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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

Rapporteur: Mr. Victor G. GARCIA (Philippines)

I. INTRODUCTION

1. At its 4th plenary meeting, on 24 September 1982, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-seventh session the item entitled:

"Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples:

"(a) Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

"(b) Report of the Secretary-General."

At the same meeting, the Assembly decided to refer to the Fourth Committee those chapters of the report of the Special Committee relating to specific Territories.

2. The chapters of the Special Committee's report concerning the Territories which were not covered by other agenda items related to the following specific Territories:

<u>Territory</u>	<u>Relevant chapter of the report of the Special Committee 1/</u>
Western Sahara	A/37/23 (Part V), chap. IX
Gibraltar	A/37/23 (Part V), chap. XI
Brunei	A/37/23 (Part V), chap. XII
Cocos (Keeling) Islands	A/37/23 (Part V) and Add.1, chap. XIII
Tokelau	A/37/23 (Part V) and Add.1, chap. XIV
Pitcairn	A/37/23 (Part V) and Add.1, chap. XV
St. Helena	A/37/23 (Part V) and Add.1, chap. XVI
American Samoa	A/37/23 (Part V) and Add.1, chap. XVII
Guam	A/37/23 (Part V) and Add.1, chap. XVIII
Trust Territory of the Pacific Islands	A/37/23 (Part V) and Add.2, chap. XIX
Bermuda	A/37/23 (Part V) and Add.1, chap. XX
British Virgin Islands	A/37/23 (Part V) and Add.1, chap. XXI
Cayman Islands	A/37/23 (Part V) and Add.1, chap. XXII
Turks and Caicos Islands	A/37/23 (Part V) and Add.1, chap. XXIII
United States Virgin Islands	A/37/23 (Part V) and Add.1, chap. XXIV
St. Kitts-Nevis	A/37/23 (Part V), chap. XXVI
Anguilla	A/37/23 (Part V), chap. XXVII
Montserrat	A/37/23 (Part V) and Add.3, chap. XXVIII

3. At its 2nd meeting, on 11 October, the Fourth Committee decided to hold a general debate covering agenda items 18, 96, 97, 99 and 12, 100 and 101, on the understanding that individual proposals on matters covered by those items would be considered separately. The Committee held the general debate on those items at its 9th to 11th, 13th to 15th and 17th to 23rd meetings, between 26 October and 15 November.

4. The Fourth Committee considered item 18 at its 9th to 15th and 17th to 24th meetings, between 26 October and 16 November (see A/C.4/37/SR.9-15 and 17-24).

5. At the 9th meeting, on 26 October, 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 made a statement in which he gave an account of the relevant activities of the Special Committee during 1982 and drew the Fourth Committee's attention to the chapters of the report of the Special Committee referred to in paragraph 2 above, containing, inter alia, the related

1/ To be incorporated in Official Records of the General Assembly, Thirty-Seventh Session, Supplement No. 23 (A/37/23).

draft decisions and draft resolutions submitted by the Committee for the consideration of the Fourth Committee, as well as the relevant documentation of the Committee (A/AC.109/682-686, 687 and Add.1-3, 688, 689, 691-698, 700, 708, 711, 713 and 714). The Fourth Committee also had before it a letter dated 22 June 1982 from the Chargé d'Affaires, a. i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General (A/37/333-S/15278).

6. Furthermore, the Fourth Committee had before it the report of the Secretary-General (A/37/570/Rev.2), submitted in accordance with General Assembly resolution 36/46 and decision 36/406 both of 24 November 1981, on the question of Western Sahara.

7. At the 18th meeting, on 10 November, the Rapporteur of the Special Committee drew attention to the report of the United Nations visiting mission to Montserrat in 1982 (A/AC.109/722) and to chapter XXVIII of the report of that Committee relating to the question of Montserrat (A/37/23 (Part V) and Add.3), containing, inter alia, the related draft resolution submitted by the Committee for the consideration of the Fourth Committee.

8. At its 3rd meeting, on 15 October, the Fourth Committee granted a request for hearing to Mr. Ibrahim Hakim and others, Frente Popular Para la Liberación de Saguia-el-Hamra y Río de Oro (Frente POLISARIO) (A/C.4/37/2). At its 20th meeting, on 11 November, the Fourth Committee heard a statement by Mr. Ali Habib of the Frente POLISARIO.

II. CONSIDERATION OF PROPOSALS

9. The Fourth Committee adopted nine draft resolutions, six draft consensuses and three draft decisions following its consideration of proposals relating to the following 18 Territories:

Gibraltar	St. Helena
Western Sahara	American Samoa
Cocos (Keeling) Islands	Guam
Tokelau	Bermuda
Pitcairn	British Virgin Islands
Cayman Islands	Brunei
Turks and Caicos Islands	St. Kitts-Nevis
United States Virgin Islands	Anguilla
Montserrat	Trust Territory of the Pacific Islands

An account of the Committee's consideration of the proposals is given in paragraphs 11 to 26 below.

10. At the 14th and 22nd meetings, on 8 and 12 November, the Chairman drew attention to statements submitted by the Secretary-General (A/C.4/37/L.9 and L.11)

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 proposals on Western Sahara, the Cocos (Keeling) Islands, Tokelau, St. Helena, American Samoa, Guam, Bermuda, the British Virgin Islands, the Cayman Islands, the Turks and Caicos Islands and the American Virgin Islands. At the 23rd meeting, on 15 November, the Chairman made a statement concerning the administrative and financial implications relating to the draft resolution on Montserrat.

A. Gibraltar

11. On 27 October, a draft consensus concerning Gibraltar (A/C.4/37/L.4) was circulated.

12. At its 10th meeting, on 29 October, the Fourth Committee adopted draft consensus A/C.4/37/L.4 without objection (see para. 28, draft consensus II).

