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SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

VERBATIM RECORD OF THE 1206TH MEETING

Held at Headquarters, New York,
on Thursday, 29 April 1982, at 4 p.m.

Chairman: Mr. ABDULAH (Trinidad and Tobago)

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The meeting was called to order at 4.10 p.m.

QUESTION OF THE FALKLAND ISLANDS (MALVINAS)

The CHAIRMAN: I wish to draw attention to a statement I made on 2 April 1982 relating to the Falkland Islands (Malvinas). That statement has been circulated in United Nations Press Release GA/COL/2183. As reflected in that statement, and in keeping with the relevant resolutions of the General Assembly and the Special Committee, I wish at this critical stage of the situation to reiterate my earnest appeal to the two Governments concerned to take every step to ensure that through negotiation a peaceful transition will be effected in the full and speedy implementation with respect to the Territory of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Indeed, these and other related developments clearly underline the importance of the mandate entrusted to this Committee and the urgent need for the further acceleration of the process of decolonization, taking into account specific circumstances inherent in particular Territories.

ORGANIZATION OF WORK

The CHAIRMAN: Members have before them in document A/AC.109/L.1419 a note by the Secretary-General in which he draws attention to the relevant resolutions and decisions of the General Assembly and of the Special Committee itself which will have a bearing on our work in 1982.

Members also have before them a note containing suggestions concerning the manner in which the Committee may organize its work for the year. That note is contained in document A/AC.109/L.1420.

On the basis of the consultations held in accordance with a decision taken by the Committee at its opening meeting, I wish to inform members that there appears to be general agreement that the Committee maintain its three subsidiary bodies as before. If I hear no objection, it will be so decided.

It was so decided.

The CHAIRMAN: As regards the composition of the subsidiary bodies, I understand that the members of those bodies who served in 1981 are prepared to serve again this year. I also understand that Norway will take the place of Denmark and that the United Republic of Tanzania will also join the membership of the two Sub-Committees. If I hear no objection, it will be so decided.

It was so decided.

The CHAIRMAN: The membership of the two Sub-Committees is therefore as follows: Sub-Committee on Petitions, Information and Assistance: Bulgaria, Congo, Cuba, Czechoslovakia, Indonesia, Iran, Iraq, Mali, Norway, Sierra Leone, the Syrian Arab Republic, Tunisia and the United Republic of Tanzania; Sub-Committee on Small Territories: Afghanistan, Australia, Bulgaria, Chile, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, the Ivory Coast, Mali, Norway, Trinidad and Tobago, the United Republic of Tanzania, Venezuela and Yugoslavia.

According to the indications I have received, it is my understanding that members are in agreement that the following representatives should serve as officers of the Sub-Committees: Mr. Stefan Kalina of Czechoslovakia as Chairman of the Sub-Committee on Petitions, Information and Assistance; Mr. Lobognon Pierre Yere of the Ivory Coast as Chairman of the Sub-Committee on Small Territories; and Mr. Kenneth Chan of Australia as Rapporteur of the Sub-Committee on Small Territories.

Accordingly I declare those officers elected, and on behalf of the Committee I wish to express warm congratulations to them.

With respect to the Committee's programme of work for this year, I wish to draw members' attention to the suggested allocation of items and the procedure for their consideration as outlined in document A/AC.109/L.1420.

As regards the suggested allocation of items to the Sub-Committee on Small Territories, through the consultations held in that connexion it has been agreed that, having regard to the related military activities and arrangements therein, certain Territories allocated to the Sub-Committee may also be considered in plenary meetings within the specific context of plenary consideration of a separate item entitled "Military activities and arrangements by colonial Powers in Territories under their administration

(The Chairman)

which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

Concerning the manner in which the Sub-Committee on Small Territories prepares its recommendations to the Special Committee, I invite the Chairman of that Sub-Committee to ensure that under his guidance and leadership the broadest possible consultations continue to be held in their preparations in order to facilitate the related consideration of the items by the Fourth Committee of the General Assembly.

I wish also at this stage to draw members' attention to decisions adopted by the Special Committee on 21 August 1981 with respect to the Plan of Action for the Full Implementation of the Declaration, contained in General Assembly resolution 35/118 of 11 December 1980. By that decision the Committee requested the Secretary-General to secure by the end of February 1982 information from all States on action taken or envisaged by them in the implementation of the Plan of Action. The Committee further decided that the widest possible dissemination should be made of such information as might be received from Governments; that it should take full account of such information in connexion with its consideration of all the items on its agenda, both in plenary meetings and in meetings of its subsidiary bodies, and that the Working Group should pay particular attention to any information received in relation to the review of the list of Territories to which the Declaration is applicable.

The report of the Secretary-General on this question has already been circulated in document A/AC.109/687, and I trust that the Committee will take it fully into account in carrying out the foregoing decisions.

There is one further point regarding the organization of our work on which there has been a great deal of discussion and consultation. It relates to the submission by the Committee of decisions and resolutions for adoption by the Fourth Committee of the General Assembly. It is my understanding that the representative of India wishes to make a proposal concerning the solution of this problem.

Mr. SREENIVASAN (India): On behalf of the members of the non-aligned group within the Special Committee on decolonization, I have the honour to submit the following proposal for consideration by the Special Committee:

"1. The attention of the members of the Committee is invited to a decision taken by the General Assembly, on 29 November 1979, by which the Assembly recommended that 'subsidiary organs reporting to the General Assembly should make every effort to submit draft resolutions in order to facilitate the consideration of the items' (General Assembly decision 34/401, para. 31).

"2. Accordingly, the Special Committee will make every effort to take account of the foregoing decision in the course of its work this year.

"3. The Special Committee will, as before, continue to adopt its own resolutions and decisions.

"4. The resolutions or decisions adopted by consensus within the Committee will be submitted for consideration by the General Assembly. Others, if any, will again be considered by the Committee with a view to determining whether they might be reformulated for submission as draft resolutions or decisions of the General Assembly.

"5. The Chairman will hold further consultations as regards the most appropriate modalities to be adopted for the reformulation of Committee decisions in this regard."

The CHAIRMAN: Members have heard the proposal of the representative of India with regard to this point of the submission of decisions and resolutions to the General Assembly. Are there any comments on that proposal, which I understand has the support of a large number of delegations to the Committee?

Mr. JOSEPH (Australia): I do have a number of observations to make, Mr. Chairman, both on your own statement and on the proposal now introduced by the Indian delegation on behalf of a number of other delegations. But, first, I should like some clarification, initially from the Secretariat and then from the representative of India.

(Mr. Joseph, Australia)

I would note that the decision that was referred to by the representative of India, namely, that of 29 November 1979, was indeed adopted by the General Assembly, and it would be of interest to my delegation if the Secretariat were able to inform us which other subsidiary bodies of the General Assembly have applied that decision and in what form.

My query to the representative of India relates to the last sentence of paragraph 4 of the proposal which he read out. I think there is no question as to the meaning of the first sentence of that paragraph - namely:

"The resolutions or decisions adopted by consensus within the Committee will be submitted for consideration by the General Assembly."

The question relates to the sentence immediately following that, which reads:

"Others, if any, will again be considered by the Committee with a view to determining whether they might be reformulated for submission as draft resolutions or decisions of the General Assembly."

The question focuses on the word "reformulated". I wonder whether I could have some elaboration on that point. Is the meaning that the consensus resolutions will go forward to the General Assembly and that others, presumably non-consensus resolutions, will be reformulated? And, if they are reformulated, then for what purpose?

The CHAIRMAN: With regard to the query addressed to the Secretariat by the representative of Australia, the Secretariat has taken note of this request for information and will reply in due course.

The representative of Australia has addressed a question also to the representative of India. Is he ready to reply?

Mr. SREENIVASAN (India): I would have been very happy to supply any necessary clarification concerning my proposal if I had made it on behalf of the Indian delegation. But since the proposal has been made on behalf of a particular group of countries in the Committee, and I was authorized to say that the statement is explicit enough and does not require any clarification, I am not in a position to elaborate on the text that I read out.

Mr. JOSEPH (Australia): I suppose I will have to acknowledge that, but I hope the Committee will forgive me if I express some sense of concern that we have in fact a text advanced here which is of some puzzlement - certainly to my delegation - and which I think may come back to haunt us in months to come.

