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IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES

Chapters 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 specific
Territories not covered by other agenda items

Report of the Fourth Committee (Part II)

Rapporteur: Mr. Ibrahim O. ADDABASHI (Libyan Arab Jamahiriya)

I. INTRODUCTION

1. An account of the Fourth Committee's consideration of Western Sahara, under agenda item 19, and the related recommendations of the Committee to the General Assembly are included in part I of the present report (A/36/677).
2. The Fourth Committee further considered item 19 at its 22nd and 23rd meetings, on 16 and 17 November 1981 (see A/C.4/36/SR.22 and 23).

II. CONSIDERATION OF PROPOSALS

3. The Fourth Committee adopted two draft resolutions and four draft consensuses relating to the following six Territories considered under agenda item 19:

- A. Cocos (Keeling) Islands
- B. St. Helena
- C. Gibraltar
- D. Tokelau
- E. United States Virgin Islands
- F. American Samoa

An account of the Committee's consideration of the draft resolutions and the draft consensuses is given in subsections A to F below.

4. At the 23rd meeting, on 17 November, the Chairman drew attention to statements submitted by the Secretary-General (A/C.4/36/L.18 and L.24), in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the administrative and financial implications relating, inter alia, to the draft proposals referred to in paragraph 3 B, D to F above.

5. At the same meeting, the Rapporteur 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 introduced chapters XXVII and XXVIII of the report of the Special Committee relating respectively to the questions of Tokelau and American Samoa (A/36/23 (Part VII)) and drew attention to the reports of the United Nations visiting missions to the two Territories (A/AC.109/679 and Add.1 and A/AC.109/680).

A. Cocos (Keeling) Islands

6. On 4 November, a draft consensus concerning the Cocos (Keeling) Islands (A/C.4/36/L.12) was circulated.

7. At its 23rd meeting, on 17 November, the Fourth Committee adopted draft consensus A/C.4/36/L.12 without objection (see para. 17, draft consensus I).

B. St. Helena

8. On 4 November, a draft consensus concerning St. Helena (A/C.4/36/L.13) was circulated.

9. At its 23rd meeting, on 17 November, the Fourth Committee adopted draft consensus A/C.4/36/L.13 without objection (see para. 17, draft consensus II).

C. Gibraltar

10. On 10 November, a draft consensus concerning Gibraltar (A/C.4/36/L.23) was circulated.

11. At its 23rd meeting, on 17 November, the Fourth Committee adopted draft consensus A/C.4/36/L.23 without objection (see para. 17, draft consensus III).

D. Tokelau

12. At its 23rd meeting, on 17 November, the Fourth Committee adopted, without objection, the draft consensus concerning Tokelau contained in paragraph 12 of chapter XXVII of the report of the Special Committee (A/36/23 (Part VII)) (see para. 17, draft consensus IV).

E. United States Virgin Islands

13. At the 22nd meeting, on 16 November, the Chairman drew attention to a draft resolution concerning the United States Virgin Islands (A/C.4/36/L.17 and Corr.1), which was finally sponsored by the following Member States: Australia, Bahamas, Denmark, Fiji, Ivory Coast, Jamaica, Japan, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Vanuatu.

14. At its 23rd meeting, on 17 November, the Fourth Committee adopted draft resolution A/C.4/36/L.17 and Corr.1 without objection (see para. 16, draft resolution I).

F. American Samoa

15. At its 23rd meeting, on 17 November, the Fourth Committee adopted without objection, the draft resolution concerning American Samoa contained in paragraph 13 of chapter XXVIII of the report of the Special Committee (A/36/23 (Part VII)) (see para. 16, draft resolution II).

III. RECOMMENDATIONS OF THE FOURTH COMMITTEE

16. The Fourth Committee recommends to the General Assembly the adoption of the following draft resolutions:

DRAFT RESOLUTION I

Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands,

Having examined the relevant chapters 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, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to the United States Virgin Islands,

Noting the active co-operation given by the administering Power, both through its participation in the work of the Special Committee and through its willingness to receive visiting missions to small Territories under its administration,

1/ A/36/23 (Part II), chaps. III and IV, and A/36/23 (Part V), chap. XXIII.

Having heard the statement of the administering Power, 2/

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 United States Virgin Islands; 3/
2. Reaffirms the inalienable right of the people of the United States Virgin Islands to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;
3. Reaffirms its conviction that questions of territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the Declaration with respect to the Territory;
4. Requests the Government of the United States of America, as the administering Power, to take all necessary measures, in consultation with the freely elected representatives of the people of the United States Virgin Islands, to expedite the process of the decolonization of the Territory in accordance with the relevant provisions of the Charter of the United Nations and the Declaration contained in General Assembly resolution 1514 (XV);
5. Reaffirms that it is the obligation of the administering Power, in consultation with the freely elected representatives of the people of the Territory, to inform the local people of the possibilities open to them in the exercise of their inalienable right to self-determination and independence and to enable them to exercise that right freely and without interference in accordance with General Assembly resolution 1514 (XV);
6. Reaffirms that the administering Power has the responsibility for taking such measures as will ensure the preservation of the identity and cultural heritage of the people of the Territory;
7. Urges the administering Power, in consultation with the freely elected representatives of the people of the United States Virgin Islands, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures which guarantee the right of the people to own and dispose of those resources and to establish and maintain control over their future development;
8. Reaffirms the responsibility of the administering Power, under the Charter, for the economic and social development of the United States Virgin Islands and, in this regard, notes that, although steady economic progress has continued in the Territory, especially in the area of service industries, there are still problems which need to be resolved, including those relating to unemployment and the infrastructure;

2/ A/C.4/36/SR.14, paras. 1-8.

