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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

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VERBATIM RECORD OF THE ONE THOUSAND AND NINETEENTH MEETING

Held at Headquarters, New York,
on Wednesday, 20 August 1975, at 10.30 a.m.

Chairman: Mr. SALIM (United Republic of Tanzania)
Rapporteur: Mr. LASSE (Trinidad and Tobago)

- Decision concerning Comoro
- Decision concerning Papua New Guinea
- Question of Seychelles
- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (continued)
- Special Committee decision of 1 November 1974 concerning Puerto Rico (cont'd)
- Question of Spanish Sahara
- Questions of Belize; French Somaliland; Falkland Islands (Malvinas); Gibraltar; and Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent

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The meeting was called to order at 11.35 a.m.

DECISION CONCERNING COMORO (A/AC.109/L.1059)

The CHAIRMAN: The first item on the agenda of this meeting relates to developments concerning Comoro. Members have before them the text of a draft decision, contained in document A/AC.109/L.1059, prepared by me in consultation with the officers of the Committee. This text has been the subject of long informal consultations with the members of the Committee.

Are there any comments on the draft text?

If I hear no objection, I shall take it that the Committee endorses the text proposed by the Chairman.

It was so decided.

DECISION CONCERNING PAPUA NEW GUINEA (A/AC.109/499; A/AC.109/L.1060)

The CHAIRMAN: The second item on the agenda of this meeting relates to developments concerning Papua New Guinea.

With respect to the invitation received from the Chief Minister of Papua New Guinea, which has been circulated in document A/AC.109/499, unless I hear any objection, I shall take it that the Committee agrees to accept the invitation and, in accordance with established practice, to authorize me to undertake the necessary consultations with a view to the dispatch of a delegation from this Committee.

It was so decided.

The CHAIRMAN: As regards the text of a draft decision to be taken by the Committee on this question, in the light of the consultations held in this connexion, unless I hear views to the contrary, I shall take it that the Committee adopts the draft text proposed by the Chairman and contained in document A/AC.109/L.1060.

It was so decided.

QUESTION OF THE SEYCHELLES (A/AC.109/474, 483; A/AC.109/L.1010, L.1061)

The CHAIRMAN: I wish, on behalf of the Committee, to welcome amongst us the representatives of the Government of the Seychelles, Mr. Chamery Chetty, Minister of Agriculture and Natural Resources and Minister for Finance designate, and Mr. Guy Sinon, Minister of Education and Social Development.

I now call on the representative of the United Kingdom as the administering Power to make the opening remarks.

Mr. RICHARDSON (United Kingdom): This is, I think, the last occasion during this current session of the Committee on which my delegation will have the pleasure of making an opening statement on one of our remaining dependent Territories, and I should therefore like to take this opportunity to thank the Committee and, in particular, Sub-Committee II, which has borne the main burden of listening to my delegation's statements, for the close interest that members have shown in the political, economic and social progress of our remaining dependent Territories. It has been a useful and productive session, and we are indebted to you, Mr. Chairman, for your wise guidance and keen appreciation of the problems which our smaller Territories face.

It gives my delegation great pleasure to welcome to New York the two distinguished Ministers from the Seychelles coalition Government, who are here to attend this debate. Mr. Chetty, the Minister of Agriculture and Natural Resources, will be no stranger to some members of the Committee, since he was here for last year's debate on the Seychelles. Mr. Sinon, the Minister of Education and Social Development, joined the Government when a coalition was formed on 2 June this year between the two main parties, the Seychelles Democratic Party and the Seychelles People's United Party. We are glad to welcome both Ministers here, the more so as they represent the two parties in a united coalition Government which will, we hope, shortly lead the Seychelles to independence.

(Mr. Richardson, United Kingdom)

As both Ministers have expressed the desire to address the Committee, I think it would be quite wrong for my delegation to make a long statement at this stage in the debate. Our distinguished visitors can inform the Committee far better than I can about the important events which have taken place recently in the Seychelles. I should, however, like to remind members of this Committee very briefly of the salient facts, a number of which were set out in my Ambassador's letter of 4 April to you, Mr. Chairman. The Constitutional Conference was held in London between 14 and 27 March this year. Delegations from the two Seychelles parties were present. Some of the principles and details of an independence constitution were agreed upon at the Conference, but other questions remained unresolved. These were, in particular, the question of the system of elections in the Seychelles and the size and composition of the legislature. Miss Joan Lestor, who at that time was Parliamentary Under-Secretary in the Foreign and Commonwealth Office, said that she would recommend to my Government the appointment of an electoral review commission, on lines which had already been discussed with the two party leaders, as a possible means of resolving the remaining points at issue. I should like to inform the Committee that the Electoral Review Commission was duly established yesterday. It will convene on 1 October in London, proceeding to the Seychelles about the middle of that month. The members of the Commission are The Honourable Tun Tan Siew Sin, Chairman and former Minister of Finance of the Malaysian Government; Mr. Harvey Lloyd Da Costa, former Attorney-General of the West Indies; and Sir Leslie Monson, a former Deputy Under-Secretary in the Foreign and Commonwealth Office. The terms of reference of these Commissioners, to whom we are most grateful for their agreement to participate, are:

"To examine the system of elections in the Seychelles and the size and composition of the Seychelles legislature and, before the end of 1975, to make recommendations to the Secretary of State for Foreign and Commonwealth Affairs about the provisions concerning such matters which might be included in a constitution for an independent Seychelles and in electoral regulations made thereunder".

(Mr. Richardson, United Kingdom)

During the London Conference, the leaders of the two parties in the Seychelles agreed to form a coalition on the introduction of internal self-government, in a spirit of national reconciliation. It goes without saying that my Government wholeheartedly welcomes this important development, which came into effect, as I have already mentioned, on 2 June. I am sure that our two distinguished visitors from the Seychelles will be giving the Committee further information on the details of the coalition agreement.

The Electoral Review Commission which has just been established has been asked to make its recommendations to the Foreign Secretary before the end of 1975, with a view to further discussion of them at a renewed constitutional conference around January 1976. It is my Government's aim to determine the remaining provisions of an independence constitution for the Seychelles at that conference so that, subject as always to the approval of Parliament, the Seychelles could proceed to independence, as both its parties wish, not later than 30 June 1976. We believe that the recent formation of the coalition Government should greatly ease the task of agreeing upon an independence constitution, and I can assure the Committee that it is my Government's firm intention to adhere to the agreed time-table for independence. In doing so, one further step will have been taken in the process of decolonization. We wish the members of the coalition Government every success in the tasks that lie ahead of it. They can count upon my Government's continuing friendship and assistance, both before and after independence.

The CHAIRMAN: I now call on Mr. Chetty, the Minister for Agriculture and Natural Resources and the Minister for Finance designate.

Mr. CHETTY: In May last year I had the privilege of being present when the Chief Minister and the leader of the Seychelles Democratic Party, Mr. James Mancham, addressed this Committee of the United Nations. He traced the history of politics in the Seychelles and explained why we were not anxious to embark on independent nationhood until we were ready for it and until our political institutions and experience coupled with our economic development had

(Mr. Chetty)

reached the point where we could sustain it. Once it was decided that our Party should accept the challenge of independence, this was put to the people and the decision was approved by an overwhelming majority of our people at the April elections.