If the Committee will bear with me, I should like to place a few thoughts on the record, as it were.

I should like to say, first, that my delegation does welcome the opportunity to present its views on what we consider to be important issues at stake. I should like to underline that point, because what we feel we are engaged in here is not a matter of differences over commas and fine shades of meaning, but rather matters of substance addressing the fundamental working methods of the Committee.

You, Mr. Chairman, have referred to two aspects of the rather protracted consultations in the course of which some sort of understanding has been reached. Specifically, you have noted that there is now agreement that where dependent Territories are also the site of military facilities, the issues relating to those facilities should henceforth be addressed to the plenary Committee of 24 in addition to any consideration which is given them in the Sub-Committee on Small Territories.

Secondly, Mr. Chairman, you have noted that there are arrangements whereby the Chairman of the Sub-Committee on Small Territories will ensure the widest possible participation in consultations undertaken in that Sub-Committee on the draft resolutions and decisions which emerge from the Committee.

Now, in regard to the issue of military bases - or, more correctly, facilities, since in most cases they hardly amount to bases - the issue is one of what to do about or how to treat these military facilities in this Committee. The suggestion, as you have said, Sir, is that henceforth these matters should be dealt with in both the plenary Committee and the Sub-Committee on Small Territories.

(Mr. Joseph, Australia)

An earlier suggestion, which I note with some gratification is not being pressed today, was that debate on these matters should be removed from the purview of the Sub-Committee entirely and should take place exclusively in the plenary Committee.

I think we are all aware of the complex undercurrents involved in this matter. The question at issue is essentially the language - formulations, if you will - that should be employed to describe the impact of the existence of military facilities on the ability of populations in a dependent Territory to exercise their right to self-determination.

One formulation stated flatly and without qualification is that such military facilities impede self-determination. It happens to be our view that this is a fatuous proposition which bears no semblance to reality and which, indeed, has been belied by events in the past three or four weeks.

But, leaving what we think aside, the traditional formulation normally accepted in this Committee and in the General Assembly is to allow that the presence of military facilities may, or could, or might, but not will and always shall impede self-determination. In other words, an element of flexibility has been preserved in the traditional text which reflects the actual views of the peoples concerned and carries greater credibility in consequence. This, as I say, has been the traditional position.

But for two successive years in this Committee, in 1980 and then again in 1981, texts on military facilities were adopted - somewhat uneasily, to be sure - which incorporated the inflexible and, frankly, unrealistic language favoured by one or two delegations in this Committee.

(Mr. Joseph, Australia)

It is not surprising that this language was subsequently overturned by the United Nations membership at large, acting through the Fourth Committee of the General Assembly. I guess that I should not labour this point, but I should like to recall in more detail what happened in 1980 and 1981, since I think it bears on the questions at issue.

First, in 1980 a Visiting Mission from this Committee went to the Turks and Caicos Islands and subsequently prepared a report that was considered in the first instance in the Committee of 24. A protracted exchange ensued on a draft resolution, with the point of focus being precisely the paragraph relating to military facilities. A formulation emerged which was eventually accepted by the Committee, although, as it later transpired, with varying interpretations as to language which had been orally introduced from the floor. Indeed, it was only after the resolution was published in its printed form that the precise and - for a number of delegations - unprecedented and unacceptable language was revealed. In any event, when the matter came before the Fourth Committee an amendment was introduced to restore the language to the traditional consensus formulation. The Fourth Committee voted to accept the amendment by 70 votes in favour, 40 against, and 17 abstentions - a very sizable majority. That was in 1980; but, unfortunately, that was not to be the end of it.

In June 1981 the Committee of 24 again adopted texts - this time on Guam, Bermuda and the Turks and Caicos - with language again covering military facilities similar to that rejected, and decisively rejected, by the Fourth Committee in 1980. Delegations will recall that the Committee agonized over this matter for many weeks. Australia was, of course, among the most hesitant - precisely because the Fourth Committee had rejected the language in 1980. We were convinced that the Fourth Committee would do the same thing when the issue surfaced again at the thirty-sixth session of the General Assembly. We believed then that it behoved this Committee, as a subsidiary body of the General Assembly, to take account of the position of the parent body. In the event we were vindicated: the Fourth Committee did vote again to restore the traditional formulation. Just for the record, I would

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recall that the vote on the British territories was 73 in favour of the amendment to restore the traditional formulation, 49 against and 15 abstentions; the vote on Guam was 66 in favour of the amendment, 41 against and 16 abstentions in both cases, again sizable majorities.

One must ask whether we in the Committee of 24 should continue to bring forward formulations which are patently at odds with the majority view of the Fourth Committee. Yet one cannot but feel this is precisely the purpose of those who are urging the change in the working arrangements for this Committee. We are not denying that the plenary Committee of 24 can debate what it wants and can debate again issues which have already been covered in any one of its Sub-Committees. But we have to say that we are wary of the motivation of those who are pressing this course, and it is just as well perhaps that I serve notice now that the Australian delegation will be doing what it can throughout the rest of the year to resist attempts to steer or manipulate the Committee into what we see as being a confrontational course with the General Assembly.

The second proposition to which you, Mr. Chairman, referred when you addressed the Committee a moment ago related to the way consultations on draft texts on small Territories are to be adopted in the future. I hope the Committee will forgive me if I concede frankly that this is a matter of some sensitivity for us. It is sensitive since the change proposed would affect primarily the role of the Rapporteur of the Sub-Committee - a position which in recent years has been filled by Australia. Again it is worth exposing the undercurrents.

What I submit has really been at issue here has been not so much the role of the Rapporteur in the Sub-Committee, but rather his role, a traditional one, in preparing draft resolutions for consideration and adoption by the General Assembly. This practice has been extended over many years and in our humble view it has operated well in the past and, more importantly, with the best interests of the peoples of the dependent Territories in mind. The task facing the Rapporteur has normally been fairly straightforward. It has been possible to prepare draft resolutions in the Fourth Committee by drawing on

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texts adopted earlier in the Committee of 24 and using these as a basis for consultations with other interested delegations in the Fourth Committee. However, last year, when the items on Guam and the British Territories were being considered, the Australian Rapporteur was confronted with a dilemma: there was palpable disagreement among delegations in the Fourth Committee. Simply submitting texts cobbled together from earlier Committee of 24 resolutions would have provoked sharp divisions in the Fourth Committee.

It is worth noting in parenthesis that in preparing drafts in the Fourth Committee the Rapporteur, strictly speaking, is acting as a friend of the Chairman of the Fourth Committee. The texts that he prepares in the Fourth Committee are designed to facilitate that Committee's work, and it is assumed that such texts will enjoy consensus support. Such was clearly not to be the case, however, in the situations of Guam and the British Territories last year.

What, then, was the Australian Rapporteur intending to do in that situation? What he was intending to do was facilitate consultations by preparing drafts which would have reflected both points of view on the question of military facilities. The Rapporteur would have done this by preparing, in the time-honoured tradition of the United Nations, square-bracketed alternatives for language on military facilities. It was the belief - and, I would suggest, the sound belief - of the Rapporteur that that would have been the most efficacious way to proceed. It would have isolated the problem - identified it, if you will - and facilitated the decision-making in the Fourth Committee.

In the event the Rapporteur was pre-empted from proceeding in this sensible and rational way by the socialist delegations, which submitted their own texts, with their own preferred language, on the military-facilities paragraphs. I accept of course that delegations are sovereign and they are entitled to introduce whatever they wish into the General Assembly and its Main Committees. Nevertheless, one must regret that their action last year represented a unilateral breach of the earlier conventions under which the texts on small Territories had been prepared by the Rapporteur

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of the Sub-Committee on Small Territories, in consultation with all interested delegations. We think that their action introduced an unnecessarily divisive element into the debate which would have been better avoided and which was deplored by the elected representatives of the Territories concerned.

In any case, the Fourth Committee refused to be stampeded into accepting the drafts that were submitted; on the contrary, as I have indicated previously, the Fourth Committee decided by decisive majorities to overturn the formulations presented on military facilities and to substitute the tried and tested language of the earlier resolutions.

