Melanesian origin. It was on the same type of theory that the tenets of apartheid in South Africa rested. The population of New Caledonia knew that there were serious risks in the application of those theories and wanted no part of them.

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56. It was true that the referendum of 13 September 1987 had not resolved all of New Caledonia's problems; that had not been its goal. It had nevertheless clearly determined the framework in which the population of that Territory wished to organize its future. It was in a spirit of dialogue that the French Government was going to propose a status of broad internal self-government, which would allow each individual to find his place and make his own contribution to the future of the Territory. New Caledonia was shaped by its history, and the presence there of Europeans, Polynesians and Asians was, as elsewhere in the Pacific, an incontestable fact. All the New Caledonian citizens were and must remain equal. Reserving superior rights for peoples of Melanesian origin, as requested by the countries of the South Pacific Forum, could only lead to division, radicalization of positions, instability and, undoubtedly, to violence. It was an unjust road leading nowhere, and the French Government rejected it.

57. The draft resolution submitted by the Special Committee on decolonization did not take into account the overriding significance of the referendum result and even implicitly criticized it. His delegation deeply regretted such contempt for democracy. It requested the members of the Fourth Committee to respect the freely expressed will of the New Caledonians and to dissociate themselves from the draft resolution.

58. Mr. WOOLCOTT (Australia) recalled that in adopting resolution 41/41 A, the international community had determined by an impressive majority that New Caledonia was a Non-Self-Governing Territory within the meaning of the United Nations Charter. Since then, the Special Committee of 24 had done valuable work, including calling on France, as the administering Power, to co-operate with it and prepare the Territory for a free and genuine act of self-determination. France had not fulfilled its obligations, however. That was especially regrettable since France was a prominent Member of the United Nations and a permanent member of the Security Council. France claimed that the referendum held in New Caledonia on 13 September 1987 had proved that the population wished to remain French and that the question of self-determination was therefore closed. The Pacific countries, however, were unanimous that that was not the case. His Government believed that the principle at stake was one of the fundamental tenets of the United Nations and that the referendum in question must be viewed in that context. The referendum had been fundamentally flawed. First, it had not been conducted in co-operation with the United Nations or in the presence of United Nations observers, something which was in itself sufficient to call the referendum's validity into question. Moreover, the two choices presented to the electorate had been formulated in very stark terms and had not conformed to the provisions of General Assembly resolution 1514 (XV). The referendum had not been preceded by a systematic programme of political education. Lastly, the authorities had severely restricted the ability of opponents to campaign and present their case, had resorted to unprovoked violence and had used a large number of security forces to oversee the referendum while facilitating the activities of pro-French parties. The most telling fact, however, was that the overwhelming majority of the indigenous population had chosen not to take part in the referendum, the outcome of which had been predetermined.

(Mr. Woolcott, Australia)

59. His delegation hoped that the basic differences separating the Territory's peoples would be overcome and that a consensus would be achieved in order to permit a long-term solution to the Territory's problems. In his Government's view, driving France out of the Pacific was not the solution. France had long had a productive relationship with the Pacific region, where its presence had added to the region's cultural and social diversity and contributed to its economic development. The outlook in New Caledonia was uncertain and potentially troublesome, however. The administering Power must reassess its policy in order to pay particular attention to the position of the indigenous people while also taking into account the rights and interests of all of New Caledonia's population. Its goal should be the goal which other administering Powers had been required to pursue: it must organize, in accordance with the principles and practices of the United Nations, a free and genuine act of self-determination involving all the peoples of New Caledonia. Australia was well placed to make such a demand, having extended the same rights and options to the Territories which it had administered and having co-operated with the United Nations to that end. He wished to make it quite clear that Australia was not advocating any restriction on racial grounds of the right to participate in such an act of self-determination, but simply arguing that the options presented should take into account the rights, interests and aspirations of all the peoples of the Territory.

60. The draft resolution proposed by the Special Committee of 24 (A/42/23 (Part VI)), which had been adopted with broad support, pursued that end. Based on United Nations principles and practices in the area of decolonization and drawing on resolutions applied to other Territories, the draft resolution was constructive and non-confrontational.

61. Mr. VAN LIEROP (Vanuatu) said that colonial Powers' economic and strategic stakes in the Territories they administered were now even higher than ever. It was important therefore to be on one's guard against the subterfuges which they might use to try to delay the liberation of the Territories' indigenous populations. Colonialism's arguments had changed; nowadays it tried to justify itself by subtle rationalizations, but in some cases it was more firmly entrenched than ever.

62. France contended that New Caledonia had engaged in a valid act of self-determination, and alleged that the views of the countries of the South Pacific Forum differed widely on the subject. That was not true and, even if it were, no resolution or decision of the United Nations stated that a difference of opinion among countries could deny the people of a given Territory the right to decide its own future. Only the United Nations could determine what constituted a valid act of self-determination.

63. All the countries which had supported General Assembly resolution 41/41 A had recognized the need to protect the rights of all of New Caledonia's inhabitants. Contrary to France's assertion (A/42/651), they had made no attempt to restrict the right to vote on essentially racial grounds. France, on the other hand, had consistently resisted efforts to bring the question of New Caledonia to the United Nations, had never seriously entertained the idea of complying with resolution 41/41 A, even though it had been adopted by an overwhelming majority, and had

(Mr. Van Lierop, Vanuatu)

refused to provide the information requested in that resolution and to co-operate with the Special Committee of 24. France's attitude was cause for concern. The United Nations would suffer if France, a permanent member of the Security Council, attempted to undermine its role at a time when another permanent member appeared to be willing to strengthen it. Document A/42/651, in which France sought to justify its position, was replete with inaccuracies and misrepresentations; in particular, it misrepresented the entire vote on General Assembly resolution 41/41 A. The States which had voted for the resolution would naturally have preferred that it be adopted by consensus, but they had never attempted to "buy" votes by means which they considered inadmissible; they preferred to rely on the force of truth to persuade others rather than the force of power to intimidate them.

64. France was now trying to deceive the international community about the real nature of the 13 September 1987 referendum which it had completely orchestrated. The indigenous population, who had already had French nationality forced on them without being given a choice, had never had any control over any of the elements which had preordained the results of the referendum, namely education, the economy, social services or the presence of security forces. In such circumstances, the principle of universal suffrage became totally meaningless.

65. The fact that the draft resolution proposed by the Special Committee of 24 (A/42/23 (Part VI)) had failed - albeit narrowly - to be adopted by consensus did not diminish its moral authority. It was a balanced, moderate and fair text. France had been offered nothing but understanding, friendship and goodwill by the Pacific countries, but had failed to respond in kind. It was trying to undermine the very spirit of General Assembly resolutions 1514 (XV) and 1541 (XV). His delegation conceded that difficult decisions must be made, but France could begin by fulfilling its past promises and embarking on a constructive dialogue with all the parties concerned, including the Front de libération nationale Kanak socialiste (FLNKS). At the current session, the Committee had heard a very moving statement by the President of FLNKS which exposed the misrepresentations that the administering Power was putting about. If New Caledonia became independent, its French population would lose neither their nationality nor their political rights. If on the other hand, New Caledonia was denied the right of self-determination, its indigenous population would have been swindled out of their birthright and would have lost their country, their nationality and their cultural identity for ever.

66. The CHAIRMAN announced that Madagascar and Togo had become sponsors of draft resolution A/C.4/42/L.2, Jamaica had become a sponsor of draft resolution A/C.4/42/L.3 and Congo and Zimbabwe had become sponsors of draft resolution A/C.4/42/L.5.

The meeting rose at 6.45 p.m.