B. Western Sahara

13. At the 12th meeting, on 2 November, the Chairman drew attention to the following two proposals:

(a) Draft decision A/C.4/37/L.5, which was finally sponsored by the following Member States: Chad, Comoros, Equatorial Guinea, Gabon, Gambia, Guinea, Ivory Coast, Liberia, Morocco, Niger, Senegal, United Republic of Cameroon, Upper Volta and Zaire. The draft decision read as follows:

"The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking into account the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 2/ by which it established an Implementation Committee to monitor the establishment of a cease-fire and the organization of a referendum in Western Sahara, and also taking into account the decisions to that end taken by that Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate arising from the above-mentioned resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate."

(b) Draft resolution A/C.4/37/L.6, which was finally sponsored by the following Member States: Afghanistan, Algeria, Angola, Belize, Benin, Botswana, Burundi, Cape Verde, Congo, Cuba, Cyprus, Democratic Yemen, Grenada, Guinea-Bissau, Guyana, Iran, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Mali, Mauritania, Mexico, Mozambique, Nicaragua, Panama, Rwanda, Sao Tome and Principe, Seychelles, Uganda, Vanuatu, Viet Nam, Yugoslavia and Zimbabwe.

2/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

The draft resolution read as follows:

"The General Assembly,

"Having considered in depth the question of Western Sahara,

"Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Recalling its resolutions 35/19 of 11 November 1980 and 36/46 of 24 November 1981 on the question of Western Sahara,

"Having considered the relevant 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, 3/

"Having heard the statements made on the question of Western Sahara, in particular the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, 4/

"Recalling its resolution 36/80 of 9 December 1981 on co-operation between the United Nations and the Organization of African Unity,

"Recalling all the decisions of the Organization of African Unity on the question of Western Sahara,

"Recalling also the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and free referendum on self-determination, 5/

"Taking note of all the decisions adopted by the Implementation Committee on Western Sahara of the Organization of African Unity concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

3/ A/37/23 (Part V), chap. IX.

4/ A/C.4/37/SR.20.

5/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

"1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and with the relevant resolutions of the General Assembly and the Organization of African Unity;

"2. Welcomes the efforts made by the Organization of African Unity with a view to promoting a just and definitive solution to the question of Western Sahara;

"3. Welcomes also the responsible decision of the Democratic Saharaoui Arab Republic with regard to the convening of the nineteenth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity;

"4. Remains convinced that only negotiation between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro could create the objective conditions for the return of peace in north-west Africa and would guarantee the fair conduct of a general, free and orderly referendum on self-determination in Western Sahara;

"5. Appeals to the two parties to the dispute, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to start negotiations with a view to achieving a cease-fire in accordance with General Assembly resolution 36/46 and the decisions of the Organization of African Unity;

"6. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;

"7. Requests, to that end, the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council;

"8. Urges the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of the present resolution;

"9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-eighth session."

14. At the 17th meeting, on 9 November, the representative of Senegal introduced draft decision A/C.4/37/L.5 on behalf of the sponsors (see para. 13 (a) above).
15. At the 18th meeting, on 10 November, the Chairman drew attention to a revised version of the draft resolution (A/C.4/37/L.6/Rev.1).
16. At the 19th meeting on 11 November, the Chairman drew attention to amendments (A/C.4/37/L.12) to draft decision A/C.4/37/L.5 which were finally proposed by Afghanistan, Algeria, Angola, Benin, Burundi, Cape Verde, the Congo, Cuba, Cyprus, Democratic Yemen, Guinea-Bissau, Iran, the Lao People's Democratic Republic, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Nicaragua, Rwanda, Sao Tome and Principe, Vanuatu, Viet Nam and Zimbabwe by which:
- (a) In the sixth line, the words "in Western Sahara" would be replaced by the words "on self-determination for the people of Western Sahara.";
- (b) In the seventh line, after the word "Committee" the following phrase would be added: "and having heard the statements made on this subject, in particular those of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro and of Morocco".
17. At the same meeting, the representative of Mexico, on behalf of the sponsors (see para. 13 (b) above), introduced draft resolution A/C.4/37/L.6/Rev.1. Subsequently, Ethiopia, Jamaica and Zambia also became sponsors of the revised draft resolution.
18. At the 20th meeting, on the same day, the representative of Zimbabwe introduced the amendments (A/C.4/37/L.12) to draft decision A/C.4/37/L.5 (see para. 16 above).
19. At the same meeting, the Chairman drew attention to a revised version of the draft decision (A/C.4/37/L.5/Rev.1), submitted by the sponsors of draft decision A/C.4/37/L.5 (see para. 13 (a) above). The revised draft decision read as follows:

"The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking into account the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 6/ by which it decided, inter alia, to establish an Implementation Committee on Western Sahara, as well as the decisions adopted by the Implementation Committee at its first and second ordinary sessions, held at Nairobi from 24 to 26 August 1981 and from 8 to 9 February 1982, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate relating to the question of Western Sahara arising from the above-mentioned resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate."

6/ Ibid.

20. At the 21st meeting, on 12 November, the representative of Zimbabwe introduced amendments (A/C.4/37/L.13) to draft decision A/C.4/37/L.5/Rev.1, submitted by Afghanistan, Algeria, Angola, Benin, Burundi, Cape Verde, the Congo, Cuba, Cyprus, Democratic Yemen, Guinea-Bissau, Iran, the Lao People's Democratic Republic, Madagascar, Mali, Mauritania, Mauritius, Mozambique, Nicaragua, Rwanda, Sao Tome and Principe, Vanuatu, Viet Nam and Zimbabwe by which:

(a) In the first line, after the words "November 1981", the following phrase would be added: "and having heard the statements made on this subject, in particular those of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro and of Morocco";

(b) In the fifth line, the words "on Western Sahara" would be replaced by the following "to organize and conduct a general and free referendum on self-determination of the people of Western Sahara".