None of that is to say that my delegation will oppose here in the Committee the changes that you, Mr. Chairman, have canvassed. Yet it is worth noting that the question of how informal consultations should proceed in the Sub-Committee is really one for the Chairman of that Sub-Committee to decide. The Chairman of that Sub-Committee, recently nominated and accepted by acclamation, has been chosen to undertake certain tasks.

(Mr. Joseph, Australia)

These tasks and responsibilities, I submit, encompass how his Sub-Committee should be run, and he should be left to do it. It would not be appropriate for the full Committee to seek to direct him in this task, and we, for our part, have every confidence in his judgement.

So much for the two propositions, Mr. Chairman, you have canvassed in your remarks. I guess our position might be defined in summary as this: willing to go along, even with some substantial reservations.

We are less relaxed about the proposal to have the Committee of 24 henceforth prepare the draft resolutions for consideration in the Fourth Committee. Our concern about that proposal flows from the earlier concerns that I have expressed about the relationship between the Committee of 24 and the General Assembly and how in practice it has functioned in the last two years.

Now, I am not quite sure how to present this point, but let me say that the text which has been read out this afternoon by the representative of India is certainly a text with a considerable background: it is the tip of an iceberg, in fact. It was not, we understand, the delegation of India or the delegations on whose behalf the Indian delegation was introducing the text that first invoked or pointed to the 1979 decision of the General Assembly; it was, in fact, the delegations belonging to the group of Eastern European States that did so.

It is worth recalling some of the background to that 1979 decision. It was a decision which arose from a recommendation of the General Committee and which was geared to an ongoing discussion about how to ease the burden of excessive documentation in the Second, Third and Fifth Committees of the General Assembly. That the problem related primarily and even exclusively to those Committees becomes blindingly obvious from even a cursory glance at the relevant documentation.

(Mr. Joseph, Australia)

Conversely, a close reading of the same document reveals no concern at all about, nor any mention of, problems in the Fourth Committee. Now, I suppose this is not surprising, given that the agenda of the Fourth Committee is sparse in comparison. In short, we think it is somewhat contrived, and even absurd, to argue that a Fourth Committee which nowadays adopts all of some 20 resolutions and decisions, and comfortably completes its work in November each year - normally somewhere about the middle of the month - requires drafts to be prepared for it in the Committee of 24.

We would therefore argue that the decision which has been referred to today and which had been referred to in the informal consultations ad nauseam over the weeks past has been lifted out of context. We believe it has little relevance to the needs of the Fourth Committee. We would go even further than that. Indeed I have addressed a question to the Secretariat in this respect, and I am sorry that it is unable to answer it today: we would have liked to know the precedent of other subsidiary bodies of the General Assembly and in particular we would have liked to have confirmation that very few subsidiary bodies of the General Assembly - even those that are intimately connected with the work of the Second, Third and Fifth Committees - have themselves decided to implement that 1979 recommendation. We would suggest that once the Secretariat has looked into this matter it will find that, where bodies have in fact implemented the recommendation, they have taken a very restrictive view of their mandate in this regard and have only submitted consensus texts to the General Assembly for adoption.

But those concerns, important as they are, are not the substance of our difficulties. Our main problem is what the change would portend for the working methods of the Committee of 24. We have, I would have to admit, some substantial problems even with the notion that consensus texts should go forward undiluted to the Fourth Committee. In other words, if we were to take the decision that has been read out to us today by the Indian representative, we would not unblinkingly be grateful for the sentence which says that consensus texts will go forward for consideration in the General Assembly.

(Mr. Joseph, Australia)

We see some hooks and some difficulties there, but - as was clear and as you, Mr. Chairman, and a number of delegations in this Committee certainly know - we were willing to go along with the thrust of that theme in consultations. We are worried, however - and this was the reason for my question earlier in the day - about the implications of the sentence which seems to refer to non-consensus resolutions. Indeed, there is certainly the hint of a suggestion that texts which have been voted on in this Committee would also go forward to the Fourth Committee. We submit that this is something that should disturb all delegations represented in this Committee. As I say, as we understand it, there is no precedent for this among other General Assembly subsidiary bodies, and that in itself is cause for question.

I intend to be deliberately specific here, because I think that the thrust of the argument becomes somewhat more meaningful if one is more specific. So let me say that this decision, if adopted and if one interpretation were put on it - and I hope that such an interpretation will not be put on it - could imply that this Committee will be faced next August with demands that our draft resolution on, say, so controversial a matter as Puerto Rico, should be submitted straight to the General Assembly, thus prejudging a decision which, in principle, is to be made by the General Assembly itself.

Now, this kind of end run staged around the trusted procedures of the General Assembly, is something that my delegation, frankly, finds appalling. This may not worry, I agree, two or three delegations in this chamber, but I am sure it will worry others if they in fact reflect on it.

I said I would be specific, so I will continue to be so, because I now want to address the issue of Micronesia.

Micronesia is defined to be a strategic Trust Territory. Under Article 83 of the Charter, such Territories fall within the purview of the Trusteeship Council and the Security Council. Again, we recognize that some delegations, so vigorous in their defence of the Charter in other areas, would none the less like to side-step the requirements of Article 83 in this case. My delegation, however, objects to being so manipulated, and evidently our objections are shared, I would again note, by the mass of the United Nations membership at

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large, since the position of principle was upheld last year by a vote in the Fourth Committee of 71 to 30, with 20 abstentions, on the issue of deferring a draft resolution on the subject of Micronesia.

In other words, what I am saying is that the position I am elaborating today is not an isolated one: it is a position which is shared by the United Nations membership at large. Yet the new proposals now being submitted for organization of work could hold out the prospect - I would not want to go beyond those terms - of an attempt to push a draft resolution on Micronesia through to the Fourth Committee this year. Now, surely other delegations can recognize the unnecessary risks in such a course.

(Mr. Joseph, Australia)

In general, we think that the changes proposed, if implemented, could have a damaging effect on the working methods of the Committee. They could mean in many cases that votes would be called for where they are not called for now; that firmly-entrenched positions would be carved out where currently there is a mood of trying to draw contentious positions together; and that the tried and tested working methods which have in the past enabled members of the Committee, at both ends of the political spectrum, to reach some accommodation will henceforth be abandoned in favour of confrontation and divisiveness. Delegations will almost certainly feel it essential to establish their national positions more starkly than before in order not to prejudice positions to be taken in the Assembly.

As far as Australia is concerned, these issues could be faced most critically in the case of Micronesia, as I have outlined. We might well find ourselves in a situation where, even though we had no problems with the substance of a text that emerged in the Special Committee of 24, we should none the less be required to stand out from a consensus, since we would otherwise be contributing to a process undermining the position of principle that the Fourth Committee is not constitutionally mandated to consider the Trust Territory of the Pacific Islands.

That is a highly unsatisfactory state of affairs, and underlies the strength of feeling evident in what I have had to say here today.

Summing up then, we see considerable problems in what has been proposed. There would, in our view, be a risk of a return to the acrimonious divisions of the past. We think that we would risk forfeiting much of what was accomplished and sorely won in this Committee during the 1970s.

In a worst-case situation, the increased divisiveness in the Committee could forfeit the confidence of the very peoples of dependent Territories that it is this Committee's mandate to protect.

For all those reasons we had hoped that delegations - particularly those sponsoring the text that was read out today - would have pondered carefully the implications of adopting the proposal. It may be that they have done so; indeed, I hope they have done so. It would certainly have eased the problems - and very substantial problems - my delegation has with this text if there had been an answer to the question I posed earlier

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today with regard to whether the purpose behind the suggested reformulation of these other texts that we are talking about - that is, the non-consensus texts - would have been to attempt to see whether there was some way that they could be reformulated so that they could receive the general agreement of this Committee. There were, in fact, words to that effect circulating only yesterday. As I understand it, there are a number of delegations willing to see those words inserted. But there are other, more hard-core, delegations which do not happen to be associated with the delegations which have introduced this text today; they have found it difficult to accept that there should be some spelling out of what is meant by the word "reformulated".