3/ A/36/23 (Part V), chap. XXIII.

9. Notes the sustained efforts of diversification undertaken by the territorial Government and urges the administering Power, acting in co-operation with the Government of the United States Virgin Islands, to strengthen the economy of the Territory by, wherever possible, taking additional measures of diversification in all fields;

10. Requests the administering Power to continue to enlist the assistance of the specialized agencies and other organizations of the United Nations system in the development and strengthening of the economy of the Territory;

11. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to the United States Virgin Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-seventh session.

DRAFT RESOLUTION II

Question of American Samoa

The General Assembly,

Having considered the question of American Samoa,

Having examined the relevant chapters 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, 4/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all other resolutions and decisions of the United Nations relating to American Samoa,

Taking into account the statement of the administering Power relating to developments in American Samoa, 5/

Conscious of the need to promote progress towards the full implementation of the Declaration in respect of American Samoa,

Welcoming the active participation of the administering Power in the related work of the Special Committee and expressing the hope that this co-operation will be strengthened further so as to accelerate progress towards the full implementation of the Declaration in respect of American Samoa,

Having examined the report of the United Nations Visiting Mission dispatched to the Territory in July 1981, 6/

4/ A/36/23 (Part II), chap. III, and A/36/23 (Part VII), chap. XXVIII.

5/ A/C.4/36/SR.14, paras. 1-8.

6/ A/AC.109/679 and Add.1.

Aware of the special circumstances of the geographical location and economic conditions of American Samoa and stressing the necessity for diversifying the Territory's economy as a matter of priority in order to reduce its dependence on fluctuating economic activities,

1. Approves the report of the United Nations Visiting Mission to American Samoa and endorses the observations, conclusions and recommendations contained therein; 7/
2. Also 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 American Samoa; 8/
3. Reaffirms the inalienable right of the people of American Samoa to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;
4. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the Declaration, which fully applies to the Territory;
5. Expresses its appreciation to the members of the Visiting Mission for the constructive work accomplished and to the administering Power and the Government and people of American Samoa for the co-operation and assistance extended to the Mission;
6. Calls upon the Government of the United States of America, as the administering Power, to take all necessary steps, taking into account the freely expressed wishes of the people of American Samoa, to expedite the process of decolonization of the Territory in accordance with the relevant provisions of the Charter of the United Nations and the Declaration;
7. Reaffirms that it is the responsibility of the administering Power to ensure that the people of American Samoa are kept fully informed of their inalienable right to self-determination and independence, in accordance with the Declaration contained in General Assembly resolution 1514 (XV) of 14 December 1960;
8. Reaffirms further the responsibility of the administering Power for the economic and social development of the Territory;
9. Calls upon the administering Power to take all possible steps to strengthen and diversify the economy of American Samoa and to work out concrete programmes of assistance and economic development for the Territory;

7/ Ibid., paras. 344-370.

8/ A/36/23 (Part VII), chap. XXVIII.

10. Urges the administering Power to continue to foster close relations and co-operation between the people of the Territory and the neighbouring island communities;

11. Urges the administering Power, in co-operation with the freely elected representatives of American Samoa, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures which guarantee the right of the people to own and dispose of those resources and to establish and maintain control over their future development;

12. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to American Samoa at an appropriate time and in consultation with the administering Power, and to report to the General Assembly at its thirty-seventh session on the implementation of the present resolution.

* * *

17. The Fourth Committee also recommends to the General Assembly the adoption of the following draft consensuses:

DRAFT CONSENSUS I

Question of the Cocos (Keeling) Islands

The General Assembly, having examined the relevant chapters 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, 9/ and having heard the statement of the representative of Australia relating to the Cocos (Keeling) Islands, 10/ notes with appreciation the continuing co-operation of the Government of Australia, as the administering Power, with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960. The General Assembly notes with interest the continuing commitment of the administering Power to ensure the political, social, economic and educational advancement of the people of the Territory so that they may be able, as quickly as possible, to exercise fully their inalienable rights. The General Assembly reaffirms that it is the responsibility of the administering Power to create conditions under which the people of the Territory will be able freely to determine their own future in conformity with resolution 1514 (XV) and other relevant resolutions of the Assembly. The General Assembly welcomes the continuing willingness of the administering Power to receive visiting missions in the Cocos (Keeling) Islands and requests the Special Committee, in co-operation with the administering Power, to continue to work towards the implementation of the Declaration with respect to the Territory and to report thereon to the Assembly at its thirty-seventh session.

9/ A/36/23 (Part II), chap. III, and A/36/23 (Part V), chap. XIII.