21. At the 22nd meeting, on the same day, the representative of Senegal informed the Committee that the sponsors of draft decision A/C.4/37/L.5/Rev.1 had decided to withdraw the proposal in view of the agreement reached among the delegations concerned on the text of a draft consensus (A/C.4/37/L.14) to be submitted by Kenya in its capacity as the delegation representing the Chairman of the Organization of African Unity (OAU) for the current year.

22. At the same meeting, the representative of Kenya introduced draft consensus A/C.4/37/L.14

23. The Fourth Committee then took the following action on draft resolution A/C.4/37/L.6/Rev.1 and on draft consensus A/C.4/37/L.14:

(a) Draft resolution A/C.4/37/L.6/Rev.1 was adopted by a recorded vote of 74 to 12, with 55 abstentions (see para. 27, draft resolution IX). 7/ The voting was as follows: 8/

7/ Statements in explanation of vote were made by the representatives of Argentina, Austria, Chile, Denmark, Fiji, Finland, Maldives, Morocco, Norway, Somalia, the Sudan and Sweden.

8/ Subsequently, the representative of Solomon Islands stated that his delegation had intended to vote against the draft resolution; the representative of Zimbabwe stated that, had his delegation been present at the time of the voting, it would have voted in favour of the draft resolution.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Bahamas, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ecuador, Ethiopia, Fiji, Finland, German Democratic Republic, Ghana, Greece, Grenada, Guinea-Bissau, Guyana, Haiti, Hungary, India, Iran, Jamaica, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Nicaragua, Panama, Peru, Poland, Rwanda, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands, Sri Lanka, Suriname, Swaziland, Sweden, Syrian Arab Republic, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Vanuatu, Venezuela, Viet Nam, Yugoslavia, Zambia.

Against: Chad, Chile, El Salvador, Equatorial Guinea, Gabon, Gambia, Guinea, Morocco, Senegal, United States of America, Upper Volta, Zaire.

Abstaining: Austria, Bahrain, Bangladesh, Belgium, Burma, Canada, Central African Republic, Comoros, Democratic Kampuchea, Denmark, Djibouti, Dominican Republic, Egypt, France, Germany, Federal Republic of, Guatemala, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Lebanon, Liberia, Luxembourg, Malaysia, Maldives, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Papua New Guinea, Paraguay, Philippines, Portugal, Qatar, Saint Lucia, Samoa, Saudi Arabia, Somalia, Spain, Sudan, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, Uruguay, Yemen.

(b) Draft consensus A/C.4/37/L.14 was adopted without objection (see para 28, draft consensus I).

C. Cocos (Keeling) Islands, Tokelau, Pitcairn, St. Helena, American Samoa, Guam, Bermuda, British Virgin Islands, Cayman Islands, Turks and Caicos Islands, United States Virgin Islands and Monserrat

24. At its 23rd meeting, on 15 November, the Fourth Committee adopted, without objection, proposals on 12 Territories as follows:

(a) The draft consensus concerning the Cocos (Keeling) Islands contained in paragraph 10 of chapter XIII of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 28, draft consensus III);

(b) The draft consensus concerning Tokelau contained in paragraph 10 of chapter XIV of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 28, draft consensus IV);

- (c) The draft consensus concerning Pitcairn contained in paragraph 10 of chapter XV of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 28, draft consensus V);
- (d) The draft consensus concerning St. Helena contained in paragraph 10 of chapter XVI of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 28, draft consensus VI);
- (e) The draft resolution concerning American Samoa contained in paragraph 10 of chapter XVII of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution I);
- (f) The draft resolution concerning Guam contained in paragraph 10 of chapter XVIII of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution II);
- (g) The draft resolution concerning Bermuda contained in paragraph 10 of chapter XX of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution III);
- (h) The draft resolution concerning the British Virgin Islands contained in paragraph 10 of chapter XXI of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution IV);
- (i) The draft resolution concerning the Cayman Islands contained in paragraph 10 of chapter XXII of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution V);
- (j) The draft resolution concerning the Turks and Caicos Islands contained in paragraph 10 of chapter XXIII of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution VI);
- (k) The draft resolution concerning the United States Virgin Islands contained in paragraph 10 of chapter XXIV of the report of the Special Committee (A/37/23 (Part V)/Add.1) (see para. 27, draft resolution VII);
- (l) The draft resolution concerning Montserrat contained in paragraph 18 of chapter XXVIII of the report of the Special Committee (A/37/23 (Part V)/Add.3) (see para. 27, draft resolution VIII).

D. Brunei, St. Kitts-Nevis and Anguilla

25. At its 23rd meeting, on 15 November, the Fourth Committee took decisions concerning the question of Brunei (see para. 29, draft decision I), the question of St. Kitts-Nevis (see para. 29, draft decision II) and the question of Anguilla (see para. 29, draft decision III). In taking these decisions, the Committee noted that, subject to any directives which the General Assembly might give in that connection, the Special Committee had decided to give consideration to the questions at its next session.

E. Trust Territory of the Pacific Islands

26. At the 24th meeting, on 16 November, the Chairman stated that, on the basis of his consultation with the Chairman of the Special Committee as well as with a number of delegations concerned, he would suggest that the Committee decide not to take any action at the current session on the draft resolution submitted by the Special Committee (A/37/23 (Part V)/Add.2, chap. XIX, para. 13). The Fourth Committee decided, without objection, to adopt the Chairman's suggestion.