Soon after we requested the British Government to call a constitutional conference and it was agreed that a conference would be held in the autumn of 1974. However, as members know, that did not take place because of the elections in Great Britain, which were held at about that time.

Today I should like to report that a Constitutional Conference did take place in London between 14 and 27 March 1975, to which both political parties were invited and in which both participated. The agenda of the Conference was divided into two distinct parts: first, consideration of the form of a possible constitution for an independent Seychelles, and secondly, consideration of the form of a possible interim constitution.

After days of discussion a large measure of agreement was reached on most aspects of an independent constitution for the Seychelles, but there were a few major points that could not be resolved, such as provisions relating to the electoral system and the size and composition of the National Assembly. It was then agreed that an electoral review commission should be appointed which would make recommendations to the Secretary of State. I am glad to learn today from the representative of Her Majesty's Government that this Commission has been appointed and should start work on 1 October.

Having failed to reach agreement on the independence constitution itself, the Conference then proceeded to discuss the question of an interim constitution for the Seychelles, and it was agreed that certain changes should be made to the 1970 Constitution that would give the Seychelles internal self-government and that this interim constitution should be introduced not later than September 1975.

(Mr. Chetty)

During the conference the two parties continued private discussions which had started back in the Seychelles soon after the election with the aim of national unity. Towards the end of the conference, in the spirit of national reconciliation, the Seychelles Democratic Party invited the SPUP to join the Government on the introduction of internal self-government. But, as that would have entailed a delay of three or four months, it was decided, with the agreement of Her Majesty's Government, that provisions should be made to allow the formation of the coalition Government as from 2 June 1975. In May an Order in Council was passed which provided for the appointment of five Seychelles Democratic Party members and five SPUP members to the Legislative Assembly and a cabinet of 12 made up of eight SDP and four SPUP ministers.

It is now two and a half months since that coalition came into force, and I am glad to report that it has so far worked very well and I am very hopeful that it will continue to work during the interim constitution and into independence.

Once the Electoral Review Commission has submitted its recommendation we hope that the constitutional conference will be reconvened some time in January 1976. And I am glad to note that Her Majesty's Government's representative here has assured us that it will take place in January 1976. At that conference we intend to resolve some of the outstanding issues which, though mentioned at the conference, were not discussed.

We have, for example, to define the extent of an independent Seychelles, and we have, in this context, to consider the three islands which were excised from the Seychelles and are now incorporated in the British Indian Ocean Territories.

I see no reason why the British Government should try to hold on to these three islands, one of which is now a nature reserve and the two others of which are leased to Seychellois and run as a coconut plantation. I am therefore hopeful that these islands will be returned to us on independence.

It would perhaps be relevant at this point to state that, in exchange for these islands, the Seychelles was given an airport. The airport was completed in 1971, and it has been of great economic benefit to the economy of the Seychelles. It has, in a way, made our claim to independence a viable proposition.

(Mr. Chetty)

But, should we fail to get these islands back during the conference in London, we shall continue to press for their return, for we believe that they should form an integral part of the Seychelles, and I am sure we can always rely on the support of this Committee.

Once more I should like to restate what our Chief Minister said here last year: that we would wish to follow a policy of non-alignment which would mean that we believe that the Indian Ocean should be a zone free of big-Power confrontation. We are a small nation in the middle of the Indian Ocean. We want to be friends to all and enemies to none.

Mr. Chairman, once more I should like to thank you and the members of your Committee for the serious interest you have taken over the years and are still taking in the future and well-being of our country and our people.

The CHAIRMAN: I thank the Minister for his important contribution.

I now call on Mr. Guy Simon, Minister of Education and Social Development.

Mr. SINON: On behalf of my party, the SPUP, I am very pleased to have the opportunity to be here today to address the Committee regarding the situation in the Seychelles.

As I am sure this Committee is well aware of the past developments in the Seychelles, I would start with the last general election of 1974 in the Seychelles, as that was one of the points of disagreement between the two political parties at the constitutional convention last March. The points of disagreement in London were over the question of constitutional boundaries and the system of elections in the Seychelles. The last general election's results did not give a true picture of the political climate in the Seychelles. Clearly, the two political parties in the Seychelles command about half of the support of the population. The existing electoral system failed to show this. SPUP, which won 48 per cent of the vote, obtained only two out of 15 seats. That was obviously unacceptable and was bitterly resented by the people. At the constitutional conference in March 1975, that was rectified to a small degree. It was decided that each party should be able to nominate a further five members to the Legislative Assembly.

(Mr. Sinon)

The nomination of five more members each is a fairer reflection of the position of the two political parties. Although not very satisfactory, the gesture contributed to the creation of a climate which gave rise to a coalition made up of both political parties on an assurance by Britain that an electoral review commission would be appointed by the Secretary of State to go to the Seychelles to study the situation and make a recommendation by December 1975, a further constitutional conference taking place in January 1976, and independence not later than June 1976. The present situation is that the islands have 12 ministers, eight from SDP and four from SPUP. This is also not satisfactory, and we hope that further adjustments can be made in order more fairly to reflect the feeling of the people.

This is, of course, a make-shift attempt giving fairer representation to the two parties. In future elections the electoral system will have to be such that the results will themselves reflect the popularity of the parties. That will not necessarily prevent the spirit of coalition from going beyond any future election, whether it may be held before or after independence.

By now it is very clear that the Seychelles Archipelago will become independent not later than mid-June 1976, and both the Seychelles People's United Party and the Seychelles Democratic Party have told the British Government that the people of the Seychelles want back the islands of Aldabra, Farquhar and Des Roches, all of which form part of the so-called British Indian Ocean Territory.

(Mr. Sinon)

It is certain that considerable time will be devoted to this particular issue at the next round of talks due to take place in London in January 1976, prior to the independence of the islands later the same year.

Much has already been said of BIOT. Suffice it to remind representatives that this colony was created in 1965 after the United Kingdom Government had, without the consent of the Seychelles peoples, detached the three aforementioned islands from the Seychelles group and joined them together with the much talked about Diego Garcia. This Territory has since its creation become a foreign country to the people of the Seychelles.

And although some sources say that the British Government is willing to hand back the islands to the Seychelles upon attainment of independence, Britain itself has to date never said so in terms clear enough to offer assurance.

To the Seychelles People's United Party, the return to the people of the Seychelles of those islands, detached in 1965, is of vital importance not merely because several countries in Africa and Asia, or the Organization of African Unity and the United Nations or other organizations, have called for the demilitarization of the Indian ocean and for the creation of a zone of peace; SPUP is also so committed for a number of reasons.

First, SPUP feels that the Seychelles is among the tiniest countries of the world, and as such needs all the available space that we, the people of these islands, can rightly claim as our own for economic development after our independence.

Secondly, SPUP strongly feels that the Seychelles will not be truly independent as long as part of it is still subjected to foreign domination.

Thirdly, SPUP regards it as the legitimate right of the people of the Seychelles alone to decide what to do with every inch of our country, without interference or hindrance or undue influence from any foreign sources whatsoever.

Fourthly, SPUP is fully aware of the fact that continued foreign occupation of part of the Seychelles even after independence will constitute a danger to the total liberation, as well as to the progress, prosperity and security of the entire African continent.

