



SUMMARY RECORD OF THE 18TH MEETING

Chairman: Mrs. MAIR (Jamaica)

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AGENDA ITEM 79: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued)

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The meeting was called to order at 11.05 a.m.

AGENDA ITEM 79: IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE OF HUMAN RIGHTS (continued) (A/32/61 and A/32/147 and Add.1-3)

1. Mr. SHERIFIS (Cyprus) said that his Government had consistently and unfailingly supported the inalienable right to self-determination and independence of all peoples still under colonial domination, foreign occupation and alien subjugation. It maintained no diplomatic or other relations with South Africa or with the illegal minority régime in Rhodesia. It also contributed financially to the United Nations Trust Fund for South Africa, the United Nations Educational and Training Programme for Southern Africa, the United Nations Fund for Namibia, the United Nations Institute for Namibia and the United Nations Trust Fund for Publicity against Apartheid. It was only natural for Cyprus to take a strong stand on human rights, including the right to self-determination, because it had itself been under colonial rule until very recently and because a substantial part of its own territory was still under foreign occupation. It was in the vanguard of the human rights struggle because it maintained that those rights could not be applied in certain cases while being ignored in others, and because it could not accept the flouting of United Nations resolutions by Governments that denied human rights and fundamental freedoms whether in southern Africa, the Middle East, Cyprus or elsewhere. It was the collective responsibility of the United Nations to take appropriate measures to correct that situation. Indeed, the very credibility of the Organization would be jeopardized if Governments were able to disregard its resolutions as a matter of course.

2. Self-determination as a principle had been repeatedly asserted in a number of United Nations resolutions and declarations and had also been authoritatively acknowledged as a right in the advisory opinion of the International Court of Justice on the question of Western Sahara. The problem lay in the failure of some Members to apply that principle.

3. The right to self-determination was also the essential precondition for the enjoyment of all other political, civil, social, cultural and economic rights and was closely linked to economic and social advancement. Its most important expression, however, was its political implementation, which had enabled many peoples to emerge from colonial rule and win independence.

4. The exercise of that right required absolute equality of voting rights. There were no grounds either in the Charter, in other instruments of international law or in international practice for the contention that self-determination could be applied separately to different communities or ethnic groups within a given country. That contention was a transparent device aimed at separation and division in order to perpetuate exploitation and oppression, as in the case of the Transkei. It must be clearly understood that the right to self-determination should never be so interpreted as to undermine the national unity or territorial integrity of any nation.

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(Mr. Sherifis, Cyprus)

5. The Fifth Conference of Heads of State or Government of Non-Aligned Countries held at Colombo had underscored the importance of Security Council resolution 385 (1976), which stated in paragraph 7 that it was imperative that free elections under the supervision and control of the United Nations should be held for the whole of Namibia as one political entity. The Conference had also rejected and condemned the so-called bantustans and the establishment of the Transkei and had called for intensification of vigilance against such efforts aimed at consolidating the obnoxious system of apartheid. His country fully subscribed to those positions and renewed its appeal for implementation of the United Nations resolutions on Namibia and Rhodesia, as well as those on the Middle East. It placed equal emphasis, of course, on the implementation of the relevant resolutions on Cyprus. Human rights must be universally applied.

6. Mrs. SEMICHI (Algeria) said that it was pointless to focus on particular aspects of the human rights problem when so many people were still being denied the most basic human right, namely, the right to self-determination, and were forced to live under colonial oppression. The African continent provided grim examples of the denial of the fundamental right of self-determination. It was a continent where slavery and institutionalized racism persisted, where black people were deprived of their rights and confined to bantustans under the doctrine of so-called separate development; a continent whose resources were being exploited by and in the exclusive interests of a white minority; a continent where certain Western States, in pursuit of their own short term selfish interests, were cynically promoting the odious system of apartheid by co-operating with the racist régimes, even to the extent of providing nuclear assistance, and thereby threatening peace and security. Attempts to destroy the territorial integrity of illegally occupied Namibia persisted in the face of international protests and international instruments calling for the independence of that Territory. A similar situation applied in Southern Rhodesia, where a white minority profited richly from the brutal exploitation of the indigenous inhabitants.

7. The people of Western Sahara were also entitled to the support of the international community in their effort to cast off the yoke of colonial domination. In the Middle East, Zionist policy constituted a version of apartheid because it was based on racism, colonialism and the forced emigration of an indigenous people, and vigorous measures to combat it were required.

8. The Programme of Action recently adopted at the Maputo Conference and subsequently confirmed in Lagos had strengthened her conviction that the complete elimination of racism in all its forms was being given due recognition as a priority objective and that efforts to achieve it would meet with success.

9. Miss TATU MURU (United Republic of Tanzania) said that the item under consideration was of great importance and serious concern to her delegation because it was impossible for people under foreign and colonial domination to exercise even the most basic human rights and freedoms. The right to self-determination could not be negotiated between the oppressor and the oppressed and it was the sacred duty of people persistently being denied it to use any means at their disposal to obtain it.