III. RECOMMENDATIONS OF THE FOURTH COMMITTEE

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

DRAFT RESOLUTION I

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, 9/

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, 10/

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

9/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.1, chap. XVII.

10/ A/C.4/37/SR.20.

Noting with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to American Samoa, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Considering that it remains the obligation of the administering Power to carry out a thorough programme of political education so as to ensure that the people of American Samoa are made fully aware of their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV),

Noting with interest that the Office of Economic Development and Planning of the Government of American Samoa is now implementing a five-year economic development plan, focusing on economic diversification, land use, housing, banking and tourism, for the benefit of the people of the Territory,

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

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

Welcoming the fact that American Samoa was the host for the 1982 South Pacific Conference of the South Pacific Commission,

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 American Samoa; 11/

2. 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, contained in General Assembly resolution 1514 (XV);

3. 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, contained in General Assembly resolution 1514 (XV), which fully applies to American Samoa;

11/ A/37/23 (Part V) and Add.1, chap. XVII.

4. 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;

5. 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 General Assembly resolution 1514 (XV);

6. Recommends that, in accordance with the wishes of the people of American Samoa, the Chief Justice and Associate Justices should be appointed by the Governor and approved by the Legislature, a procedure now facilitated by the growing number of American Samoans who are qualified lawyers, and that the recommendation of the second temporary Political Status Commission for a change in the judicial system should be acted upon;

7. Reaffirms the responsibility of the administering Power, under the Charter, for the economic and social development of the Territory;

8. Calls upon the administering Power, in co-operation with the territorial Government and within the framework of the five-year economic development plan, to continue to help to strengthen and diversify the economy of the Territory in order to achieve self-sufficiency;

9. Urges the administering Power to continue to facilitate close relations and co-operation between the people of the Territory and the neighbouring island communities and the regional institutions in order to enhance further their economic welfare;

10. 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 to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

11. Considers that the possibility of sending a further visiting mission to American Samoa at an appropriate time should be kept under review;

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 thereon to the General Assembly at its thirty-eighth session.

DRAFT RESOLUTION II

Question of Guam

The General Assembly,

Having considered the question of Guam,

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, 12/

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 Guam,

Having heard the statement of the administering Power, 13/

Noting with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to Guam, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Noting that a referendum on political status was held in the Territory on 30 January 1982,

Recalling all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

Bearing in mind that an obstacle to the economic development of the Territory has been the uncertainty concerning land held by the federal authorities,

Bearing in mind the special circumstances of the geographical location and economic conditions of Guam and the necessity of diversifying the economy of the Territory as a matter of priority and noting the great potential for diversification offered by commercial fishing, agriculture and the development of the transportation industry,

12/ A/37/23 (Part II) and Add.1, chaps. III and IV, and A/37/23 (Part V) and Add.1, chap. XVIII.

13/ A/C.4/37/SR.20.

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

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 Guam; 14/
2. Reaffirms the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);
3. Reaffirms its conviction that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to Guam;
4. Recalls that the United States of America, as the administering Power, has the responsibility under the Charter of the United Nations to ensure that the people of the Territory are kept fully informed of their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV);
5. Reiterates that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of Guam to exercise freely and without any interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV);
6. Reaffirms its strong conviction that the administering Power must ensure that military bases and installations do not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories;
7. Reaffirms the responsibility of the administering Power, under the Charter, for the economic and social development of Guam and calls upon the administering Power to take all necessary steps to strengthen and diversify the economy of the Territory;
8. Calls upon the administering Power, in co-operation with the local authorities, to accelerate the transfer of land to the people of the Territory;

14/ A/37/23 (Part V) and Add.1, chap. XVIII.

9. Reiterates its call upon the administering Power, in co-operation with the territorial Government, to remove the constraints which limit growth in the economic development of the Territory, particularly with regard to commercial fishing, agriculture and the transportation industry;

10. Urges the administering Power, in co-operation with the territorial Government, to continue to take effective measures to safeguard and guarantee the rights of the people of Guam to their natural resources and to establish and maintain control of their future development and requests the administering Power to take all necessary steps to protect the property rights of the people of the Territory;

11. Urges the administering Power to strengthen its efforts to develop and promote the language and culture of the Chamorro people, who comprise more than half of the population of the Territory;

12. Considers that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review;

13. Requests the Special Committee to continue the consideration of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-eighth session.

DRAFT RESOLUTION III

Question of Bermuda

The General Assembly,

Having considered the question of Bermuda,

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/

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 Bermuda,

15/ A/37/23 (Part II) and Add.1, chaps. III and IV, and A/37/23 (Part V) and Add.1, chap. XX.

Taking into account the statement of the representative of the administering Power relating to the Territory, in which he stated that his Government would fully respect the wishes of the people of Bermuda in determining the future constitutional status of the Territory, 16/

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Noting with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to Bermuda, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Recalling all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

Noting that the economy of the Territory continues to depend heavily on tourism and international company business,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories, acquiring adequate first-hand information on the situation prevailing in those Territories and ascertaining the views of the peoples concerning their future political status,

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 Bermuda; 17/

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

3. 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 exercise by the people of the Territory of their inalienable right as set out in the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to Bermuda;

16/ A/C.4/37/SR.17.

17/ A/37/23 (Part V) and Add.1, chap. XX.

