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Agenda item 94

QUESTION OF EAST TIMOR

Report of the Fourth Committee

Rapporteur: Mr. Daniel DE LA PEDRAJA (Mexico)

1. At its 4th plenary meeting, on 22 September 1978, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its thirty-third session an item entitled "Question of East Timor: 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". At its 5th plenary meeting, on the same day, the Assembly decided to allocate the item to the Fourth Committee.
2. At its 3rd meeting, on 16 October, the Fourth Committee decided to hold a general debate covering agenda items 24, 92, 94, 96 and 12, 97 and 98, on the understanding that individual draft resolutions on matters covered by those items would be considered separately.
3. The Fourth Committee considered item 94 at its 20th to 33rd meetings, between 16 November and 5 December.
4. At the 20th meeting, the Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples introduced chapter X of the report of that Committee relating to East Timor (A/33/23/Add.3 and Corr.1).
5. In connexion with its consideration of the item, the Fourth Committee also had before it the following communications addressed to the Secretary-General:
 - (a) Note verbale dated 4 April 1978 from Portugal (A/33/75);
 - (b) Note verbale dated 2 June 1978 from Cuba (A/33/118);
 - (c) Letter dated 6 September 1978 from Yugoslavia (A/33/206).

In addition, the Fourth Committee had before it a letter dated 23 October 1978 from the Permanent Representative of Indonesia to the United Nations addressed to its Chairman (A/C.4/33/9).

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

<u>Petitioner</u>	<u>Meeting at which request for hearing was granted</u>
Mr. José Ramos-Horta, member of the Central Committee, Frente Revolucionária de Timor Leste Independente (FRETILIN) (A/C.4/33/7)	8th
International League for Human Rights (A/C.4/33/7/Add.1)	8th
Mr. Abílio da C. A. de Araújo, member of the Central Committee, Frente Revolucionária de Timor Leste Independente (FRETILIN) (A/C.4/33/7/Add.2)	21st
Mr. Noam Chomsky (A/C.4/33/7/Add.3)	29th

7. Mr. Roger Clark, of the International League for Human Rights, made a statement at the 20th meeting, on 16 November. Mr. de Araújo made a statement at the 21st meeting, on 20 November. At the 30th meeting, on 1 December, Mr. Arnold Kohen, at the request of Mr. Chomsky and with the Committee's consent, read to the Committee a statement prepared by Mr. Chomsky. Mr. Ramos-Horta did not appear before the Committee.

8. The general debate covering the items referred to in paragraph 2 above took place at the 21st to 32nd meetings, between 20 November and 5 December.

9. On 30 November, a draft resolution (A/C.4/33/L.23) was circulated, which was finally sponsored by the following Member States: Algeria, Angola, Barbados, Benin, Cape Verde, Congo, Equatorial Guinea, Ghana, Guinea-Bissau, Mozambique, Sao Tome and Principe, Swaziland and Uganda.

10. At the 33rd meeting, on 5 December, the Secretary of the Fourth Committee made a statement, in accordance with rule 153 of the rules of procedure of the General Assembly, concerning the administrative and financial implications of the draft resolution (see A/C.4/33/SR.33).

11. At the same meeting, the Fourth Committee adopted draft resolution A/C.4/33/L.23 by a recorded vote of 55 to 29, with 42 abstentions. The voting was as follows:

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In favour: Afghanistan, Albania, Algeria, Angola, Barbados, Benin, Botswana, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Empire, Chad, China, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Ethiopia, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, Jamaica, Kenya, Liberia, Madagascar, Mali, Mexico, Mongolia, Mozambique, Niger, Portugal, Rwanda, Senegal, Sierra Leone, Swaziland, Sweden, Togo, Trinidad and Tobago, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Zambia.

Against: Australia, Bangladesh, Chile, Egypt, Guatemala, India, Indonesia, Iran, Iraq, Japan, Jordan, Malaysia, Maldives, Mauritania, Morocco, Nicaragua, Oman, Papua New Guinea, Philippines, Saudi Arabia, Singapore, Suriname, Syrian Arab Republic, Thailand, Tunisia, Turkey, United States of America, Uruguay, Zaire.

Abstaining: Argentina, Austria, Bahamas, Bahrain, Belgium, Bhutan, Bolivia, Burma, Canada, Colombia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, Gabon, Germany, Federal Republic of, Ireland, Israel, Italy, Ivory Coast, Kuwait, Lao People's Democratic Republic, Lesotho, Luxembourg, Nepal, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Qatar, Samoa, Spain, Sri Lanka, Sudan, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela, Yugoslavia.

RECOMMENDATION OF THE FOURTH COMMITTEE

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

Question of East Timor

The General Assembly,

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

Recalling its resolutions 3485 (XXX) of 12 December 1975, 31/53 of 1 December 1976 and 32/34 of 28 November 1977 and Security Council resolutions 384 (1975) of 22 December 1975 and 389 (1976) of 22 April 1976,

Having examined the chapter of the report of the Special Committee on the

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Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the Territory, 1/

Having heard the statements made on the subject of East Timor, including the statement by the representative of the Frente Revolucionária de Timor Leste Independente, 2/

Deeply concerned at the continuing critical situation in the Territory, resulting from the persistent refusal on the part of the Government of Indonesia to comply with the provisions of the relevant resolutions of the General Assembly and the Security Council,

Bearing in mind the part of the Declaration of the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Belgrade from 25 to 30 July 1978, relating to East Timor, 3/

Mindful that all States should, in conformity with Article 2, paragraph 4, of the Charter, refrain in their international relations from the threat or use of force against the territorial integrity or national independence of any State, or in any other manner inconsistent with the purpose of the United Nations,

1. Reaffirms the inalienable right of the people of East Timor to self-determination and independence, and the legitimacy of their struggle to achieve that right;

2. Reaffirms its resolutions 3485 (XXX), 31/53 and 32/34 and Security Council resolutions 384 (1975) and 389 (1976);

3. 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 keep the situation in the Territory under active consideration, to follow the implementation of the present resolution, to dispatch to the Territory as soon as possible a visiting mission with a view to the full and speedy implementation of the Declaration and to report thereon to the General Assembly at its thirty-fourth session;

4. Draws the attention of the Security Council, in conformity with Article 11, paragraph 3, of the Charter of the United Nations, to the critical situation in the Territory of East Timor and recommends that it take all effective steps for the implementation of its resolutions 384 (1975) and 389 (1976) with a view to securing the full exercise by the people of East Timor of their right to self-determination and independence;

5. Decides to include in the agenda of its thirty-fourth session the item entitled "Question of East Timor".

1/ A/33/23/Add.3, chap. X.

2/ A/C.4/33/SR.21, paras. 10-27.

3/ A/33/206, annex I, para. 133.