Fifthly, SPUP also feels that the people of the Seychelles will not be able to afford participation in the game of big-Power supremacy.

(Mr. Sinon)

Sixthly, SPUP fully shares the concern over the threat posed by the military presence of big Powers in the Indian ocean, as well as by the military presence of foreign Powers elsewhere, to world peace and international security.

Seventhly and finally, SPUP considers the people of the Seychelles in duty bound to contribute in any measure within our means to the creation of a peace zone in the Indian ocean, as well as to the total liberation of Africa from foreign domination and exploitation, and to world peace and international security.

In conformity with its own feelings and in pursuance of the legitimate desire of the people of Seychelles, SPUP pledges itself to do everything possible to secure the return to the Seychelles before independence of the three islands in question. Towards this objective, the party will extend full co-operation to all forces within or outside the Seychelles committed to the same objective. And SPUP avails itself of this opportunity to express thanks to the Organization of African Unity, the United Nations Decolonization Committee, as well as other organizations that have in one way or other supported the call of the Seychelles people for the total independence of our country. The people of the Seychelles will need assistance and support in this direction and we are confident that our friends and well-wishers will accompany us right up to the end.

I wish to thank you, Mr. Chairman, and the members of the Committee for giving me the opportunity to address the Committee.

The CHAIRMAN: As no member wishes to speak on the item at this stage, I shall now give the floor to the representative of India who will introduce the draft resolution in document A/AC.109/L.1061.

Mr. BUDHIRAJA (India): First of all, may I be permitted on behalf of my delegation, to welcome the Ministers from the Seychelles, Mr. Chetty, the Minister of Agriculture and Natural Resources, and Mr. Guy Sinon, the Minister of Education and Social Development.

(Mr. Budhiraja, India)

We have listened with great attention to the very important statements which have been made by the two Ministers. My delegation was indeed happy to hear from the representative of the administering Power that this would be the last time that his delegation would be making the opening statement in this Committee on the Seychelles.

My delegation is very glad about the constitutional developments that have taken place in the Seychelles and is particularly happy to note that this beautiful island group will soon achieve its independence. We were happy to note that all the political parties in the Seychelles are agreed on becoming independent not later than June 1976. My country, India, is a neighbour of the Seychelles and we look forward to developing good and friendly relations with the Seychelles. We were happy about the statement that the Seychelles intends to pursue a policy of non-alignment and that it will support the concept of the Indian Ocean as a zone of peace.

It is now my pleasant duty, on behalf of Afghanistan, Australia, Denmark, Ethiopia, Fiji, Indonesia, Iran, Iraq, the Ivory Coast, Trinidad and Tobago, Tunisia, United Republic of Tanzania and India, to introduce a draft resolution on the Seychelles (A/AC.109/L.1061). This draft resolution takes into account the constitutional developments that have taken place in regard to this Territory and requests the administering Power to assist the people of the Seychelles so that they can exercise their right to self-determination and can achieve their independence. It takes into account the stated position of the Seychelles Government with regard to the territorial integrity of that Territory. It also calls on the United Nations to give all possible assistance to the people of the Seychelles in their efforts to consolidate their national independence. It invites the specialized agencies and the institutions associated with the United Nations to work out concrete programmes of assistance to the Seychelles.

The sponsors hope that our Committee will be able to adopt this draft resolution unanimously.

Mr. KOUAME (Ivory Coast) (interpretation from French): It is unnecessary for our delegation to make a lengthy comment on the draft resolution that has just been so brilliantly introduced to the Special Committee of 24, by the representative of India, for its approval. We feel this because we ourselves are co-authors of that draft resolution which naturally means that we endorse the draft resolution in its entirety.

We have decided none the less to make a statement to underscore the fact that the Ivory Coast is also pleased to note the unanimity concerning the coming independence of the Seychelles Islands. We can see from the statements both of the administering Power and of the two Observers -- that is to say, of those responsible for the Seychelles Islands.-- that the Territory's independence is a fait accompli. It is now merely a question of time and we know the date in question.

(Mr. Kouame, Ivory Coast)

There are no more problems concerning the Seychelles, and my delegation consequently supports the draft resolution, which reflects the aspirations and wishes of the Seychelles population. These aspirations have been accepted and shouldered by the administering Power.

I would like to recommend to this Committee that it unanimously approve the draft resolution just introduced.

The CHAIRMAN: Does any other member wish to speak on either the item or the draft resolution? Since that is not the case, the Committee will continue its consideration of the item at its next meeting with a view to coming to a decision on the draft resolution.

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES BY THE SPECIALIZED AGENCIES AND THE INTERNATIONAL INSTITUTIONS ASSOCIATED WITH THE UNITED NATIONS (A/10080 and Add.1-3; A/AC.109/L.1048, L.1054/Add.1, L.1062) (continued)

The CHAIRMAN: In addition to the report of the Working Group which was introduced by its Chairman at our last meeting, members have before them the report of the Secretary-General in documents A/10080 and Add.1-3 and my report in document A/AC.109/L.1048 on the consultations that I held with the President of the Economic and Social Council, as well as the relevant report of the Administrative Committee on Co-ordination in document E/5675.

I wish also to inform members that, in accordance with the specific mandate entrusted to me by the Committee in this regard, I participated in the relevant proceedings of the Economic and Social Council at its fifty-ninth session, held in Geneva in July of this year. As members are aware, with the active collaboration of a number of Member States which are also members of this Committee it was possible for the 23 members of the Economic and Social Council (ECOSOC) to put forward a draft resolution containing a series of

(The Chairman)

positive recommendations which was subsequently approved by the Council without a vote. The resolution has been circulated in ECOSOC document E/5743.

At our meeting yesterday, the representative of the World Bank made a statement clarifying the Bank's position with regard to the report submitted by the Working Group. In view of the importance that I attach to the implementation by the specialized agencies of the decisions of the General Assembly, and bearing in mind the very well-known position of this Committee, I thought it necessary to make some reference to the statement made by the representative of the World Bank in which he explained "why the inaction of the Bank comes up once more as a problem for this Committee". (1018th meeting, page 21)

In this connexion, I should like to draw the attention of the representative of the Bank to operative paragraph 10 of General Assembly resolution 3300 (XXIX) which reads as follows:

"Urges the executive heads of the specialized agencies and other organizations within the United Nations system, with a view to facilitating the implementation of paragraph 9 above, to formulate and submit to their respective governing bodies or legislative organs, as a matter of priority and with the active co-operation of the Organization of African Unity, concrete proposals for the full implementation of the relevant United Nations decisions, in particular specific programmes of all possible assistance to the peoples in colonial Territories and their national liberation movements, together with a comprehensive analysis of the problems, if any, confronted by these agencies and organizations."

From the foregoing it is patently clear that, should there be any problems for the agencies in the implementation of the relevant resolution -- be they constitutional or otherwise -- the executive heads of the organizations should, as requested by the General Assembly, draw such problems, together with a comprehensive analysis thereof, to the attention of their respective governing bodies or legislative organs, rather than make representations in this Committee.