4. Urges the administering Power, taking into account the freely expressed will and desire of the people of Bermuda, to continue to take all necessary steps to ensure the full and speedy implementation of General Assembly resolution 1514 (XV);
5. Reiterates that it is the obligation of the administering Power to create such conditions in the Territory as will enable the people of Bermuda to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV), and, in that connection, reaffirms the importance of fostering an awareness among the people of Bermuda of the possibilities open to them in the exercise of that right;
6. Reaffirms that, in accordance with the relevant provisions of the Charter of the United Nations and the Declaration contained in General Assembly resolution 1514 (XV), it is ultimately for the people of Bermuda themselves to decide on their future political status;
7. Reaffirms the importance of the need to foster national unity and a national identity and, in that regard, welcomes the steps taken by the local authorities towards the establishment of a human rights commission;
8. Reaffirms its strong conviction that the administering Power must ensure that military bases and installations do not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories;
9. Urges once again the administering Power, in co-operation with the territorial Government, to continue to take all effective measures to guarantee the rights of the people of Bermuda to own and dispose of their natural resources and to establish and maintain control of their future development;
10. Strongly urges the administering Power, in consultation with the Government of Bermuda, to make every effort to diversify the economy of Bermuda, including increased efforts to promote agriculture and fisheries;
11. Welcomes the role being played in the Territory by the United Nations Development Programme and the Food and Agriculture Organization of the United Nations, specifically in programmes of agriculture and fisheries, and urges the specialized agencies and all other organizations of the United Nations system to continue to pay special attention to the development needs of Bermuda;
12. Reiterates its call for the administering Power, in co-operation with the local authorities, to continue to expedite the process of "bermudianization" in the Territory and, in that connection, urges that particular attention be paid to greater localization of the public service;

13. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland to receive a visiting mission in the Territory at an appropriate time;

14. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a visiting mission to Bermuda at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-eighth session.

DRAFT RESOLUTION IV

Question of the British Virgin Islands

The General Assembly,

Having considered the question of the British 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, 18/

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 British Virgin Islands,

Taking into account the statement of the representative of the administering Power relating to the Territory, in which he stated that his Government would fully respect the wishes of the people of the British Virgin Islands in determining the future political status of the Territory, 19/

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Noting with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to the British Virgin Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Reaffirming the responsibility of the administering Power for the economic and social development of the Territory,

18/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.1, chap. XXI.

19/ A/C.4/37/SR.17.

Taking note of the fact that positive economic developments have occurred during the period under review, including the achievement of a sustained growth in the tourist, real estate and construction industries,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting that the United Nations Development Programme has made budgetary provisions for the Territory amounting to \$US 240,000 for the period 1982-1986,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

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 British Virgin Islands; 20/

2. Reaffirms the inalienable right of the people of the British Virgin Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. 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 contained in General Assembly resolution 1514 (XV), which fully applies to the British Virgin Islands;

4. Reiterates that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of the British Virgin Islands to exercise freely and without interference their inalienable right to self-determination in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;

5. Reaffirms that it is ultimately for the people of the British Virgin Islands themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination;

6. Calls upon the administering Power, in consultation with the freely elected authorities of the territorial Government, to take all necessary steps to ensure the full and speedy attainment of the objectives of decolonization set out in the Charter and the Declaration and all other relevant resolutions of the United Nations;

7. Notes the continuing commitment of the territorial Government to the goal of economic diversification, particularly in the areas of agriculture, fisheries and small industries and calls upon the administering Power, in consultation with the local authorities, to intensify its efforts in this regard in order to offset the recent decline in agricultural production;

8. Urges the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

9. Urges the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to take measures to accelerate progress in the social and economic life of the British Virgin Islands;

10. Considers that the possibility of sending a further visiting mission to the British Virgin Islands at an appropriate time should be kept under review;

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

DRAFT RESOLUTION V

Question of the Cayman Islands

The General Assembly,

Having considered the question of the Cayman 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, 21/

21/ A/37/23 (Part II), chap. III, A/37/23 (Part III) and Add.1, chap. V, and A/37/23 (Part V) and Add.1, chap. XXII.

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 Cayman Islands,

Noting the statement of the representative of the administering Power relating to the Territory, in which he stated that his Government would fully respect the wishes of the people of the Cayman Islands in determining the future constitutional status of the Territory, 22/

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Noting that, in the period under review, the economy of the Territory has continued to sustain sound rates of growth, especially in the tourist, international finance and real estate industries,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further the economy as a matter of priority in order to promote economic stability,

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 Cayman Islands; 23/

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

3. 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 process of self-determination of the Cayman Islands in accordance with the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the Cayman Islands;

22/ A/C.4/37/SR.17

23/ A/37/23 (Part V) and Add.1, chap. XXII.

4. Notes with appreciation the active participation of the administering Power in the work of the Special Committee in regard to the Cayman Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration;

5. Reiterates that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of the Cayman Islands to exercise freely and without interference their inalienable right to self-determination in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the General Assembly;

6. Reaffirms that it is ultimately for the people of the Cayman Islands themselves to determine their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination;

7. Reaffirms the responsibility of the administering Power for the economic and social development of the Territory and urges it, in co-operation with the territorial Government, to render continuing support to the development to the fullest extent possible, of programmes of economic diversification which will benefit the people of the Territory;

8. Urges the administering Power, in co-operation with the territorial Government, to safeguard the inalienable right of the people of the Territory to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those resources and to establish and maintain control of their future development;

9. Urges the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to take measures to accelerate progress in the social and economic life of the Cayman Islands;

10. Welcomes the continuing assistance provided to the Territory by the United Nations Development Programme, amounting to \$US 448,000 for the period 1982-1986;

11. Considers that the possibility of sending a further visiting mission to the Cayman Islands at an appropriate time should be kept under review;

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

DRAFT RESOLUTION VI

Question of the Turks and Caicos Islands

The General Assembly,

Having considered the question of the Turks and Caicos 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, 24/

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 Turks and Caicos Islands,

Taking into account the statement of the representative of the administering Power relating to the Territory, in which he stated that his Government would fully respect the wishes of the people of the Turks and Caicos Islands in determining the future constitutional status of the Territory, and bearing in mind the importance of fostering an awareness among the people of the Territory of the possibilities open to them, 25/

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Noting with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to the Turks and Caicos Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory, with a view to accelerating the process of decolonization for the purpose of the full implementation of the Declaration,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability and to develop a wider economic base for the Territory,

Recalling all relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories,

24/ A/37/23 (Part II) and Add.1, chaps. III and IV and A/37/23 (Part III) and Add.1, chap. V and A/37/23 (Part V) and Add.1, chap. XXIII.