I guess I would have to say that we must make the best fist of what seems to be a rather difficult situation; that if this text is to go forward, my delegation, I imagine, can hardly stand apart in a minority against the words that have been suggested to us, particularly given the sponsorship that has come forward with those words. I would have to say that if we are to move with this text, and have it adopted and incorporated into the records of this Committee, then our own interpretation would have to be that the purpose of the reformulation of these other texts would be to try to achieve a consensus for their submission as draft resolutions or draft decisions of the General Assembly.

I apologize for the length at which I have spoken; the issues which I have exposed are clearly of considerable concern to the Australian delegation.

The CHAIRMAN: I assure the representative of Australia that his views, comments and reservations will be fully reflected in the records of this meeting.

Mr. KOLBY (Norway): Mr. Chairman, as this is my first statement in this Committee, I should like to express my appreciation to you. I look forward to working under your able guidance in this Committee; your skill and competence have been amply displayed, and we feel sure that they will assist us in making further progress towards decolonization. Those qualities, and your goodwill, have been displayed with special clarity in the two difficult

(Mr. Kolby, Norway)

months that have just passed. I should also like to express to the other members of the Committee the gratitude of my delegation for the warm words of welcome that have been addressed to Norway upon its re-entry into the Special Committee of 24. I also wish to assure the other Vice-Chairmen and the Rapporteur of the fullest co-operation of my delegation and me personally.

Further, I should like to express my gratitude to the members of the Committee for the honour bestowed upon my country by our election as a Vice-Chairman of the Committee. I look forward to working with all members in our important endeavours.

I must, however, add that it is with some disappointment that my delegation, upon rejoining the Committee, finds itself in the midst of a controversy over how to organize our Committee's work. For a great number of years there has been a well-established method of work, a method that in the view of my delegation has served the Committee well. It has also served the peoples of the colonial Territories: they are the ones that should be our primary concern.

The proposals on the organization of work that were set out by the Chairman in document A/AC.109/L.1420 were acceptable to my delegation, and we would have been prepared to start the work of the Committee at the beginning of the month of March. It was also my delegation's impression that most members of the Committee were in agreement with those proposals. In light of the insistence of some delegations that changes be made in the method of work, I, as a Vice-Chairman of the Committee, have taken part in very extensive consultations among the officers and also with other members of the Committee, with a view to reaching agreement on some changes in our method of work. During those consultations, agreement was reached on some proposals. In a spirit of conciliation and compromise, my delegation also expressed its readiness to reach agreement on the basis of some other proposals.

My delegation would like to commend you, Mr. Chairman, for your persistent efforts during the past two months. We regret that it has not been possible to reach an agreement that could be presented by you as Chairman of our Committee. The failure to reach agreement is in no way a reflection on your efforts; on the contrary, you brought us very close to an agreement. My delegation has been ready

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to continue the consultations on the remaining issues. We think that our Committee could have started its work while consultations went on, particularly as the remaining issues do not pertain to questions that the Committee will be facing in the next month or two.

My delegation, however, has listened to the proposals set forth by the non-aligned delegations. In a spirit of compromise we can go along with them, on our understanding that we shall maintain the principle of consensus in our work.

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. Chairman, first of all we should like to congratulate you and the other officers of the Committee on being elected to such responsible posts. We should like to express our confidence that under your guidance, and with the co-operation of delegations members of the Committee, the Committee will be able to carry out the responsible tasks entrusted to it by the General Assembly.

As far as the Soviet delegation is concerned, I should like to state to the Committee that we intend to co-operate fully in the work for the quickest possible elimination of the remaining vestiges of colonialism in the world.

Inasmuch as today's meeting is devoted to the organization of work for the year 1982, the Soviet delegation would like to make a number of comments and to present the conclusions that it has reached on the basis of experience of the work of the Committee last year and also on the basis of an appraisal of the results achieved by the Committee's activities.

We should emphasize from the outset that the Committee accomplished fruitful work last year. It adopted some very important decisions that were designed to achieve for people still languishing under the yoke of colonialism their inalienable right to freedom and independence. We can hardly overemphasize the role of the Committee in the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. If we look at the agenda of the Committee 10 or 15 years ago and compare it with today's, we can see that a great deal of work has been done and that the major result of the Committee's activities has been the achievement of independence for many territories which have joined the family of the free nations of the world. The Committee is rightly entitled to be proud of its contribution to the decolonizing process. It has

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also made a contribution to the implementation of the goal set forth in the Declaration. At the same time, it remains the duty of the Committee not to lessen its efforts or slacken its pace and to continue to strive actively and with maximum effectiveness towards the final elimination of all remaining vestiges of colonialism at the earliest possible time. We mention this because the colonial Powers have always been annoyed by the activities of this Committee, which continue to be the target of covert, and often overt, subversion on the part of all those same Powers. The colonial Powers here at the United Nations have recently been attempting to represent matters as though colonialism no longer exists, that it belongs to the past and has nothing to do with the present, and that the United Nations, in matters of decolonization, is pursuing a will-o'-the-wisp. They are trying to show that the peoples in Territories still in colonial dependency - and there are still more than 20 of them - because of their historic, geographic or social characteristics cannot achieve independence and that, as we are sometimes even told, the peoples of colonial Territories themselves do not wish to attain independence.

Under that pretext, blatantly diversionary tactics are carried out against United Nations bodies and the units of the Secretariat which deal with questions of decolonization. There is a stubborn attempt to hinder and undermine their work. Perhaps we would not have to dwell on this policy, which is a very well-known ploy of the colonialists, had it not recently begun to manifest itself very actively in the United Nations. We feel that those inroads made by the colonialists should be actively and stubbornly repulsed, not just by individual delegations but by the Committee as a whole.

The reduction in the number of Territories still under colonial dependency does not imply that the problem of decolonization is any less acute. That is very clear. An example is the present situation concerning the Falkland Islands. The Falkland Islands are part of the problem of the decolonization of the extensive Territories which were once seized by

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the colonial Powers in various parts of the world. Now, after the collapse of the colonial empires, retention of the remaining colonial dependencies is an anachronism and contradicts the fundamental provisions of United Nations documents concerning decolonization. The clear position of the United Nations in this regard is indicated by the fact that the Falkland Islands have been included by the General Assembly in the list of Territories whose colonial status should be terminated forthwith.

In addition, the United Kingdom, as the administering Power over a period of many years, has stubbornly refused to implement the decisions of the United Nations on decolonization and has held up the negotiations with Argentina which were provided for in the relevant decisions of the General Assembly of the United Nations.

Our delegation believes that the Committee of 24, in carrying out its responsibilities, must fully take upon itself the item on the implementation with regard to small Territories of the Declaration on the Granting of Independence to Colonial Countries and Peoples. This question thus far has been considered in the Sub-Committee on Small Territories. We have made a proposal to the effect that a more authoritative body - that is, not the Sub-Committee but the Committee as a whole - should deal with this item in substance for each small Territory taken individually.

The question of the organization of the work of the Committee is directly linked to the results which the Committee wishes to report to the next session of the General Assembly. In this regard, there is considerable room for improvement.

There has been a great deal of intensive work in the Committee, and as a result of that work important recommendations and decisions have been adopted. However, these important recommendations and decisions have thus far remained in the report of the Committee to the General Assembly, and there has been an unjustified break. They have in fact remained the property of the Committee. Various delegations to the General Assembly have put forward draft decisions which do not take into account the views of the Committee and which sometimes go against those views.

(Mr. Berezovsky, USSR)

In this connexion, I should like to refer to the decision that was proposed by the non-aligned countries here today. Although that proposal does not satisfy us fully, we agree to accept it and we do so without any special interpretation, and specifically the interpretation that was proposed to us by the representative of Australia. The representative of Australia has virtually insisted on retaining the previous organization of work; what in fact has happened is that the Committee has, over a period of a year, worked in preparing various decisions and then forgotten those decisions. The representative of Australia has reminded the Committee of the role played by his country as Rapporteur at the last session and at the session before that. I should like to recall that the representative of Australia, as Rapporteur not of the Committee but of the Sub-Committee, took it upon himself - and I repeat, took it upon himself, for no one entrusted him with such a responsibility - and submitted to the Fourth Committee of the General Assembly a text which was absolutely different from the text which was adopted by the Committee of 24, yet this was done by the representative of a State which signed and adopted those decisions in the Committee of 24.