(The Chairman)

I may add that the successive resolutions adopted during the past few years by the General Assembly and the Special Committee, as well as by the Economic and Social Council, contained the same recommendations addressed to the executive heads. It may also be pertinent to recall that several agencies and organizations have in the past modified their rules of procedure, and in some instances even their constitutions, to meet the various recommendations of the General Assembly regarding the provision of assistance to the national liberation movements and their representation of those movements in the related proceedings of those organizations.

As Chairman of the Special Committee, and especially taking into consideration our particular interest and desire to see all the specialized agencies co-operate with the United Nations in implementing the relevant decisions, I thought this clarification was necessary.

Mr. ARAIM (Iraq): My delegation was pleased to see the representative of the World Bank present at our meetings yesterday and again today, and we hope to see the representative of the World Bank co-operating more and more with the Special Committee and the Working Group on the Implementation of the Declaration by the specialized agencies.

The Special Committee and its Working Group have been anxious for the Bank's co-operation and to have the Bank and its affiliated bodies participating in the efforts to alleviate the sufferings of the peoples in the colonial Territories and to help the host countries, especially those on the African continent, to cope with the problems resulting from the large influx of refugees from the colonial Territories.

With your permission, Mr. Chairman, I should like to address the following question to the representative of the World Bank: What are the constitutional difficulties facing the International Development Agency in providing assistance to the refugees from the colonial Territories and to the countries which are hosting those refugees?

The CHAIRMAN: I call on the representative of Bulgaria to introduce the draft resolution in document A/AC.109/L.1062.

Mr. GARVALOV (Bulgaria): Before I introduce the draft resolution which all members of the Committee have before them today, I should like, as representative of Bulgaria, to say that my delegation fully shares the views on this particular question that you, Mr. Chairman, have just expressed.

I have the honour and privilege to introduce the draft resolution in document A/AC.109/L.1062 on behalf of the delegations of Afghanistan, Czechoslovakia, Ethiopia, India, Indonesia, Iran, Iraq, the Ivory Coast, Mali, Trinidad and Tobago, Tunisia, the United Republic of Tanzania, Yugoslavia, and the delegation of my own country, Bulgaria.

My delegation would like to thank the co-sponsors for their willingness and support in preparing and sponsoring the text. The draft provisions, in both the preambular and the operative parts, are based on the provisions of General Assembly resolution 3300 (XXIX) and the resolution adopted by the Economic and Social Council at its session at Geneva last July.

(Mr. Garvalov, Bulgaria)

At the same time, the draft provisions are based on the conclusions and recommendations contained in the report of the Working Group on the specialized agencies (A/AC.109/L.1054/Add.1).

Actually, there are two factors which underlie the provisions: first, the result of the consultations with the representatives of the national liberation movements and, secondly, the result of the consultations with the representatives of the specialized agencies, the report of the Secretary-General and your report, Mr. Chairman, on your consultations with the President of the Economic and Social Council.

The co-sponsors recognize the prime responsibility of the specialized agencies for the implementation of the Declaration on Decolonization and other relevant resolutions of the United Nations. We agree that there has been some progress in the extension of assistance to refugees from colonial Territories, as well as assistance provided on a priority basis by some specialized agencies to the peoples in the Territories formerly administered by Portugal. However, the provision of assistance to colonial peoples and their national liberation movements still remains inadequate to meet their urgent needs.

Acting on the basis of these principles, considerations and factual conclusions, the co-sponsors reaffirm the principled position of the United Nations as it appears in operative paragraph 2 that the recognition by the General Assembly, the Security Council and other United Nations organs of the legitimacy of the struggle of colonial peoples to achieve freedom and independence entails as a corollary the extension by the United Nations system of organizations of all the necessary moral and material assistance to the peoples of the colonial Territories and their national liberation movements.

(Mr. Garvalov, Bulgaria)

At the same time, we acknowledge with appreciation the co-operation which a certain number of specialized agencies have been extending in varying degrees to the United Nations in the implementation of the Declaration. There still remains, however, the requirement for all the specialized agencies, including in particular the International Bank for Reconstruction and Development and the International Monetary Fund, to seek the full and speedy implementation of the Declaration; and this is our formulation in operative paragraph 4. This provision qualifies the responsibility of the specialized agencies in the process of decolonization. There can be no justification whatsoever for any one of them staying away from the United Nations struggle against colonialism. All of them are required, as part of their duty and moral obligation, to join the United Nations efforts towards decolonization by taking the necessary steps within their spheres of competence.

The urgency of this action remains, and we cannot absolve any agency of its responsibility, nor can we condone delayed action. Operative paragraph 5, in this respect, is very explicit: it stipulates what the agencies should do now, and not later.

Related to this situation is our provision in operative paragraph 6. We request that the Special Committee urge the specialized agencies and other organizations within the United Nations system to extend all moral and material assistance to the newly independent and emerging States.

Operative paragraph 7 refers to the need for assistance to be provided to refugees from colonial Territories.

Operative paragraph 8 is a reaffirmation of the United Nations position that the specialized agencies should take all measures to withhold any financial, economic, technical or other assistance from the Government of South Africa and the illegal régime of Southern Rhodesia, to discontinue all support for them until they restore to the peoples of Namibia and Zimbabwe their inalienable right to self-determination and independence, and to refrain from taking any action which might imply recognition of the legitimacy of the domination of the Territories by those régimes.

(Mr. Garvalov, Bulgaria)

In operative paragraph 9 we note with satisfaction the arrangements made by several specialized agencies enabling representatives of the national liberation movements recognized by the Organization of African Unity to participate fully as observers in their proceedings. There is also a call to those agencies which have not yet done so to make the necessary arrangements without delay.

Operative paragraph 10 contains a recommendation to all Governments to intensify their efforts within the specialized agencies of which they are members to ensure the effective implementation of the Declaration and other relevant resolutions.

Operative paragraph 11 contains the recommendation to the General Assembly to request the executive heads of the specialized agencies to formulate and to submit to their governing or legislative bodies concrete proposals for the full implementation of the relevant United Nations decisions.

The last two operative paragraphs of the draft resolution contain a request to the Chairman of the Special Committee to continue his consultations with the President of the Economic and Social Council and to maintain contacts with the Organization of African Unity because of the productive results so far achieved. There is also a proposed decision by the Special Committee to continue to examine this question.

I should like to express the firm conviction of the co-sponsors that the provisions of the present draft resolution constitute yet another contribution of the Special Committee to the endeavour of securing the involvement of all the specialized agencies and institutions within the United Nations system in the struggle for decolonization and support and assistance to the colonial peoples and their national liberation movements. It is within the framework of this determination and understanding that the co-sponsors commend this draft resolution to the Special Committee for unanimous adoption.

The CHAIRMAN: As no other representative wishes to speak on the draft resolution at this time, I call on the representative of the World Bank.

Mr. GRENFELL (World Bank): If I may begin by responding to the question put to the World Bank by the representative of Iraq, I believe that the appropriate and best answer that I can give to him today on this question of assistance to refugees is contained in the World Bank's statement, which itself is reproduced in the report of the Secretary-General (A/10080), the document dealing with the responses of the specialized agencies. On page 10, in paragraph I, we stated on this question:

"On the subject of assistance to refugees, the Bank Group stands ready, in consultation with, and at the request of, member Governments concerned to assist in the preparation and financing of development projects which would particularly benefit refugees in their countries."