25/ A/C.4/37/SR.17.

Taking note of the arrangements made for university training abroad and for vocational training in the Territory,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

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 Turks and Caicos Islands; 26/
2. Reaffirms the inalienable right of the people of the Turks and Caicos Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);
3. Reiterates the view that such factors as territorial size, geographical location, population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right as set out in the Declaration contained in General Assembly resolution 1514 (XV), which fully applies to the Territory;
4. Reiterates that it is the obligation of the administering Power to create such conditions in the Territory as will enable the people of the Turks and Caicos Islands to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV), as well as all other relevant resolutions of the Assembly;
5. Reaffirms that it is the responsibility of the administering Power under the Charter of the United Nations to develop its dependent Territories economically and socially and urges the administering Power, in consultation with the territorial Government, to take the necessary measures to promote the economic and social development of the Turks and Caicos Islands and, in particular, to intensify and expand its programme of assistance in order to accelerate the development of the economic and social infrastructure of the Territory;
6. Emphasizes that greater attention should be paid to diversification of the economy, particularly in the promotion of agriculture and fisheries, for the benefit of the people of the Territory;
7. Recalls that it is the responsibility of the administering Power, in accordance with the freely expressed wishes of the people, to safeguard, guarantee and ensure the inalienable right of the people of the Territory

26/ A/37/23 (Part V) and Add.1, chap. XXIII.

to the enjoyment of their natural resources by taking effective measures to guarantee their right to own and dispose of those resources and to establish and maintain control of their future development;

8. Urges the specialized agencies and other organizations of the United Nations system, as well as regional institutions such as the Caribbean Development Bank, to continue to pay special attention to the development needs of the Turks and Caicos Islands;

9. Reaffirms its strong conviction that the administering Power must ensure that military bases and installations do not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter and urges the administering Power to take all necessary measures to comply fully with the relevant resolutions of the United Nations relating to military bases and installations in colonial and Non-Self-Governing Territories;

10. Requests the administering Power, in consultation with the territorial Government, to continue to provide the assistance necessary for the training of qualified local personnel in the skills essential to the development of various sectors of the society of the Territory;

11. Considers that the possibility of sending a further visiting mission to the Turks and Caicos Islands at an appropriate time should be kept under review;

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 the Turks and Caicos Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-eighth session.

DRAFT RESOLUTION VII

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, 27/

27/ A/37/23 (Part II) and Add.1, chaps. III and IV, and A/37/23 (Part V) and Add.1, chap. XXIV.

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 with appreciation the continued active participation of the administering Power in the work of the Special Committee in regard to the United States Virgin Islands, thereby enabling it to conduct a more informed and meaningful examination of the situation in the Territory and expressing its satisfaction at the willingness of the administering Power to receive visiting missions in the Territories under its administration,

Having heard the statement of the administering Power, 28/

Taking note of the fact that the proposed constitution submitted to a referendum on 3 November 1981 after an extensive debate was not accepted by the people of the Territory,

Bearing in mind that the territorial Government has taken positive steps by adopting legislation designed to solve the problem of aliens in the Territory,

Noting that the territorial Government has pursued its efforts to diversify the economy and noting also the progress achieved in the fields of construction and manufacturing, including developments in oil refining and the production of alumina and rum,

Noting with satisfaction the efforts to revitalize health care programmes and to discourage juvenile delinquency, the measures to improve crime prevention and the action taken to expand and upgrade school facilities,

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; 29/

2. Reaffirms the inalienable right of the people of the United States Virgin Islands to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

3. 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 contained in General Assembly resolution 1514 (XV), which fully applies to the United States Virgin Islands;

28/ A/C.4/37/SR.20.

29/ A/37/23 (Part V) and Add.1, chap. XXIV.

4. Calls upon the administering Power, taking into account the freely expressed wishes of the people of the United States Virgin Islands, to take all necessary steps to expedite the process of decolonization in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, as well as all other relevant resolutions of the General Assembly;

5. Reaffirms that it is the obligation of the administering Power, in consultation with the territorial Government, to inform the local people of the possibilities open to them, so as to enable them to exercise freely and without interference their inalienable right to self-determination and independence in accordance with General Assembly resolution 1514 (XV) and, in this respect, calls upon the administering Power to facilitate the work of the recently established Status Commission and to ensure that the people are fully informed of the discussions concerning the future political status of the Territory;

6. Urges the administering Power to expedite the passage of legislation currently before the Congress of the United States of America concerning the problem of aliens in the Territory;

7. Reaffirms the responsibility of the administering Power under the Charter for the economic and social development of the Territory;

8. Urges the administering Power, in co-operation with the territorial Government, to strengthen the economy of the Territory by taking additional measures of diversification in all fields and developing an adequate infrastructure;

9. Urges the administering Power, in co-operation with the Government 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 of their future development;

10. Urges the administering Power, in co-operation with the territorial Government, to continue to improve social conditions and to pay particular attention to overcoming problems of unemployment, public housing, health care, education and crime;

11. Considers that the possibility of sending of a further visiting mission to the United States Virgin Islands at an appropriate time should be kept under review;

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 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-eighth session.