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(Miss Tatu Nuru, Tanzania)

10. The situation in southern Africa and other areas under colonial domination should be of the greatest concern to the international community and called for immediate action by the United Nations because it constituted a threat to peace and international security. The many attempts which had been made to put an end to the illegal rule of the racist régime in Rhodesia had been frustrated and even while efforts to reach a negotiated solution had been in progress, the régime had intensified its oppression of the black majority and had continued to commit acts of aggression against neighbouring States. Nevertheless, her delegation felt that the new United Kingdom proposals for a Rhodesian settlement, which had the support of the United States, provided a basis for further negotiations even though in themselves they did not inspire much optimism.

11. Namibia continued to be occupied by an illegal racist régime which was intensifying its oppression of the Namibian people in spite of the many resolutions and decisions of the General Assembly and the Security Council calling for its withdrawal. Through bantustanization and the establishment of so-called tribal armies designed to bring chaos that would lead to civil war in Namibia, the South African régime was continuing its attempts to divide the people of that Territory and undermine its territorial integrity.

12. The intransigence and arrogance of those régimes were the direct result of the support and protection given to them by Western Powers. A number of countries that claimed to be implementing sanctions against the Smith régime were actually helping it to remain in power and even to commit repeated acts of aggression against neighbouring African States. In that connexion, Mozambique should be commended for its decision to apply sanctions by closing its border with Rhodesia despite the great sacrifice to its own economy which that entailed.

13. The situation in the Middle East was also far from peaceful. The root cause of instability in that region and the major obstacle to peace was the failure to recognize the rights and interests of the Palestinian people. The illegal occupation of Arab land by Israel constituted an act of aggression and her country therefore demanded its immediate and total withdrawal. It was equally concerned with the denial of the right to self-determination in Western Sahara and East Timor, as well as the threat to the exercise of that right in Belize posed by a neighbouring State.

14. Her country pledged full support to all those struggling for self-determination and it endorsed without reservation the Maputo Declaration in Support of the Peoples of Zimbabwe and Namibia and the Programme of Action for the Liberation of Zimbabwe and Namibia as well as the Lagos Declaration for Action against Apartheid.

15. Mr. WASILEWSKI (Poland) said that his delegation, in voting in favour of General Assembly resolution 31/34, had reaffirmed its unalterable opposition to all forms of exploitation and oppression, colonialism and neo-colonialism, racism, racial discrimination and apartheid, all of which were obstacles to the attainment of the goals of the United Nations Charter, to the realization of social progress and development and to the realization of human rights.

(Mr. Wasilewski, Poland)

16. The right of self-determination was one of the fundamental principles of contemporary international law and a corner-stone of international relations in the second half of the twentieth century. It had first been proclaimed as a principle by the revolutionary government of Russian workers and peasants which took power after the Great Socialist October Revolution in 1917. Since then it had become enshrined in a number of international instruments, the International Covenants on Human Rights being among the most important.

17. Poland had always provided political, material and moral support to those struggling for self-determination and would continue to do so as long as necessary. It had always participated actively in the elaboration, adoption and implementation of effective international measures aimed at the elimination of colonialism, racism and apartheid as well as providing concrete assistance to the victims of those evils, including scholarships to students from dependent Territories and newly independent States.

18. The historic process of decolonization must be completed not only in southern Africa but also in Palestine, where the Arab people were pursuing the just goals of self-determination and the establishment of an independent State. United Nations support to colonial peoples and national liberation movements, especially in the form of material assistance, should be substantially increased. Effective measures must be adopted to achieve the full implementation of relevant General Assembly resolutions and Security Council decisions to correct the particularly dangerous situation in southern Africa. In that connexion his delegation whole-heartedly endorsed the measures proposed at the international conferences held at Lagos and Maputo to strengthen sanctions against Southern Rhodesia and to broaden their scope to include all measures envisaged under Article 41 of the United Nations Charter as well as to impose a mandatory arms embargo and economic sanctions on South Africa.

19. Mr. VALDERRAMA (Philippines) said that nothing in contemporary history had been more significant than the attainment by colonial countries and peoples of their independence and the exercise of their inalienable right of self-determination. Independence was the best insurance for the effective observance of human rights, for the promotion of the national cultural heritage and for economic and social progress. While it had been said that the enjoyment of the rights enshrined in the Universal Declaration of Human Rights, the United Nations Charter and other related international instruments might not follow automatically the advent of independence and the exercise of self-determination, those rights could never be fully guaranteed under colonial conditions.