In other words, the Bank is certainly willing to discuss with its member countries that are hosts to refugees the possibility of financing development projects which would benefit those refugees.

Perhaps I might just quote very briefly, in this connexion, from a statement that the World Bank made on 29 July in Geneva during the course of the fifty-ninth session of the Economic and Social Council in the Co-ordination Committee. We said:

"Mr. Chairman, permit me to observe that each specialized agency has a specific function or range of functions to perform within our system. Some agencies are empowered to do what others are not, and vice versa. Some agencies have the capacity to respond to urgent calls for emergency assistance. Others, like the World Bank Group, are primarily designed to apply their funds and their expertise to the longer-term aspects of economic and social development. But, in our view, the actions of the United Nations system taken as a whole can have the desired impact on economic and social development so long as each agency seeks in its operations to complement the operations of the others."

(Mr. Grenfell, World Bank)

If I may, while I still have the floor, I would also just respond in a few words to the statement that you, Mr. Chairman, made a few moments ago. I should like once more to quote from document A/10080 on the subject of the Declaration. We did note in paragraph 3 the following:

(Mr. Grenfell)

"The resolutions of the General Assembly on decolonization that are relevant to the institutions of the Bank Group are brought to the attention of the Executive Directors as soon as received." (A/10080, p. 10)

I should therefore like to assure you, Mr. Chairman, that this new resolution will immediately be brought to the attention of the Executive Directors of the World Bank, and we shall of course take particular note of paragraph 11 of that resolution.

The CHAIRMAN: As no other member wishes to speak on the item, the Committee will continue consideration of it at our meeting tomorrow morning, with a view to taking action on the relevant draft resolution which has been introduced by the representative of Bulgaria.

SPECIAL COMMITTEE DECISION OF 1 NOVEMBER 1974 CONCERNING PUERTO RICO (A/AC.109/L.1055)
(continued)

Mr. CAMPBELL (Australia): As I think all members of the Committee will be aware by now, I have asked to be allowed to speak in this way in order to move a motion, which could be accorded precedence under the rules of procedure.

Both as a member of my delegation and as an officer of this Committee, I have, in common with a number of my colleagues in the Committee from a representative group of delegations, become increasingly concerned over recent days at the consequences of proceeding further with the present consideration of matters concerning Puerto Rico. It is quite clear that among the opponents and the proponents of the draft resolution, as well as among those who feel that the issues are such that they should abstain or not participate in any vote, there is a good deal of uneasiness. We seem to have this much in common.

It is impossible to avoid the impression --- and we believe it is an accurate one --- that any resolution of substance would at this juncture, from one point of view or the other, be untimely and hasty. The ground has not been

(Mr. Campbell, Australia)

prepared, and we do not believe that the Committee as a whole has a proper idea of where it is heading in this matter. It is all the more important that it should have such an idea, given the very great seriousness which is quite evidently attached to this matter by those who are, or who argue from the position of being, parties principal.

I do not need to enlarge on this point, since all delegations will be well enough aware of the situation from the competing representations they have no doubt been receiving.

There is the question also of the dangerously divisive effect that the Puerto Rican issue has on this Committee and on its work. I concede that the proposal that I am about to make will of itself be a matter for division. But we are satisfied that the facts are that the Committee will be a good deal less split by proceeding in this way than by following the alternative course of pursuing our consideration of the item. If there is to be complaint about the effects on the Committee, then I am afraid the responsibility must rest with those who introduced the item and have been unable or unwilling to bring it to an appropriate conclusion. We are at the end of our year's work and this is not the time to go to the General Assembly with a major split on a matter of some substance.

Since we are convinced that the Committee is not ready and that it is not in its interest to proceed further with its consideration of the item concerning Puerto Rico, I move, in accordance with rules 116 and 119 (c) of the rules of procedure, to adjourn the debate on the item under discussion, namely, "Special Committee decision of 1 November 1974 concerning Puerto Rico", until the 1976 session of the Special Committee.

I believe that there can be a broader consensus on this approach than on any other in relation to this item at the present time, and I commend it to the Committee.

The CHAIRMAN: I call on the representative of Cuba on a point of order.

Mr. ALARCON (Cuba) (interpretation from Spanish): I did not wish to interrupt the representative of Australia above all because his statement seemed more of an explanation of vote and as such reflected the stage the Committee had reached in its work. However, my delegation has very serious doubts as to the propriety of his statement and, above all, that of the proposal made at the end of the statement.

The representative of Australia referred to rules 116 and 119 of the rules of procedures, which refer to the postponement of debate. I believe that before the Committee can deal with the motion presented by the Australian delegation, it should clearly take note of what is established by these rules of procedure. I have them before me, both the Spanish and the English texts of the latest version in force since 31 December 1973. I do not know whether the version which our colleague from Australia has is an earlier one that has allowed him to interpret these rules as he seems to have done.

In Spanish, rule 116 states the following:

"Durante la discusión de cualquier asunto, todo representante podrá proponer el aplazamiento del debate sobre el tema que se esté discutiendo."

The remainder of the rule refers to the possibility of various members speaking in favour of or against the motion of postponement.

The same version in English reads as follows:

(spoke in English)

"During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion."

(continued in Spanish)

But it so happens that this Special Committee decided, in accordance with its own decision taken last year, that a debate would take place. This debate has taken place and, according to the verbatim records of the 1015th meeting of Thursday last, 15 August, another agreement was arrived at, which I shall also read out. In this case, I shall not be quoting a rule of procedure but the words of the Chairman of the Committee himself. Just after I had concluded my participation in the debate, and before the representative of the Syrian Arab Republic introduced the draft resolution now before the Special Committee, the Chairman of the Committee, Ambassador Salim, said the following:

(Mr. Alarcon, Cuba)

"Como no hay otros oradores y teniendo en cuenta la sesión anterior del Comité, doy por entendido, si no hay objeciones, que el Comité ha concluído de esta manera el debate sobre la cuestión." (1015th meeting, p. 16)

There follows a sentence, underlined by the Secretariat, which reads as follows:

"Así queda acordado."

The exact verion in English is the following:

(spoke in English)

"Since there are no further speakers, and in the light of the decision reached earlier, I take it that the Committee has concluded its debate on the question." (Ibid.)

(continued in Spanish)

And the following is added:

(spoke in English)

"It was so decided."

(Mr. Alarcon, Cuba)

(continued in Spanish)

The representative of Australia is now proposing to the Special Committee a few days later that a discussion which has already been concluded should be postponed. I do not know until when. How can we possibly do that? How can we postpone something which has already been concluded and which no longer exists?

In his statement the representative of Australia presented various arguments which might make it appear that he might want to re-open the discussion on this matter so that he could express his opinion, and so forth. In that case we could understand the logic of his reasoning. But since the discussion has already ended, there is no possible way under the rules of procedure, or at least not under the two rules to which he referred, and certainly not according to the existing version, to postpone something which in real terms no longer exists.

If the representative of Australia wishes to re-open the discussion in order to bring us back to the situation that we had before 15 August and then to propose a postponement, he would certainly be entitled to do so. He is undoubtedly aware of the rules of procedure relating to the reversal of a decision taken by the Committee, that is to say, the decision according to which the discussion of the matter was concluded.