DRAFT RESOLUTION VIII

Question of Montserrat

The General Assembly,

Having considered the question of Montserrat,

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, 30/

Having also examined the report of the United Nations visiting mission dispatched to the Territory in August 1982, 31/ at the invitation of the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 36/62 of 25 November 1981 on the question of five Territories, including Montserrat,

Having heard the statement of the representative of the administering Power, 32/

Mindful of the responsibility of the United Nations to help the people of Montserrat to realize their aspirations in accordance with the objectives set forth in the Declaration,

Recalling that the administering Power has the responsibility to ensure that the people of Montserrat are kept fully informed of their inalienable right to self-determination and independence, in accordance with the Declaration,

Aware of the special problems facing the Territory by virtue of its isolation, small size, limited resources and lack of infrastructure,

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 Montserrat; 33/

30/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.3, chap. XXVIII.

31/ A/AC.109/722.

32/ A/C.4/37/SR.17.

33/ A/37/23 (Part V) and Add.3, chap. XXVIII.

2. Approves also the report of the United Nations visiting mission to Montserrat in 1982; 34/
3. Reaffirms the inalienable right of the people of Montserrat 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 size, geographical location, size of population and limited natural resources should in no way delay the speedy implementation of the process of self-determination in accordance with the Declaration, which fully applies to the Territory;
5. Commends, for appropriate action, the conclusions and recommendations of the visiting mission 35/ to the Government of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, and to the Government of Montserrat;
6. Expresses its appreciation to the members of the visiting mission for the constructive work accomplished and to the administering Power, the territorial Government, the Legislative Council and the people of the Territory for the close co-operation and assistance extended to the mission;
7. Calls upon the administering Power to take the necessary measures to promote the political, economic and social development of Montserrat;
8. Calls upon the administering Power, in co-operation with the Government of Montserrat, to launch programmes of political education so that the people of the Territory may be fully informed of the options available to them in the exercise of their right to self-determination and independence;
9. Urges the administering Power to continue to intensify and expand its programme of aid in order to accelerate the development of the economic and social infrastructure of the Territory;
10. Requests the administering Power, in the light of the conclusions and recommendations of the visiting mission, to continue to enlist the assistance of the specialized agencies and other organizations of the United Nations system, as well as other regional and international bodies, in the strengthening, development and diversification 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 Montserrat at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its thirty-eighth session.

34/ A/AC.109/722.

35/ Ibid., paras. 266-291.

DRAFT RESOLUTION IX

Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolutions 35/19 of 11 November 1980 and 36/46 of 24 November 1981 on the question of Western Sahara,

Having considered the relevant 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, 36/

Having heard the statements made on the question of Western Sahara, in particular the statement of the representative of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, 37/

Recalling its resolution 36/80 of 9 December 1981 on co-operation between the United Nations and the Organization of African Unity,

Recalling all the decisions of the Organization of African Unity on the question of Western Sahara,

Recalling also the decision of the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, to organize throughout the Territory of Western Sahara a general and free referendum on self-determination, 38/

Taking note of all the decisions adopted by the Implementation Committee on Western Sahara of the Organization of African Unity concerning the establishment of appropriate machinery to enable the people of Western Sahara to express themselves freely and democratically on their future,

36/ A/37/23 (Part V), chap. IX.

37/ A/C.4/37/SR.20.

38/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

1. Reaffirms the inalienable right of the people of Western Sahara to self-determination and independence in accordance with the Charter of the United Nations, the Charter of the Organization of African Unity and the objectives of General Assembly resolution 1514 (XV), and with the relevant resolutions of the General Assembly and the Organization of African Unity;
2. Welcomes the efforts made by the Organization of African Unity with a view to promoting a just and definitive solution to the question of Western Sahara;
3. Remains convinced that only negotiation between Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro could create the objective conditions for the return of peace in north-west Africa and would guarantee the fair conduct of a general, free and orderly referendum on self-determination in Western Sahara;
4. Appeals to the two parties to the dispute, Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro, to start negotiations with a view to achieving a cease-fire in accordance with General Assembly resolution 36/46 and the decisions of the Organization of African Unity;
5. Reaffirms the determination of the United Nations to co-operate fully with the Organization of African Unity in the fair and impartial organization of the referendum;
6. Requests, to that end, the Secretary-General to take the necessary steps to ensure that the United Nations participates effectively in the organization and conduct of the referendum and to report to the General Assembly and the Security Council on this subject and on the measures requiring a decision by the Council;
7. Urges the Secretary-General to co-operate closely with the Secretary-General of the Organization of African Unity with a view to the implementation of the pertinent decisions of the Organization of African Unity and of the present resolution;
8. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its thirty-eighth session.

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

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DRAFT CONSENSUS I

Question of Western Sahara

The General Assembly, recalling its decision 36/406 of 24 November 1981 and taking into account the resolution adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its eighteenth ordinary session, held at Nairobi from 24 to 27 June 1981, 39/ by which it decided, inter alia, to establish an Implementation Committee on Western Sahara, as well as the decisions adopted by the Implementation Committee, requests the Secretary-General to give assistance, in consultation and co-operation with the Organization of African Unity, to the Implementation Committee in the discharge of its mandate relating to the question of Western Sahara arising from the above-mentioned resolution and decisions and to report thereon to the General Assembly and the Security Council, as appropriate.

DRAFT CONSENSUS II

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, 40/ intending, in accordance with the relevant resolutions of the 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; noting that both Governments agreed on 8 January 1982 in London to fix the date of 20 April 1982 for the full implementation of the Lisbon Declaration, including the initiation of negotiations and the simultaneous re-establishment of direct communications in the region; and noting that, when it was subsequently agreed to postpone these arrangements, both Governments expressed their determination to keep alive the process initiated by the Lisbon Declaration of April 1980, in the spirit of the letters exchanged in London on 8 January 1982, and their intention to set a new date for its implementation; urges both Governments to make possible the initiation of the negotiations as envisaged in the consensus adopted by the Assembly on 14 December 1973, 41/ 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.