10/ A/C.4/36/SR.16, paras. 12-19.

DRAFT CONSENSUS II

Question of St. Helena

The General Assembly, having examined the relevant chapters 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, 11/ and having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, 12/ as the administering Power, reaffirms the inalienable right of the people of St. Helena to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960. The General Assembly notes the commitment of the Government of the United Kingdom to respect the wishes of the people of the Territory in relation to their advance towards self-determination and, in this regard, urges the administering Power to continue to take all necessary steps to ensure, in consultation with the freely elected representatives of the people of St. Helena, the speedy implementation of the Declaration in respect of this Territory. The General Assembly further notes the commitment of the Government of the United Kingdom to carry out a policy aimed at implementing Assembly decision 35/409 of 11 November 1980 and reaffirms that continued development assistance from the administering Power, in conjunction with any assistance that the international community might be able to provide, constitutes an important means of developing the social and economic potential of the Territory. In this connexion, the General Assembly notes that a number of infrastructure and community projects aimed at improving the general welfare of the community are continuing and that the administering Power is encouraging local initiative and enterprise. The General Assembly calls upon the administering Power to continue to provide full support for such activities. The General Assembly further notes the positive attitude of the administering Power with respect to the question of receiving visiting missions and requests the Chairman of the Special Committee to continue his consultations in this regard with a view to dispatching such a mission to St. Helena, as appropriate. The General Assembly requests the Special Committee, in continued co-operation with the administering Power, to examine this question at its next session and to report thereon to the Assembly at its thirty-seventh session.

DRAFT CONSENSUS III

Question of Gibraltar

The General Assembly, noting that the Governments of Spain and the United Kingdom of Great Britain and Northern Ireland signed a declaration on 10 April 1980 at Lisbon, 13/ intending, in accordance with the relevant resolutions of the

11/ A/36/23 (Part II), chap. III, and A/36/23 (Part V), chap. XV.

12/ A/C.4/36/SR.15, paras. 28-31.

13/ See A/AC.109/603, para. 13.

United Nations, to resolve the problem of Gibraltar, agreeing to that end to start negotiations aimed at overcoming all the differences between them on Gibraltar, agreeing also to the re-establishment of direct communications in the region, the Government of Spain having decided to suspend the application of the measures at present in force, and both Governments agreeing to base future co-operation on reciprocity and full equality of rights, urges both Governments to make possible the initiation of the negotiations as envisaged in the consensus adopted by the Assembly on 14 December 1973, 14/ with the object of reaching a lasting solution to the problem of Gibraltar in the light of the relevant resolutions of the Assembly and in the spirit of the Charter of the United Nations.

DRAFT CONSENSUS IV

Question of Tokelau

The General Assembly, having examined the relevant chapters 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, 15/ as well as the report of the United Nations Visiting Mission which was dispatched to the Territory in June 1981, 16/ and having heard the statement of the representative of New Zealand with regard to Tokelau, 17/ notes with appreciation the constructive work accomplished by the members of the Visiting Mission, as well as the close co-operation extended to the Mission by the administering Power, the fonos (councils) and the people of Tokelau. In this regard, the General Assembly commends the conclusions and recommendations of the Visiting Mission 18/ to the Government of New Zealand, as the administering Power, and to the people of Tokelau for their consideration. The General Assembly reaffirms the inalienable right of the people of Tokelau to self-determination in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in Assembly resolution 1514 (XV) of 14 December 1960, and reaffirms further that it is the responsibility of the administering Power to keep the people of Tokelau fully informed of this right. In this regard, the General Assembly notes that the people of the Territory have expressed the view that, at the present time, they do not wish to review the nature of the existing relationship between Tokelau and New Zealand. The General Assembly welcomes the administering Power's assurances that it will continue to be guided solely by the wishes of the people of Tokelau as to the future status of the Territory. The General Assembly also notes that the administering Power has assured the people of Tokelau of its continuing assistance in the event that they should desire to change their status. The General Assembly calls upon the administering Power to continue its programme

14/ Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 30 (A/9030), p. 111, item 23.

15/ A/36/23 (Part II), chap. III, and A/36/23 (Part VII), chap. XXVII.

16/ A/AC.109/680.

17/ A/C.4/36/SR.23.

18/ A/AC.109/680, paras. 336-398.

of political education within the context of its efforts to ensure the preservation of the identity and cultural heritage of the people of Tokelau. The General Assembly recognizes that the economic development of Tokelau is an important element in the process of self-determination. The General Assembly notes the continuing efforts of the administering Power to promote the economic development of the Territory and the measures it has taken to safeguard and guarantee the rights of the peoples of Tokelau to all their natural resources and the benefits derived therefrom. In this regard, the General Assembly notes that, in accordance with the wishes of the people of Tokelau, legislation came into force on 1 April 1980 establishing a 200-mile exclusive economic zone for the Territory. The General Assembly is of the opinion that the administering Power should continue to expand its programme of budgetary support and development aid to the Territory. The General Assembly requests the Special Committee to continue to examine this question at its next session in the light of the findings of the Visiting Mission, including the possible dispatch of a further visiting mission to Tokelau, as appropriate and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-seventh session.