We are now discussing a draft resolution. The fact that the Chairman himself stated that the Committee had agreed that the discussion was concluded before calling on the representative of the Syrian Arab Republic to present the draft resolution on behalf of Cuba, the Syrian Arab Republic and other countries, is proof of this. Moreover, later on when the Chairman adjourned that meeting of the Committee, he announced that at the next meeting, possibly on Monday or Tuesday, the Committee would meet to consider the text of the draft resolution. We have not heard anything from that moment on concerning the debate on matters relating to Puerto Rico, which is the only matter to which rule 116 would be applicable. Therefore, unless the representative of Australia can find another rule which would authorize postponement of a debate that has already been concluded, my delegation cannot but declare that his motion is invalid, null and void and out of order, and that it must therefore be declared such by the Chairman.

The CHAIRMAN: Rule 116 reads as follows:

"During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. ..."

That rule speaks of the adjournment of the debate on an item. Rule 119 paragraph (c) also speaks of adjourning the debate on the item under discussion. I do not know whether there are precedents in this matter, but I do know that we are faced with a situation that requires defining what constitutes a debate.

The representative of Cuba is absolutely right in saying that we had terminated the general debate on the item. However, I have solicited the advice of the Legal Counsel of the United Nations on this question, and he has advised the Chair that rule 116 of the rules of procedure is applicable to any matter which concerns an item under discussion, including draft resolutions or proposals relating to the item. That is the position of the Legal Counsel. Since the Chair does not have any precedent to follow, the Chair is inclined to go along with that legal opinion, unless members feel differently.

Mr. ALARCON (Cuba) (interpretation from Spanish): I would have preferred the Legal Counsel - an entity that at times is very difficult to define - to be present here, because it seems somewhat strange for that judgement to have been made by that section of the Secretariat with regard to a question on which, as the Chairman has rightly said, there is no precedent. I am abiding by the rules themselves. I do not see how we can possibly say that a debate which was concluded at a time prior to the consideration of the draft resolution can now be interpreted as part and parcel of the Committee's decision making. The rule itself is very clear. The rule is divided into two parts -- the first part deals with debates and the second part deals with motions, votes and so forth. I am unable to accept this interpretation of the Legal Counsel because it seems to us in any case that, since the Committee is the final authority with regard to its own procedure, that interpretation does not correspond at all to previous decisions taken by the Committee, nor to the very procedure that we have been following. Otherwise, the Committee would have had no reason to decide to conclude the debate at any given moment, nor would the Chairman have had to remind us of this and to

(Mr. Alarcon, Cuba)

reaffirm it, before the draft resolution was formally submitted to us. Logic suggests that we are dealing here with two different phases of the work of the Committee. Nowhere in the rules of procedure is there any reference to the postponement of decisions on motions or resolutions except in the paragraph that refers to the fact that motions that have been amended cannot be withdrawn.

Therefore, I cannot accept that legal interpretation because it is not in keeping with prior decisions taken by the Committee. I stress the fact that the motion presented by the representative of Australia is out of order. In presenting it he referred to substantive questions and alluded to the importance of the matter and went into the substance of the item. It seems to us that the easiest, fairest and proper decision would have been, and still would be, for the Committee to decide on this matter and that each of us here should vote on it as he sees fit. As we all know, each of us has different instructions, but it does not seem to us to be either proper or just for the Committee to use this type of procedural pseudo-argument at a time when there is no legitimate possibility for reopening the debate.

The CHAIRMAN: There are two possible ways to solve this problem. One, of course, is to wait and have the Legal Counsel come to the Committee since the representative of Cuba has stated that he would have preferred the Legal Counsel to be present to give such an opinion. Perhaps it would be the better course of action to ask the Legal Counsel to give his interpretation. On the other hand, if members wish to proceed right away to take a decision, the Committee is the master of its own procedures. Frankly, I believe that since it is almost 1 o'clock, and in order to be quite clear upon what we are deciding, it may be prudent to postpone a decision on this matter and to ask the Legal Counsel to come and give the legal opinion in person on the point raised by our colleague from Australia. The Committee could then take a decision.

Mr. CAMPBELL (Australia): I thank the representative of Cuba for not having interrupted my initial proposal. I congratulate him on the elaborate cigar smokescreen he is contriving to throw over our proceedings.

I should just like the position clarified. As I understand it, I have made a procedural motion, which has precedence. The representative of Cuba has objected on a point of order. You, Mr. Chairman, have given a ruling on that point of order on the basis of the advice presently available to you. The representative of Cuba has appealed against that ruling. It therefore seems to me that we are in the position presented under rule 113 -- that the appeal shall be immediately put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting.

We have already had the benefit of legal advice. I do not see what two lots of legal advice are going to achieve. I should like to ask, Sir, that you proceed under rule 113.

The CHAIRMAN: The rule our colleague from Australia is invoking stipulates that the appeal shall be immediately put to the vote and that the Chairman's ruling shall stand unless overruled by a majority of the members present and voting. I must, however, point out that, though inclined to do so, I did not make a specific ruling because, in this particular case, although I have heard a legal opinion I have no experience of a precedent to go by.

(The Chairman)

I was quite prepared to be guided by a legal opinion if that position was not challenged. The representative of Cuba has said specifically that he would have preferred the Legal Counsel be present. In the circumstances, I would prefer that, in view of the specific point raised by our colleague from Cuba, the Legal Counsel should be present. Perhaps that would be a better way. On the other hand, if our colleague from Australia is now specifically suggesting that the only course of action would be to follow the legal opinion given by the Legal Counsel, I am quite prepared to let the Committee decide upon that basis.

Mr. CAMPBELL (Australia): That in fact is my request to you, Sir, because either you have made a ruling and the representative of Cuba has appealed against it, or you have not made a ruling, so that there is nothing against which he can appeal, and we should therefore proceed with my original motion.

The CHAIRMAN: I call on the representative of the Ivory Coast on a point of order.

Mr. KOUAME (Ivory Coast) (interpretation from French): I do not know if I have followed your interpretation correctly, Mr. Chairman. After having read rule 113 you said, as I understood, that you intended to proceed in conformity with the opinion given by the United Nations Legal Counsel. I believe that, in those conditions, the motion put forward by the representative of Australia is in order and should be acted upon.

The CHAIRMAN: As the record will show, I stated that the Legal Counsel had advised me that the item under discussion should be taken in its greater context to include the draft resolution. I further stipulated that since there are in my experience no precedents on this issue, and if there was no objection, I would be inclined to follow the advice of the Legal Counsel. The representative of Cuba then said he would prefer the Legal Counsel to be present.

(The Chairman)

On the basis of the point raised by our colleague from Cuba I thought it would be only proper to have the Legal Counsel's opinion before I could even make a specific ruling on the matter.

I call on the representative of Cuba on a point of order.

Mr. ALARCON QUESADA (Cuba) (interpretation from Spanish): I do not intend to complicate this matter. My delegation did participate in the general discussion and expressed its viewpoint. It does not want to use the kind of weapon that is emerging here towards the end of our deliberations, and it will therefore not insist upon its objections to the Australian proposal, but we should like it to be clearly stated in the record that it considers the Australian proposal to be entirely out of order, illegitimate and part of a very long, broad process that is well known to us all vis-à-vis the considerations of this type of question within the United Nations.

