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Agenda item 85

QUESTION OF EAST TIMOR

Report of the Fourth Committee

Rapporteur: Mr. Aryoday LAL (Fiji)

1. At its 3rd plenary meeting, on 19 September 1980, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-fifth session the item entitled:

"Question of East Timor:

"(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."

At the same meeting, the Assembly decided to allocate the item to the Fourth Committee.

2. At its 3rd meeting, on 29 September, the Fourth Committee decided to hold a general debate covering agenda items 18, 84, 85, 87 and 12, 88 and 89, on the understanding that individual draft resolutions on matters covered by those items would be considered separately. The Committee held the general debate on these items at its 9th to 20th meetings, between 14 and 30 October.

3. The Fourth Committee considered item 85 at its 9th to 23rd meetings, between 14 October and 3 November.

4. At the 9th meeting, the Chairman 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 made a statement in which he gave an account of the relevant activities of the Special Committee during 1980 and drew attention to chapter X of the report of that Committee relating to item 85 (A/35/23 (Part V)), as well as the relevant documentation of the Committee (A/AC.109/622, 623 and 634).

5. The Fourth Committee also had before it the report of the Secretary-General relating to the item (A/35/524).

6. In connexion with its consideration of the item, the Fourth Committee also had before it the following communications addressed to the Secretary-General:

(a) Note verbale dated 13 May 1980 from Portugal (A/35/233);

(b) Letter dated 17 September 1980 from Portugal (A/C.4/35/2).

In addition, the Committee had before it letters dated 7 and 9 October 1980 from Indonesia addressed to the Chairman (A/C.4/35/6 and Add.1).

7. The Fourth Committee granted the following requests for hearings in connexion with its consideration of the item:

<u>Petitioner</u>	<u>Meeting at which request for hearing was granted</u>
Paulo Pires, União Democrática Timorense (UDT) (A/C.4/35/3) . . . . .	8th
Michel Robert, Ligue française pour les droits et la libération des peuples (A/C.4/35/3/Add.1) . . . . .	8th
Roque Rodrigues, Frente Revolucionária de Timor Leste Independente (FRETILIN) (A/C.4/35/3/Add.2) . . . . .	8th
Maureen R. Berman, The International League for Human Rights (A/C.4/35/3/Add.3) . . . . .	8th
Benedict R. O'G. Anderson (A/C.4/35/3/Add.4) . . . . .	8th
James Dunn, Human Rights Council of Australia (A/C.4/35/3/Add.5) . . . . .	8th
Margo Picken, Amnesty International (A/C.4/35/3/Add.6)	9th
Carlos Miguel de Jesus Afonso Henriques, Movimento Nacional para a Libertação e Independência de Timor-Dili (MNLTID) (A/C.4/35/3/Add.7) . . . . .	10th
T. Jill Jolliffe, Anti-Slavery Society for Protection of Human Rights (A/C.4/35/3/Add.8) . . . . .	10th
Elizabeth Traube (A/C.4/35/3/Add.9) . . . . .	11th
Gene R. La Rocque, Center for Defense Information (A/C.4/35/3/Add.10) . . . . .	12th

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<u>Petitioner</u>	<u>Meeting at which request for hearing was granted</u>
Taysa Tamara Vianna, International Youth and Student Movement for the United Nations (ISMUN) (A/C.4/35/3/Add.11) . . . . .	16th
Romesh Chandra, World Peace Council (WPC) (A/C.4/35/3/Add.12) . . . . .	16th
William R. Roff (A/C.4/35/3/Add.13) . . . . .	17th

8. The Fourth Committee heard statements of the petitioners as follows:  
Mr. Roger Clark of The International League for Human Rights at its 9th meeting, on 14 October; Mr. Moises Da Costa Amaral of UDT, Mr. Jacob Xavier of MNLTD and Miss Traube at its 11th meeting, on 17 October; Mr. Anderson, Mr. Dunn, Miss Picken, Miss Jolliffe and Mr. La Rocque at its 12th meeting, on 20 October; Mr. Mari Alkatiri of FRETILIN at its 14th meeting, on 22 October; Miss Vianna; Miss Karen Talbot of WPC at its 16th meeting, on 24 October; and Mr. Roff and Mr. Robert at its 17th meeting, on 28 October.

9. At the 20th meeting, on 30 October, the representative of Zimbabwe introduced a draft resolution (A/C.4/35/L.9), which was finally sponsored by the following Member States: Algeria, Angola, Barbados, Benin, Botswana, Cape Verde, Congo, Equatorial Guinea, Grenada, Guinea, Guinea-Bissau, Malawi, Mozambique, Nicaragua, Rwanda, Saint Lucia, Sao Tome and Principe, Seychelles, Sierra Leone, Swaziland, Trinidad and Tobago, Uganda and Zimbabwe.

10. At the same meeting, on behalf of the sponsors, the representative of Zimbabwe submitted an oral revision to the draft resolution, by which operative paragraph 2, which read:

"2. Declares that the people of East Timor must be enabled freely to determine their own future under the auspices of the United Nations;"

was replaced by:

"2. Declares that the people of East Timor must be enabled freely to determine their own future within the framework of the United Nations;".