(Mr. Berezovsky, USSR)

Now, of course, such a situation was quite abnormal and, quite naturally, virtually all members of the Committee pointed this out at one time or another.

Talk to the effect that some socialist countries violated the consensus during the work of the General Assembly and came out with their own texts does not stand up to criticism. I say to the representative of Australia: let us be quite honest. Delegations of some socialist countries came forward with draft decisions at the last session of the General Assembly which repeated word for word decisions of the Committee of 24. They actually came out with the position of the Committee of 24. But Australia was not coming out with the position of the Committee of 24 and was in fact violating the decisions of the Committee, even though it was acting as Rapporteur of the Sub-Committee on Small Territories. Of course, such a situation is an anomaly. We are even further convinced of this because the text proposed to us today by the non-aligned countries is what should be guiding the Committee in its work.

Talk about a consensus, talk about limiting the possibilities of the Committee - and this is indeed the view of the representative of Australia - is hardly acceptable. We can scarcely put up with such a situation whereby one delegation - a delegation which is in fact a colonial Power - is going to make the work of the entire Committee more difficult. That there is going to be such a situation has been hinted at by Australia today. He said that he would do everything possible so as not to allow the Committee of 24 to submit any draft texts to the General Assembly.

Furthermore, the claim that draft decisions to be put forward by the Committee of 24 should repeat word for word decisions of previous sessions of the General Assembly can hardly stand up to criticism. The fact is that the Committee of 24 is authorized by the General Assembly to take up these items, to deal with items involved with the implementation of the Declaration on decolonization. And the General Assembly has to take into account what was drafted by the body which was established for this purpose and which has such political expertise as the Committee of 24.

I do not want to dwell on the other issues raised here by the representative of Australia; that is, that there might be draft decisions and texts of the Committee submitted to the General Assembly that are prejudicial. We are not

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children here; we are adults and politically educated people; and we understand that decisions of the Committee cannot be taken simply in mid-air. So the representative of Australia is saying that the Committee is not very wise when he says that it could take decisions not in keeping with the times and with the mandate entrusted to us in this Committee.

I also do not want to say anything about the interpretation which the representative of Australia gave on the matter of Micronesia, accusing the socialist countries and almost everyone else of all the cardinal sins, including violations of the Charter, and accusing some delegations to boot.

I think that the representative of Australia should look at documents of the Committee of 24 and the General Assembly and he would easily find in them decisions which give the Committee of 24 the authorization to consider this item. The fact that Micronesia is a strategic Trust Territory is something which no one disputes. I say to the representative of Australia: yes, this is true. The status of this Territory is governed, by Article 83 of the Charter, which is also something no one would dispute with the representative of Australia. But he is forgetting that the people living in that Territory - the people which he mentioned quite recently and whose interests he said we should take into account in terms of colonial domination - is a colonial people, a people living under the colonial yoke, and it has the right to achieve independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, which guides the work of this Committee. And that Declaration is fully applicable to the Trust Territory of Micronesia.

Moreover, the representative of Australia tried here to cast doubt on the decision of the General Assembly to grant to subsidiary bodies of the General Assembly powers to submit draft decisions and draft resolutions, in due time. It is his right to take issue with the General Assembly, to cast doubt on its decisions; the delegation of Australia must bear the responsibilities for that. But I do not think that this is a position which should be shared by this Committee. If something is not clear to the representative of Australia, he should take a look at the documents. We should not make the Committee's work dependent on whether or not the representative of Australia has finished reading certain documents. I do not see any point in that.

(Mr. Berezovsky, USSR)

I should like to take up one more aspect, which is extremely important for the successful compliance of the Committee with its mandate. Of particular importance is monitoring the implementation of the recommendations which are made by the Committee to the General Assembly and approved and adopted by the latter. In connexion with these recommendations and decisions there is a very important one, one which is also of great political importance - the speediest possible implementation of the Declaration on decolonization. It would seem that in proposing its decisions to the General Assembly the Committee should, as far as it is concerned, constantly see to it that these decisions are implemented. We here in the Committee are not working merely for education and merely for the taking of decisions.

(Mr. Berezovsky, USSR)

In particular we have in mind and should like to point out the great amount of work which the Committee has to do connected with the implementation of the proposal that was, so to speak, the result of the adoption of the Programme of Action on the earliest possible implementation of the decolonization process. In this connexion we should like to draw members' attention to the decisions adopted at the last session of the General Assembly with regard to the dissemination of information on decolonization and the General Assembly's approval of measures in that regard. One such measure was the recommendation to strengthen the Information Section of the Department of Trusteeship and Decolonization in the United Nations Secretariat. As we know, at the end of last year and the beginning of this year that Department took a number of decisions that affect the Information Section.

For the time being it is not clear whether that reorganization complies with the decisions of the United Nations General Assembly in regard to this Section - as well as a number of other Sections, by the way. Apparently the Committee will soon have to turn to this item and to consider it and ask for the relevant information from the United Nations Secretariat.

I have, I hope, taken up a little less time than the previous speaker.

Mr. JOSEPH (Australia): I thought that the last comment was a cue for me to speak again. I do not wish to disappoint the representative who has just spoken.

I should simply like to say that I noted earlier today that one effect of these changes that we have now agreed upon would be an increased sense of confrontation and divisiveness. I suspect that now there will be increased divisiveness indeed. And I suppose I can simply say, "So be it."

The Soviet representative referred in his opening remarks to vestiges of colonialism and people languishing under the yoke of colonialism. Yes, they are, and no more so than under the yoke of Soviet imperialism. Indeed, the day that the representative of the USSR can lecture Australia on the merits of self-determination and decolonization will be a day indeed. What we have here, in fact is the representative of a régime which controls the last remaining empire on earth.

(Mr. Joseph, Australia)

Lenin himself once referred to that empire inherited by the Bolshevik revolution in 1917 as a prison-house of peoples. Far from abandoning that empire, Lenin and his successors have expanded it and imposed upon its subjects an even more ruthless form of modern totalitarianism.

The independent States of Estonia, Latvia and Lithuania were grabbed in 1940. Whole nations and peoples -

The CHAIRMAN: May I please ask the representative of Australia to confine himself to the item before us - namely, organization of work.

Mr. JOSEPH (Australia): Yes, Mr. Chairman, I suspected that somewhere along the line you might in fact interrupt me.

Let me say that I think my point is made, but I will none the less say that given the situation that I was going to describe we entirely reject the credibility of the USSR as a legitimate interlocutor on matters relating to decolonization. We specifically reject the credentials of that delegation to question our good faith, and we would suggest that that delegation should indulge in a little more self-contemplation.

The CHAIRMAN: There appear to be no further comments on this matter.

In view of the extensive consultations that have been held, I shall take it that the Committee approves the proposal put forward by the representative of India on behalf of the members of the non-aligned countries in this Committee, as well as the suggestions contained in document A/AC.109/L.1420, it being understood that the reservations expressed by members will be fully reflected in the verbatim record of the meeting.

It was so decided.

Mr. WAYARABI (Indonesia): Since this is the first time I have spoken this year, I should like first of all on behalf of my delegation to congratulate you, Mr. Chairman, and the other officers of the Committee on being re-elected to your respective posts. We are confident that under your leadership we shall be able to accomplish much that is valuable and of lasting significance.

We are happy to welcome among us the delegation of Norway. We are confident that its participation in our work will add to the strength of our Committee.

With regard to the so-called question of East Timor, referred to in document A/AC.109/L.1420, on the organization of the Committee's work, my delegation would like to state once again its strong opposition to the inclusion of this so-called item and its discussion in this Committee.

As members are all aware, the people of East Timor have already exercised the right to self-determination and have by their own choice become independent through integration with the Republic of Indonesia. The United Nations was kept fully informed of developments during the process, and the relevant reports are available to the delegations of all Member States in documents A/AC.109/528 of 28 May 1976, A/AC.109/527 of 15 June 1976 and S/12104 of 21 June 1976. Therefore the inclusion of this so-called item in this Committee's agenda and discussion of it are interference in the internal affairs of a sovereign Member State of the United Nations.

My delegation would ask that its opposition be recorded in the official record of this meeting.