39/ See A/36/534, annex II, resolution AHG/Res.103 (XVIII).

40/ See A/AC.109/603 and Corr.1, para. 13.

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

DRAFT CONSENSUS III

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, 42/ and having heard the statement of the representative of Australia with regard to the Cocos (Keeling) Islands, 43/ 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, in respect of the Territory. The Assembly reaffirms that it is the responsibility of the administering Power to create conditions under which the people of the Cocos (Keeling) Islands will be able to determine freely their own future in conformity with resolution 1514 (XV) as well as other relevant resolutions of the Assembly. In this respect, the Assembly notes the positive and continuing commitment of the administering Power to the political, social and economic advancement of the people of the Territory so that they may be able, as quickly as possible, to exercise fully their inalienable rights. The Assembly welcomes the continuing willingness of the administering Power to receive visiting missions in the Cocos (Keeling) Islands and, in this regard, reaffirms that the need to send a further mission to the Territory at an appropriate time should be kept under review. The Assembly requests the Special Committee to continue to examine this question at its next session, including the possible dispatch of a visiting mission to the Cocos (Keeling) Islands at an appropriate time and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-eighth session.

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, 44/ and having heard the statement of the representative of New Zealand with regard to Tokelau, 45/ notes with appreciation the willingness of the administering Power to maintain its close co-operation with the

42/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.1, chap. XIII.

43/ A/C.4/37/SR.19.

44/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.1, chap. XIV.

45/ A/C.4/37/SR.22.

United Nations in the exercise of its responsibility towards Tokelau. The 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 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 Assembly welcomes the assurances of the administering Power 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 Assembly 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 Assembly calls upon the administering Power to continue its programme 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 Assembly recognizes that the economic development of Tokelau is an important element in the process of self-determination. The 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. The 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 Assembly notes with appreciation the continuing efforts of the administering Power to make improvements in the fields of public health, public works and education. The Assembly reiterates its expression of appreciation to the specialized agencies and other organizations of the United Nations system, as well as to the regional organizations, for their assistance to Tokelau, and calls upon those bodies to continue providing assistance to the Territory. Mindful of the effective means provided by United Nations visiting missions to assess the situation in the Territories, the Assembly is of the opinion that the possibility of sending a further visiting mission to the Territory at an appropriate time should be kept under review, taking into account, in particular, the wishes of the people of Tokelau. The Assembly requests the Special Committee to continue to examine this question at its next session, including the possible dispatch of a further visiting mission to Tokelau, at an appropriate time and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-eighth session.

DRAFT CONSENSUS V

Question of Pitcairn

The General Assembly, having examined the relevant 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, 46/ takes note of the statement of the representative of the United Kingdom of Great Britain and Northern Ireland affirming the policy of his Government to encourage as much local initiative and enterprise as possible, so that the people of Pitcairn can make the most of their own way of life. The Assembly, further noting the willingness of the administering Power to discuss any change of constitutional status with the people of the Territory whenever the latter so desire, and that the present size of the population continues to raise the question of the capacity of the islanders to maintain the essential services of education, medical welfare and the launching of long boats, on which their trade with passing ships depends, calls once again upon the administering Power to continue to take the necessary measures to safeguard the interests of the people of Pitcairn. The Assembly requests the Special Committee to continue to examine this question at its next session, and to report thereon to the Assembly at its thirty-eighth session.

DRAFT CONSENSUS VI

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 47/ and having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, 48/ 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 Assembly notes the commitment of the Government of the United Kingdom to respect the wishes of the people of the Territory and, in this regard, urges the administering Power, in consultation with the freely elected representatives of the people of St. Helena, to continue to take all necessary steps to ensure the speedy implementation of the Declaration in respect of this Territory. The Assembly expresses the hope that the administering Power will continue to implement infrastructure and community projects aimed at improving the general welfare of the community and to encourage local initiative and enterprise, particularly

46/ A/37/23 (Part V) and Add.1, chap. XV.

47/ A/37/23 (Part II), chap. III, and A/37/23 (Part V) and Add.1, chap. XVI.

48/ A/C.4/37/SR.17.

in the area of the local handicrafts industry. The Assembly notes that, despite the economic improvement in these sectors, the commercial sector still remains affected by world inflation. The Assembly reaffirms that continued development assistance from the administering Power, together with any assistance that the international community might be able to provide, constitutes an important means of developing the economic potential of the Territory and of enhancing the capacity of its people to realize fully the goals set forth in the relevant provisions of the Charter of the United Nations for the improvement of economic conditions in the Territory. Noting the positive attitude of the administering Power with respect to the question of receiving United Nations visiting missions in the Territories under its administration, the Assembly considers that the possibility of dispatching such a mission to St. Helena at an appropriate time should be kept under review. The Assembly requests the Special Committee to continue to examine this question at its next session, including the possible dispatch of a visiting mission to St. Helena, at an appropriate time and in consultation with the administering Power, and to report thereon to the Assembly at its thirty-eighth session.

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29. Furthermore, the Fourth Committee recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Question of Brunei

30. The General Assembly decides to defer until its thirty-eighth session consideration of the question of Brunei and requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to keep the situation in the Territory under review and to report thereon to the Assembly.

DRAFT DECISION II

Question of St. Kitts-Nevis

31. The General Assembly decides to defer until its thirty-eighth session consideration of the question of St. Kitts-Nevis.

DRAFT DECISION III

Question of Anguilla

32. The General Assembly decides to defer until its thirty-eighth session consideration of the question of Anguilla.