11. At its 23rd meeting, on 3 November, the Fourth Committee adopted draft resolution A/C.4/35/L.9, as orally revised, by a recorded vote of 58 to 35, with 42 abstentions (see para. 12). 1/ The voting was as follows: 2/

1/ Statements in explanation of vote were made by the following Member States: Finland, France, Germany, Federal Republic of, and Sweden.

2/ Subsequently, the delegation of Somalia advised the Secretariat that it had intended to abstain. The delegation of Saint Lucia also advised the Secretariat that, had it been present at the time of the voting, it would have voted in favour of the draft resolution.

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In favour: Afghanistan, Albania, Algeria, Angola, Barbados, Benin, Botswana, Brazil, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Democratic Yemen, Ethiopia, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Iceland, Iran, Jamaica, Kenya, Lao People's Democratic Republic, Lebanon, Liberia, Madagascar, Malawi, Mali, Mexico, Mongolia, Mozambique, Nicaragua, Niger, Portugal, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Swaziland, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Upper Volta, Viet Nam, Zambia, Zimbabwe.

Against: Argentina, Australia, Bangladesh, Bolivia, Canada, Chile, Colombia, Democratic Kampuchea, Egypt, Honduras, India, Indonesia, Iraq, Japan, Jordan, Malaysia, Maldives, New Zealand, Oman, Papua New Guinea, Paraguay, Philippines, Qatar, Saudi Arabia, Singapore, Somalia, Sudan, Suriname, Syrian Arab Republic, Thailand, Tunisia, Turkey, United States of America, Uruguay, Yemen.

Abstaining: Austria, Bahamas, Bahrain, Belgium, Bhutan, Costa Rica, Czechoslovakia, Denmark, Ecuador, El Salvador, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Hungary, Ireland, Israel, Italy, Ivory Coast, Lesotho, Luxembourg, Mauritania, Morocco, Nepal, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Poland, Romania, Spain, Sri Lanka, Sweden, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Venezuela, Yugoslavia, Zaire.

#### RECOMMENDATION OF THE FOURTH COMMITTEE

12. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolution:

##### Question of East Timor

##### The General Assembly,

Recognizing the inalienable right of all peoples to self-determination and independence in accordance with the principles of the Charter of the United Nations and of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Considering that the international community is celebrating in 1980 the twentieth anniversary of the Declaration,

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Bearing in mind that the Fifth 3/ and Sixth 4/ Conferences of Heads of State or Government of Non-Aligned Countries, held at Colombo and Havana in 1976 and 1979, respectively, reaffirmed the right of the people of East Timor to self-determination and independence,

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 5/ and other relevant documents 6/ relating to the Territory,

Taking into consideration the recent communiqué of the Council of Ministers of Portugal, issued on 12 September 1980, 7/ in which the administering Power reaffirmed the right of the people of East Timor to self-determination,

Taking also into consideration the diplomatic initiative taken by the Government of Portugal with a view to finding a comprehensive solution to the problem of East Timor,

Deeply concerned at the continued suffering of the people of East Timor as a result of the hostilities still prevailing in the Territory,

Having heard the statements of the representatives of Portugal, 8/ as the administering Power, and Indonesia, 9/

Having also heard the statements of various East Timorese petitioners and representatives of non-governmental organizations, 10/ as well as the representative of the Frente Revolucionária de Timor Leste Independente, 11/

1. Reaffirms the inalienable right of the people of East Timor to self-determination and independence, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

2. Declares that the people of East Timor must be enabled freely to determine their own future within the framework of the United Nations;

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3/ See A/31/197, annex I, para. 36.

4/ See A/34/542, annex, sect. I, para. 155.

5/ A/35/23 (Part V), chap. X.

6/ A/AC.109/622, 623 and 634.

7/ A/C.4/35/2, annex.

8/ A/C.4/35/SR.11, paras. 34-38.

9/ A/C.4/35/SR.19.

10/ A/C.4/35/SR.9, 11, 12, 16 and 17.

11/ A/C.4/35/SR.14, paras. 3-11.

3. Welcomes the diplomatic initiative taken by the Government of Portugal as a first step towards the free exercise by the people of East Timor of their right to self-determination and independence, and urges all parties directly concerned to co-operate fully with a view to creating the conditions necessary for the speedy implementation of General Assembly resolution 1514 (XV);

4. Expresses its deepest concern at the continued suffering of the people of East Timor as a result of the situation still prevailing in the Territory;

5. Requests the United Nations Children's Fund, the World Food Programme and the Office of the United Nations High Commissioner for Refugees to render, within their respective fields of competence, all possible assistance to the people of East Timor, particularly the children;

6. Requests the Secretary-General to follow the implementation of the present resolution and to report to the General Assembly at its thirty-sixth session on all aspects of the situation in East Timor, in particular, the political developments concerning the situations referred to in paragraphs 1 to 4 above;

7. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Question of East Timor".

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