The CHAIRMAN: The reservations expressed by the representative of Indonesia will be fully reflected in the record of this meeting.

Mr. KALINA (Czechoslovakia) (interpretation from Russian):

Mr. Chairman, I should like to thank you for making it possible for me to speak on the organization of the work of the Special Committee for the current year.

I avail myself of this opportunity to congratulate my colleague from the Ivory Coast on his election as Chairman of the Sub-Committee on Small Territories.

(Mr. Kalina, Czechoslovakia)

As is well known, the Czechoslovak delegation had the opportunity to participate in the formal and informal consultations on the items directly linked to the organization of the work of the Special Committee and its activities.

(Mr. Kalina, Czechoslovakia)

My delegation, in this regard, has taken a principled stand on questions of decolonization, based on the experience we have acquired in our years of membership of the Committee. There is no doubt but that the Committee has thus far done very positive work, and the results of that work are tangible ones. On the international scene, a host of newly independent sovereign States, which were once colonies, have appeared; however, continuing progress in the process of the decolonization of the colonies that remain is being hampered by efforts by the colonial Powers to retain the vestiges of their shameful colonial empires.

These Powers are resorting to new tactics and are attempting to present matters to make it appear as if the decolonization of Namibia and of other Territories has been completed. They are trying to make us forget about the so-called small Territories, even though, despite those Territories' size, the principles relating to Territories still stand, and they should be decolonized as soon as possible.

A clear example of the inconsistency of the implementation of the Declaration contained in General Assembly resolution 1514 (XV) by one of the Powers is the events currently taking place in a small Territory the size of Connecticut - events which are now filling the front pages of the world press.

The policies of the colonial Powers are clear - to retain their hold on those Territories at whatever cost, for their own selfish economic, military and strategic goals.

The Committee has its own work to do. It has its mandate: the historic Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted on the initiative of the Union of Soviet Socialist Republics - I repeat, on the initiative of the Union of Soviet Socialist Republics, and not on the initiative of Australia or any other colonial Power.

These decisions of the Committee should be our guidelines and we should comply with them whether the colonial Powers like it or not. Unfortunately, even some members of the Special Committee do not want to admit this, as was made clear last year during the thirty-sixth session of the General Assembly.

(Mr. Kalina, Czechoslovakia)

Some delegations in the Committee carried out a two-faced policy. On the one hand, they took part in the consensus on important decisions of the Committee, but, on the other, in the Fourth Committee they themselves tried to bring down those same decisions, thereby contradicting the decisions and raising doubts about the Committee - doubts which must be eliminated.

After a clear and careful analysis of the positive results of the work of the Special Committee last year, and in view of the abnormal situation which prevailed in the Fourth Committee during the thirty-sixth session of the General Assembly, our delegation along with other delegations of the socialist countries came forward with a number of proposals to enhance the effectiveness of the work of the Committee. Perhaps some of those proposals concerned the very near future; that is why we were not able to reach agreement on their implementation.

But, as today's meeting shows, the overwhelming majority of members of the Committee understand and support the substance of those proposals - that is, that the Committee should itself prepare draft resolutions and decisions for submission to the General Assembly and thereby eliminate the anomalies I mentioned earlier.

In this connexion, I should like to commend the efforts of the non-aligned countries members of the Special Committee - countries which have come to a compromise decision which on the whole serves the interests of countries such as mine and the interests of the cause of decolonization.

I should like to refer to yet another aspect of the decision which we just took to strengthen the principle of consensus in the Committee, not to weaken it. This, of course, should not enable delegations, especially delegations of the colonial Powers, to take refuge behind a negative vote on the question whether or not in every specific case we should submit decisions of the Committee to the General Assembly.

The representative of Australia referred to the role of the Rapporteur of the Sub-Committee on Small Territories and said that in submitting draft resolutions to the Fourth Committee he acted on the authorization of the Chairman of the Fourth Committee. We should like to emphasize that no one gave him such a mandate. The Committee has its own Rapporteur, who in future, in accordance with the decision just taken, will himself submit draft resolutions and decisions on behalf of the Committee of 24.

(Mr. Kalina, Czechoslovakia)

I am certain that the procedure which we have just adopted, in accordance with the decision of the thirty-sixth session of the General Assembly, and which has been followed by many other United Nations bodies, will strengthen the Committee and the confidence of its members in the implementation of the important tasks facing us this year. Looking at the Committee's programme of work, I note that if we were to be guided in our consideration of all the items by the Plan of Action adopted by the thirty-sixth session of the General Assembly and contained in resolution 35/118, we would be carrying out our work successfully.

Before we begin our work this year, I think it should be taken into account that not all the decisions that the Committee adopted last year and that were approved by the thirty-sixth session of the General Assembly have been carried out, although some positive steps have been taken by the Secretariat, and personally by Mr. Djermakoye, the Under-Secretary-General, to strengthen the United Nations Department on Trusteeship and Decolonization; however, there has not been an increase in the number of his staff.

Mr. YERE (Ivory Coast) (interpretation from French): I should like to begin by extending my delegation's congratulations to you, Sir, on your re-election as Chairman of the Special Committee and on the remarkably able way in which you handled the difficult negotiations in the Committee during the past seven weeks.

I congratulate also my colleague the representative of Czechoslovakia, who has just been re-elected Chairman of the Sub-Committee on Petitions, Information and Assistance and with whom I have very good relations. He is a member of the Sub-Committee on Small Territories and I am sure that I can rely on his active co-operation in carrying out our task, one which I do not deny is both difficult and delicate.

I also congratulate my colleague Kenneth Chan of Australia, who has just been re-elected Rapporteur of the Sub-Committee on Small Territories. I have worked with him for two years, and I can say that his competence and dedication are without equal.

I thank you, Mr. Chairman, and the other members of the Special Committee for your renewed expression of confidence in my delegation and in me. This gesture is appreciated all the more by the Ivory Coast delegation because underlying it is the will clearly expressed by the members of the Special Committee to see the Sub-Committee continue to exist and to carry out its task, as in the past, thanks to the dedication of all its members.

The long consultations held in recent weeks in the Special Committee have placed us in an unusual situation vis-à-vis our work. The meetings of the Sub-Committee on Small Territories will begin two months late. I therefore appeal to representatives to redouble their dedication and enthusiasm, because the constraints of time this year will be greater than ever.

In a few days the Sub-Committee will hold a meeting on the organization of its work. At that meeting I hope to be able to convince my colleagues of the need for us to hold at least three meetings each week and to consider the Territories in groups, as far as possible, so as to enhance our effectiveness.

The CHAIRMAN: The representative of the United Kingdom has asked to be allowed to speak, and I call on him.

Mr. MACLAY (United Kingdom): This is the first time this year that my delegation has addressed the Committee, and I should like to pass on its warm congratulations to you, Sir, on your re-election as Chairman of the Committee. We have worked closely and continuously with you over the past two years and have come to respect your wisdom, your judgement and your very real concern for the peoples of the Territories which remain on the Committee's agenda.

Our congratulations go also to the other officers of the Committee and to the Chairmen of the Sub-Committees.

I should also like to welcome back to the Committee the delegation of Norway, which will undoubtedly have its own particular contribution to make to the Committee's deliberations.

My delegation attends as a guest of the Committee; it is therefore not for us to take part in its consultations on the organization of its work. We have been working closely with the Committee for many years, and I think there is a common recognition of how the Committee can best serve the interests of the Territories whose affairs it discusses. However, I should like to make a brief comment on the decisions which have just been taken on adopting certain guidelines for the Committee's future work.

We welcome any new procedures which will serve to expedite the efficient conduct of the Committee's work. Since my Government provides the major share of agenda items to the Committee, we are naturally interested in the effects that such new procedures might have on our co-operation with it and, above all, on the effect that the Committee's work will have in the Territories concerned. I do not need to stress to the Committee of 24 the high expectations which the peoples of dependent Territories have of the United Nations in its dealings with respect to decolonization.

There has been a regrettable trend in the past two years for some delegations in this Committee to move away from the principle of consensus, which had hitherto dominated its work. These activities have

(Mr. Maclay, United Kingdom)

soured the Committee's discussion of certain items and have given a bad impression to the peoples of the Territories concerned. We hope that these episodes can now be consigned to the past and forgotten. We hope that delegations will seek the widest possible measure of agreement with their neighbours, rather than seeking to have their own national policies adopted as policies of the Committee of 24.