I shall not stress my point because I do not feel that it is worth while to have a diplomatic battle, so to speak, concerning a matter that involves so many resources and so many efforts on the part of some powerful persons as regards a purely legal question. On the other hand, I should like to point out clearly that my delegation was not challenging or questioning the Chairman's ruling, because it did not feel that the Chairman had made a concrete proposal with regard to the point of order. It notes with gratitude the Chairman's acknowledgement that no precedents exist in this matter. We are not challenging the unanimous opinion of the Legal Counsel since in any case he has no authority to make a ruling but can merely give a recommendation or provide advice.

I shall not insist upon the Legal Counsel being present and giving his opinion. We believe the Committee should in any case base itself on its own decisions or on the opinion of the Chairman. Consequently, while stressing the basic illegitimacy of the Australian motion, my delegation will not make any objection to the Committee considering his proposal to postpone something -- I do not know what -- under the circumstances, but we believe that rule 116 should be considered as valid in this case. In other words, the Chairman should permit two representatives to speak against the motion. I believe he can also authorize two representatives to speak in favour of the said motion, though I think one has

(Mr. Alarcon Quesada, Cuba)

already done so. If that is the procedure we are to follow, I would request him to include me among the representatives speaking against the proposal.

The CHAIRMAN: I wish particularly to thank the representative of Cuba for making my task easier.

I would recapitulate the position as I see it. In the light of the fact that the representative of Cuba does not insist on the presence of the Legal Counsel and no longer opposes the course I had proposed to follow if there was no objection, I wish to recall precisely what I have said.

I had said that I was prepared to follow the advice of the Legal Counsel if that course did not meet with objection from the members of the Committee. Since it now seems that our colleague from Cuba is withdrawing his original reservations, we shall proceed in accordance with the interpretation given me by the Legal Counsel on the provisions of rule 116.

The representative of Australia has proposed postponement of the debate on this item. I am now prepared to call upon two representatives who wish to speak in favour of that motion and two who wish to speak against it.

Mr. NANDAN (Fiji): In my delegation's five years of participation in this Committee, I have never found the Committee so badly divided on any issue. Just as the position of my delegation on the draft resolution is widely known to others, so are we aware of the positions of other delegations in this Committee. The misgivings of a large number of the members of this Committee does not confine itself to the substance of the issues involved but relates also to the procedure.

My delegation believes that in such circumstances, in order to preserve the atmosphere of consensus that has existed in this Committee in its consideration of the bulk of its work, it would be useful for the Committee to give itself and the individual members some further time to reflect on the problems involved.

It is with this in mind that my delegation would wish to second the motion for the adjournment of this item moved by the representative of Australia. In doing so, we would wish to make it clear that our support for the motion for adjournment is not motivated by any desire to abridge the right of any member to move a resolution in this Committee, nor in any way to belittle the importance of the discussion on Puerto Rico.

Finally, Mr. Chairman, my delegation supports the ruling that you have given on the basis of the opinion that you have received. In our view the debate indeed has not been concluded. Certainly the debate on the draft resolution has not been concluded.

Mr. KOUAME (Ivory Coast) (interpretation from French): My delegation supports the motion presented by the delegation of Australia. The reasons and the arguments are very simple. In 1972 we were requested to consider the case of Puerto Rico in order to find out whether it was possible to put it on the list of the Non-Self-Governing Territories which fall under the provisions of the Declaration in resolution 1514 (XV) of 1960. In the affirmative, the Committee would be entitled to discuss it and to make appropriate recommendations.

(Mr. Kouame, Ivory Coast)

Since that date, we have adopted procedural resolutions simply because we did not have sufficient information to enable the Committee to make such a recommendation. Even today we are still in the same position, and all will agree with me that the special report which was submitted on this question was a factual report. I think that we still need information and, taking this into account, the possibility should be given to the Committee to consider this matter more in depth. That is the reason why we feel that it is appropriate to respond favourably to the request which was formulated by the representative of Australia.

The position that we shall take and which we are taking in no way prejudices the position of the Member States on the substance of the problem and on what will happen next year when the Committee will again be seized of the same question.

The CHAIRMAN: Two speakers have already spoken in support of the proposal for adjournment. I am now ready to call on two other speakers, if there are two, who wish to speak against adjournment.

Mr. ALARCON (Cuba) (interpretation from Spanish): My delegation would like to clarify the fact, first of all, that it did not insist on its objections being followed up concerning the validity of the Australian motion procedurally, so to speak, not because we withdrew our objections concerning this motion --- since we continue to believe that the motion is totally illegitimate and out of order --- but because we do not wish to continue playing the game of postponing questions of principle, substantial questions which bear on the very terms of reference of this Committee, and submitting them to a kind of diplomatic or procedural battle.

Having said that, I should like to express our most categorical rejection of that motion in substance, for reasons which the members of the Committee can easily understand. It would be advisable, above all, to recall some antecedents with regard to the matter which the Committee was debating until 15 August. I am referring to the meeting of our Committee of 1 November 1974, dealing with

(Mr. Alarcon, Cuba)

Puerto Rico, as the agenda states. In 1973 this Committee discussed the Puerto Rican matter, approved a resolution and decided to continue discussing the subject at the beginning of the year 1974. Because further time was given to some delegations which needed it to familiarize themselves with the matter, "the beginning of the year" turned out to be 1 November 1974. And at that time the Special Committee decided once again to postpone consideration of this matter until the beginning of its 1975 session. Now this "beginning of the 1975 session" --- once again to give sufficient time to certain delegations --- has become something that is in fact nearer the end of the 1975 session.

In 1975 we did resume the discussion and, the discussion being concluded, as is shown clearly by the record, this motion emerges from the Australian delegation, a motion which, it seems, counted in advance on automatic sympathy on the part of the United Nations Legal Department. It is a motion to postpone something although we do not know exactly what it is. In other words, is the representative of Australia referring to discussions that are already ending, or is he referring to the consequence of the continuation of the discussion?

My delegation does not stress the legal aspect because it is very much aware of the fact that, in so far as the Puerto Rican question is concerned, there are many elements that go far beyond the reading or the interpretation of some of the rules or the rules of procedure. They are of such a nature that a great imperialist Power has resorted, as it always does, and as it has been doing for two decades now, within and without this Organization, to the use of all the weapons in its hands precisely to prevent the Special Committee from being in a position to adopt categorical and definitive decisions on the Puerto Rican affair.

In our opinion, and respecting the attitude taken by each and every one of the delegations concerning the heart of the matter, we have at stake at this very moment something that should be specified clearly for all the members of the Committee --- namely, the prestige of this body, its own self-respect, and the degree to which we members are capable of handling the Committee, in keeping with our obligations and our capability of making of the Special Committee a body that

(Mr. Alarcon, Cuba)

fulfils the mandate given to it by the General Assembly. The role entrusted to the Committee is not that of being docile and meek with regard to imperialism, and certainly not that of bowing to the dictates of a great colonialist Power which, from the press campaign to the assiduous visits to Foreign Offices and delegations, has attempted to lead this Committee to a situation in which it cannot fulfil its mandate and in which it will have to tolerate or condone the imperialist pressure.