The proposals which have been endorsed today might well help to renew the Committee's commitment to that principle of consensus. I understand that there have been lengthy informal consultations in search of formulations which would satisfy the requirements of a wide variety of members of the Committee. However, I should like to express the hope that the endorsement of these proposals will signify an end to the tendency of some delegations in the Committee to leave that consensus tradition behind. I trust that we shall not, through the adoption of these proposals, see more conflict, rather than less, in the Committee, and that we shall not be faced with tendentious drafts in the Fourth Committee which do not enjoy consensus support in the Committee of 24.

We do look forward to working with the entire membership in the Sub-Committees and in the plenary Committee, striving after the common goals that we all share. Our continued co-operation with the Committee hinges on this idea that we are all working together for the good of the peoples of the Territories on which we present information under Article 73 of the Charter. In this spirit we look forward to another year working with the Committee and offer our full co-operation to that end.

QUESTION OF THE FALKLAND ISLANDS (MALVINAS) (continued)

Mr. MACLAY (United Kingdom): Begging the Committee's indulgence, I should like to address the comments about the Falkland Islands that were made by the representative of the Soviet Union and echoed by the representative of Czechoslovakia. At any other time his remarks, second-rate platitudes about the end of imperialism, would have had their usual hollow ring and would have been unworthy of reply. This Committee does on occasion have to put up with vindictive rhetoric and empty bluster. But the situation around the Falkland Islands is serious. For the inhabitants of that Territory, whose welfare

(Mr. Maclay, United Kingdom)

should be the main concern of this Committee, the situation is painful and traumatic. If my Soviet colleague were to look beyond the confines of this Committee he would find that the Security Council has adopted a mandatory resolution on the subject of the Falklands; that resolution addresses the Argentine aggression, which has imposed on the people of the Falkland by force a brutal new régime. The right of those islanders to self-determination has been cynically repressed; their interests are being violated day by day.

I am sure that the thoughts of most members of this Committee are with the people of the Falkland Islands at this very difficult time. Let us hope that the Argentine régime responsible for such a shameless affront to the aspirations of this Committee and to the ideals of the United Nations will move speedily to implementation of Security Council resolution 502 (1982). Only thus can the rights of the people of the Falkland Islands be protected and the principles of the United Nations Charter upheld.

The CHAIRMAN: I thank the representative of the United Kingdom for his expressions of continued co-operation with the Committee.

The representative of Argentina has asked to be allowed to speak, and in the absence of any objection, I call on him.

Mr. RICARDES (Argentina) (interpretation from Spanish): First of all, the delegation of Argentina wishes to thank you, Mr. Chairman, for giving us this opportunity to reply appropriately to the statement made by the representative of the United Kingdom, a statement which is without any historical, legal or political foundation.

Even though my delegation has on other occasions in this Committee expounded in detail on the historical background of the colonial situation in the Islands and on my country's proper title to the Malvinas, South Georgia and South Sandwich Islands, I am obliged again to provide certain information that has contributed, and will contribute, to a proper interpretation of the facts.

As early as 1766, in violation of prevailing agreements, the United Kingdom clandestinely established on a tiny island of the archipelago a small military facility - Puerto Egmon - which it abandoned in 1774. Between then and 1833, first Spain and then the Republic of Argentina exercised absolute sovereignty over the Islands, which they settled, effectively occupied and fully administered without the slightest protest from London.

When in 1776 Spain created the Rio de la Plata Viceroyalty, the Islands fell under the jurisdiction of the new political dependency. From 1774 to 1811 the Spanish Government appointed successive governors of the Islands. Those officials exercised their authority without interruption over the archipelago and the adjacent seas.

The silence of the United Kingdom over all those acts confirms its recognition of Spain's right to the Islands. Furthermore, towards the end of the eighteenth century, Spain and the United Kingdom signed various international treaties concerning territorial issues; yet nowhere in those treaties were there any reservations or protests on the part of the United Kingdom concerning its now alleged right to the Territory.

In 1810 my country broke its ties with Spain. The process of independence was long and difficult. Despite that fact and the lack of available human and economic resources, the Republic of Argentina, during that period, carried out a number of activities to consolidate possession of the Islands. Thus in 1820 it took formal possession of them and regulated hunting and fishing in the archipelago. The first of those acts was published in various foreign newspapers, even in the United States, without any country's making any opposing claim.

(Mr. Ricardes, Argentina)

In 1823 the Buenos Aires Government appointed a Governor of the Islands and granted concessions to private parties for fishing and the exploitation of the wild herds in West Malvina. As a result, a considerable number of families settled permanently on that island in 1826. Successive expeditions helped to consolidate our presence in the Islands. In 1828 the aforementioned concession was extended to East Malvina. That measure was accompanied by fiscal arrangements to foster the archipelago's economic development.

Neither that nor other, similar, actions were objected to by the United Kingdom. What is more, when that country recognized our independence and, in February 1825, joined us in signing the Treaty of Friendship, Trade and Navigation, it expressed no reservations about the Malvinas Islands.

In addition, on 10 June 1829 the Buenos Aires Government took another important step in the process of affirming Argentine rights to the Territory by setting up the office of political and military commander of the Islands, based in Port Soledad, with jurisdiction over all the Atlantic islands adjacent to Cape Horn.

It was only shortly thereafter that the United Kingdom began to evince an interest in the archipelago - an interest in line with the British aspiration to have possessions in the South Atlantic. The United Kingdom had made such claims when it invaded Buenos Aires successively in 1806 and 1807, although it was repulsed by the inhabitants and defenders of the city. Moreover, it should be recalled that in 1806 it had occupied the Cape of Good Hope, at the extreme southern tip of Africa, and that in 1815 and 1816 it had seized Saint Helena and Tristan da Cunha, respectively.

British expansionist ambitions in the South Atlantic were given sharp impetus by the British admiralty decision to have a naval base on the strategic Cape Horn route to the South Pacific, where England would have to be competing with other European Powers, and where Britain also had trade interests in fishing and seal hunting.

Prompted by those motives, on 10 November 1829 London protested the creation of the office of commander -

The CHAIRMAN: While I have permitted a certain latitude in our discussions, I should like to remind the representative of Argentina that the substance of the question of the Falkland Islands (Malvinas) is not on the agenda of this meeting. There are other items on the organization of our work that I wish to bring to the attention of the Committee. As I think the representative of Argentina will appreciate, the hour is late, and I would therefore ask him to be good enough to try and come to the end of his statement as quickly as possible.

Mr. RICARDES (Argentina) (interpretation from Spanish): I shall try to conclude as quickly as possible, but, unfortunately, as the representative of the United Kingdom has made a statement not in consonance with the facts and the reality, and as we are in the Decolonization Committee, I must set forth the position of my country and, indeed, put it in its proper historical context. If we wish to summarize historical facts, I can assert that, without the slightest doubt, the Republic of Argentina exercised full sovereignty over the Malvinas Islands until 1833, when the United Kingdom committed an act of aggression by its military occupation of the Islands and its expulsion of their population and authorities. Since that time - since 1833 - the Republic of Argentina has never ceased to call for the return of that Territory. Yet in the ensuing 149 years the United Kingdom has never given a satisfactory reply.

It must be recalled that the United Nations has been considering the question of the Malvinas Islands since 1965, and in three General Assembly resolutions both parties have been called upon to reach a conclusion. But since no satisfactory reply has ever been received from the United Kingdom, it has never been possible to reach such a conclusion. Indeed, at the successive rounds of negotiations that have been carried out the United Kingdom has refused even to talk about negotiations, but has made constant reference to "talks" or to "dialogue". Actually, dialogue is possible only when there are normal bilateral relations. And, indeed, United Nations resolutions have made repeated reference to the need for holding negotiations in order to settle the dispute over sovereignty.