(Mr. Alarcon, Cuba)

In our opinion, this is a matter of very great importance to the Special Committee which goes far beyond our dealing with the matter that we considered last week.

The Puerto Rican people, like all peoples subjected to colonial rule, will exercise its inalienable rights to self-determination and independence, regardless of the means and resources which imperialism will use to endeavour to prevent it from doing so. It seems to us that history clearly shows that this is so. Many great financial, diplomatic, military and other means have been used against the Indochinese people, and we all know what the results were.

We are not so much concerned over the fact that this Special Committee or any international organ may not be in a position to carry out its mandata vis-à-vis these people or any other people, because in the long run history will prevail. In the long run it is the struggle of the people that will prevail. This is a deep conviction of my delegation which is such that we almost optimistically welcome -- and with a smile, so to speak - motions such as the one tabled here this morning.

But what is important, what we must decide on today, what will have a definitive impact on this Special Committee so far as concerns its prestige, its moral authority and its self-respect, which we shall endeavour to maintain in a reasonable manner, is the opinion that will remain for history and for world opinion of the skill or the capability of this Committee to resist the pressures, the threats and the hostile campaigns or its capability of at least respecting or fulfilling the mandate entrusted to it.

Regardless of the intentions of the Australian delegation or the arguments that it or other delegations which favour its motion may voice here, the truth is that objectively, in so far as facts are concerned, this motion for postponement will have no result other than to contribute to the success of the colonialist and imperialist campaign to prevent the Committee from carrying out its duty.

It is not here so much a matter of voting on a substantive motion regarding Puerto Rico, but rather the taking of a decision that affects the very foundations of this organ of the General Assembly. And because of this my delegation cannot accept anything other than a categorical rejection of the said motion. In any case, and even if the discussion is postponed, what will not be postponed by virtue of

(Mr. Alarcon, Cuba)

any rule of the rules of procedure or any arbitrary interpretation of any legal counsel is the will of the people to fight and the unbreakable decision of these people to end colonialist rule with or without the Special Committee on Decolonization.

The CHAIRMAN: As no other representative wishes to speak against the motion, I shall put to the vote the proposal by the delegation of Australia, supported by the delegations of the Ivory Coast and Fiji, to the effect that the Special Committee adjourn the debate on the item under discussion, namely, the "Special Committee decision of 1 November 1974 concerning Puerto Rico", until the 1976 session of the Special Committee.

The proposal was adopted by 11 votes to 9, with 2 abstentions.

Mr. WU (China) (interpretation from Chinese): The Chinese delegation has consistently supported the just struggle of the people of Puerto Rico. However, in view of the major differences that exist between the third-world countries in the Special Committee on Decolonization on whether to vote now on the draft resolution concerning Puerto Rico, the Chinese delegation decided not to participate in the voting on the motion to adjourn the debate on the item until 1976.

Mr. BACHROUCH (Tunisia) (interpretation from French): In voting in favour of the procedural motion of the delegation of Australia, the Tunisian delegation simply sought to respond to the wishes expressed by certain delegations which wanted the Committee to have more time to examine the question of Puerto Rico. My delegation would like to state that the nature of its vote today does not prejudice in any manner the Tunisian position with regard to the substance of the question.

Mr. PAVICEVIC (Yugoslavia): My delegation would like to use this opportunity to express its appreciation to the co-sponsors of the draft resolution in document A/AC.109/L.1055 for their co-operative and flexible attitude in accommodating various suggestions and amendments to their draft, and would add that our abstention in the vote on the procedural matter does not prejudice our position on the substance.

Mr. CAMPBELL (Australia): I just wanted to make one brief point in the nature of a right of reply. I do not think that the comment was really intended to come out as it did, but there was at one point in our proceedings a little while ago what I took to be an implication of collusion in some form between my delegation and the Legal Counsel. What might be said about my delegation is, I suppose, fair game in a situation like this, but, for the sake of the Legal Counsel, I wish to make it absolutely clear that at no time, anywhere, to my knowledge, has any member of the Australian delegation ever discussed this matter with the Legal Counsel or any member of his office, past or present.

QUESTION OF SPANISH SAHARA

The CHAIRMAN: Before I adjourn the meeting there are two points on which I should like the Committee to take a decision.

First, with respect to the question of Spanish Sahara, members are aware that the Visiting Mission dispatched by the Committee is still in the process of preparing its report to the Committee. In the light of the importance which the Committee attaches to this question, and having regard to the need to conclude our work well in advance of the forthcoming special and regular sessions of the General Assembly, I wish to suggest, on the basis of the related consultations, that the Committee conclude its work, as agreed, tomorrow afternoon, on the clear understanding that it will hold a brief meeting subsequently to take up the report of the Visiting Mission, together with all the relevant documentation, for transmittal to the General Assembly at its thirtieth session. If I hear no objection, I shall take it that the Committee agrees to this suggestion.

It was so decided.

Mr. ALARCON (Cuba) (interpretation from Spanish): I shall ask to speak again later in exercise of my right of reply, but at this point I prefer to refer to the question of Spanish Sahara since I should not like our decision here to be too hasty.

We would have no objection to your proposal, Sir, which, as I understood it, is that the Committee should examine the report. However, my delegation is in a somewhat difficult position, in as much as one of our representatives who participated in the Mission to the Spanish Sahara was unable to return to New York until last night. This was through no fault of her own but was apparently the result of some confusion in the United States Consulate in Mexico whereby the issuance of her visa was delayed by 48 hours.

This puts me in a rather uncertain position, since I know that this morning the members of that Mission were to meet to examine the report; and I would be somewhat surprised if the Committee were in a position now to take formal note of that report. For my part, despite the fact that a member of our delegation was a member of the Mission, I do not know exactly what the Mission did this morning, since that member of our delegation arrived only late last night.

The CHAIRMAN: In view of the point just raised by the representative of Cuba, perhaps I should make it quite clear that what I said was that the Committee would take up the report at a subsequent meeting when the Mission had submitted it -- but certainly not at this meeting.

QUESTIONS OF BELIZE; FRENCH SOMALILAND; FALKLAND ISLANDS (MALVINAS); GIBRALTAR; AND ANTIGUA, DOMINICA, ST.KITTS-NEVIS-ANGUILLA, ST.LUCIA AND ST.VINCENT

The CHAIRMAN: Finally, as regards the remaining items relating to the specific Territories -- namely, the questions of Belize, so-called French Somaliland, the Falkland Islands (Malvinas), Gibraltar and the remaining Caribbean Territories -- it would appear that there is no strong desire on the part of the members to embark upon a full-scale debate on them at this late stage. Accordingly, I should like to suggest that the Committee might agree to indicate to the General Assembly that it will consider these items at its next session, in 1976, subject, of course, to any directives which the Committee might receive from the General Assembly in that connexion.

If this procedure is acceptable, I should also like to suggest that the Rapporteur be authorized to transmit to the General Assembly the relevant documentation of the Committee on these items in order to facilitate their consideration by the Fourth Committee at the forthcoming session of the General Assembly. If I hear no objection I shall take it that the Committee agrees to these suggestions.

It was so decided.

The meeting rose at 1.25 p.m.