(Mr. Ricardes, Argentina)

I should like to note that in 1976 the General Assembly adopted its resolution 31/49 on the question of the Malvinas Islands in which the existence of this dispute over sovereignty was again mentioned and which called for a satisfactory solution to be found. That satisfactory solution had to be just and lasting - but a prerequisite for that would be recognition of Argentine sovereignty over the Malvinas, South Georgia and South Sandwich Islands, such as that given by the Co-ordinating Bureau of the Non-Aligned Movement on 27 April last at its New York meeting, and by the consultative meeting of Foreign Ministers of the Latin American countries, held yesterday, 28 April.

I regret having had to make this detailed explanation, but that was the only way to point out Argentina's ongoing willingness to negotiate over no less than 149 years, including, for the last 17 years, in this Committee and in the General Assembly.

Quite different from the negotiations held last February, the Argentine Republic, since 18 March, has been faced with incidents caused by the arrogant and provocative actions of the United Kingdom in the South Georgia Island, on which Argentine workers were engaging in peaceful and legal tasks. That situation ended in the peaceful and bloodless recovery on 2 April last of the Malvinas, South Georgia and South Sandwich Islands.

Since that time we have been faced with a series of acts of aggression by the United Kingdom, as manifested in the sending of a huge war fleet, the setting up of a naval blockade on 12 April, the imposition of illegal economic sanctions and the total blockade to be set from tomorrow around the Malvinas Islands, all accompanied by threats of military action against the entire territory of my country.

It is impossible to accept the United Kingdom position that those decisions are based on Article 51 of the Charter. The Prime Minister, herself, and her Foreign Minister, have seen fit to deny it when it was suggested that they were going to use force as an instrument of diplomacy. This is not self-defence; it is a clear and utter violation of the provisions of Article 2, paragraphs 3 and 4 of the Charter, of General Assembly resolution 3314 (XXIX) on the Definition of Aggression, and of Security Council resolution 502 (1982).

(Mr. Ricardes, Argentina)

Mr. Chairman, my Government views as very positive your appeals of 2 April and of today for a peaceful solution to be found, for that is in accord with the traditional foreign policy of Argentina.

In conclusion, we wish to say that in the face of the well-known grave situation, and as a process of devising measures is still under way, my Government is committed to keeping this Committee informed of any new developments regarding the question of the Malvinas Islands and resulting from the situation which has arisen since 2 April last.

Mr. KALINA (Czechoslovakia) (interpretation from Russian): The statement by the representative of the United Kingdom, the administering Power, when viewed in conjunction with the language his delegation used during the thirty-sixth session of the General Assembly - for instance, the term "ghost-hunting" - demonstrated great vindictiveness in regard to my delegation's reference to the subject of the Falkland Islands (Malvinas). As I recall it, I mentioned that item in connexion with the question of the Committee's organization of its work.

The CHAIRMAN: I now call on the representative of the United Kingdom.

Mr. MACLAY (United Kingdom): I do not wish to engage in polemics before this Committee on the historical basis of competing legal claims on sovereignty. I would refer the representative of Argentina and members of the Committee to my Ambassador's letter to the President of the Security Council dated today, if they wish to go into the historical side of this conflict.

I am here as the representative of the United Kingdom, which is the Administering Authority in accordance with Article 73 (e) of the Charter, and as recognized by this Committee. The Committee receives documentation every year based on information submitted by us on the Falkland Islands under Article 73 (e). We have lived up to our obligations towards the Falkland Islanders in the past, and we have every intention of protecting their rights in the future. We shall not accept the aggression of another nation which has chosen to sacrifice on the alter of its own domestic difficulties the wishes and the interests of a small, democratic community with aspirations of its own.

The Falkland Islanders are a people with just the same rights as a larger or more powerful or more easily protected people. The Special Committee of 24, to its credit, has always maintained that factors such as size, population and geographical isolation should not militate against any people's right to self-determination in accordance with the Charter. That right is an inalienable right. My Government and the international community at large have made quite clear that they will not accept the suppression by force of that inalienable right.

ORGANIZATION OF WORK (continued)

Mr. BEREZOVSKY (Union of Soviet Socialist Republics) (interpretation from Russian): By way of reply, I should like to point out that the terrible slander levelled at the Soviet Union by the representative of Australia only reveals the total absence of logic in his arguments with regard to the matters discussed by the Committee today. The attempts to speak here the language of cold-war propaganda are doomed to failure in these times, just as is the shameful system of colonialism, which the representative of Australia continues to defend in this Committee.

Mr. YOSSIPHOV (Bulgaria): Mr. Chairman, I should like first of all, as this is the first time I have spoken in the Special Committee on decolonization, to assure you and the other members of the Committee that my country, which has always lent its full and all-round support to the colonial and oppressed peoples struggling for the implementation of their inalienable rights to self-determination and national independence, will continue to participate actively in the highly responsible work of the Special Committee of 24.

The road trodden by the Committee on decolonization is not a short one. Numerous important documents aimed at implementing the inalienable rights of peoples to self-determination and national independence have been adopted by the United Nations. In this respect, the delegation of the People's Republic of Bulgaria is of the opinion that the Plan of Action adopted as resolution 35/118 by the General Assembly on the twentieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples is of special importance at the present stage of work in the field of decolonization. We consider that today, when more than seven weeks have elapsed since the Committee's first meeting of this session, and now that the Committee has just decided on its organization of work for the year, it is necessary to emphasize that the Committee should be guided, in all aspects of all the issues to be considered by it, by that Plan of Action, and that we should work towards its implementation.

(Mr. Yossiphov, Bulgaria)

The consideration of the questions before the Committee, from that standpoint, will enable us to map out new measures and steps on the basis of the Plan of Action for the full and final eradication of all forms of colonial oppression and domination.

With respect to the consultations that have been held since 1 March 1982, we are under the impression that the majority of delegations in the Committee are dissatisfied at the abnormal and worsened situation created last year in the Fourth Committee by one delegation that is a member of the Committee, namely, Australia.

In the course of consultations conducted since the beginning of March, we were able to state our considerations and views to the members of the Committee. They have also been expressed today by the representatives of Czechoslovakia and the Soviet Union. We fully share their position. We should like to express our hope that the adopted organization of work as well as the proposal that was put forward by the non-aligned countries will assist us in achieving successful results in the work of our Committee in the months before us.

The CHAIRMAN: In accordance with the programme of meetings for the year approved by the General Assembly, I would request the two Sub-Committees to begin their work as soon as possible so as to enable the Committee to submit its report to the Assembly within the prescribed time.

As regards the priorities for consideration of plenary items, I propose to hold consultations with the various parties concerned with a view to submitting a recommendation thereon at a later date.

PATTERN OF CONFERENCES

The CHAIRMAN: I should like to draw members' attention to General Assembly resolution 36/117 concerning "pattern of conferences" with particular reference to control and limitation of documentation. As members are aware, the Committee annually reviews additional measures that might possibly be taken

(The Chairman)

to curtail its documentation requirements. Bearing in mind the substantial progress made to date in this regard, I would ask members to continue to exercise their initiative in co-operating fully with the efforts of the Organization in the effective utilization of the limited conference services and facilities and in the maximum reduction of documentation requirements.

CO-OPERATION WITH UNITED NATIONS BODIES

The CHAIRMAN: As will be noted in the respective aide-mémoires that have been circulated, the Committee has received invitations to be represented at the following meetings and conferences:

- Plenary meetings of the United Nations Council for Namibia, to be held at Arusha between 10 and 14 May;
- An International Conference on Women and Apartheid, organized by the Special Committee against Apartheid, to be held at Brussels between 17 and 19 May;
- A Seminar on the military situation in and relating to Namibia, organized by the United Nations Council for Namibia, to be held at Vienna between 8 and 11 June.

With regard to those invitations, I wish to suggest that the Committee accept the invitations in principle and request the Chairman to hold the necessary consultations with a view to taking appropriate action on them.

It was so decided.

The CHAIRMAN: I should like to thank the members of the non-aligned countries of the Committee for their assistance in the consultations which led to the adoption of the proposal put forward by the delegation of India on their behalf this afternoon. I should also like to thank all the delegations which have expressed congratulations to me and to the other officers of the Committee. I am particularly gratified by the offers of co-operation that have been extended this afternoon.

(The Chairman)

The next meeting of the Committee will be announced in the Journal of the United Nations.

The meeting rose at 6.15 p.m.