20. As an original signatory of the Charter and as a former colony that had fought three wars of liberation against the colonial Powers and had been proclaimed the first republic in Asia in 1898, the Philippines had staunchly defended the inalienable right of colonial countries and peoples to self-determination and independence ever since the inception of the United Nations. It continued to espouse that sacred cause, in particular with regard to the peoples of South Africa, Zimbabwe and Namibia, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

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(Mr. Valderrama, Philippines)

21. The accession to independence of a score of peoples and territories in the post-war years was a bright page in the chronicles of the United Nations. It was therefore deplorable that racism, racial discrimination, apartheid, alien domination and the creation of bantustans continued to impede the universal realization of the right of peoples to self-determination. Although it was true that the process of decolonization was irreversible, the United Nations must not slacken its concerted efforts to put an end to the vestiges of colonialism.

22. The dimensions of independence must include the speedy establishment of the New International Economic Order, which would facilitate the effective guarantee and observance of human rights. As long as apartheid existed, majority rule was denied the people of Zimbabwe, and South Africa illegally continued to occupy Namibia in defiance of the United Nations and to extend its bantustan policy to that international Territory, and as long as the people of Palestine failed to enjoy their fundamental rights of sovereignty and independence, the achievement of the high purposes of the Charter and the Universal Declaration of Human Rights would elude mankind. All Member States must therefore take concerted action and abide by the relevant United Nations resolutions in order to put a speedy end to the vestiges of colonialism. His delegation would not be found wanting in that endeavour.

23. Mr. ALFONSO (Cuba) said that the example of the Socialist Republic of Viet Nam, one of the new States Members of the United Nations, could provide three lessons of relevance to the subject under discussion. The first was that peoples deprived of the right to self-determination could not renounce any means of securing that right, particularly armed struggle. The delegations, generally from the so-called "free world", which advocated the use by peoples fighting for their fundamental rights of peaceful means to attain those ends conveniently overlooked the fact that it was they who had forced those peoples to resort to revolutionary violence by arming their oppressors to the teeth. If the people of Viet Nam had not rejected the suicidal formula currently being proposed to the indigenous inhabitants of southern Africa and had not taken up arms against an occupying army, they would not have withstood the genocidal action of the United States bombers and would probably not be participating in the Committee's discussions. Nowhere in the Charter or in any other international instrument were limitations placed on the means peoples could use to secure their fundamental rights.

24. The second lesson was the wide variety of methods employed by the forces of imperialism and neo colonialism in order to continue to deprive those peoples of their right to self-determination. However, he endorsed the statement by the representative of the Federal Republic of Germany that even when the inhabitants of a territory had been consulted by means of elections or referenda, there was no guarantee that they had been able to express their opinion freely. A case in point was that of Puerto Rico, which would soon have been under United States domination for 80 years and which, it was claimed, had exercised its right to self-determination when voting in the 1952 referendum for so-called Commonwealth status. In view of the innumerable military bases in that territory, his delegation could not accept such an interpretation of the right to self-determination.

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(Mr. Alfonso, Cuba)

25. The third lesson to be learned from Viet Nam's experience was the importance of international solidarity with the freedom fighters. Although self-determination was not won at United Nations Headquarters but in the country concerned, the moral and material support provided by United Nations resolutions was by no means negligible. That was why it was important that the United Nations should continue to discuss the item and try to find new ways of ensuring that the phenomenon of colonialism and neo colonialism was eradicated from the face of the earth.

26. The recent conferences attended by countries which had followed the colonial situation very closely, such as those held at Cairo and Lisbon in 1977, had drawn attention to the obstacles put in the way of the freedom fighters, who had to contend not only with the local authorities but also with the consequences of various types of support provided by developed countries, almost all of which belonged to that "free world" of which Vorster claimed to be one of the most zealous defenders.

27. South Africa's military budget had increased by almost 400 per cent between 1973-1974 and 1977-1978 and the number of people under arms had increased by 100 per cent between 1972 and 1976. That growing military capacity threatened not only the indigenous inhabitants of the region but also neighbouring independent African States. It was a very present danger and it was regrettable that States members of the North Atlantic Treaty Organization (NATO) were supplying the Vorster régime with heavy equipment and granting licences for it to manufacture military aircraft.

28. Financial co-operation with the régime also continued. According to information in the possession of the Special Committee against Apartheid, the International Monetary Fund had been the direct source of three quarters of all the régime's investment capital in the second half of 1976 and United States and other banking sources had granted it substantial credit over the past two years. According to a Reuters report from Bonn, the Government of the Federal Republic of Germany had increased its export credits to South Africa by 400 per cent over the past 18 months. Economic co-operation with Western firms was also continuing and even increasing. Some people maintained that investment in South Africa could improve the situation of the mass of South African workers but that was pure illusion and an attempt to conceal the real situation.

29. The question of South Africa's nuclear capacity was also a very real danger and some Governments whose past actions had made that possible were now regretting them.

30. Another cause for increasing concern was the creation of bantustans. As soon as that policy had begun to emerge, the United Nations had unequivocally declared its total rejection of it as a mockery of the principle of self-determination and, in General Assembly resolution 31/6 A, it had called upon all States Members of the United Nations to refrain from having any dealings with the authorities of the so-called "independent" Transkei. He wished to draw the Committee's attention to the visit to Chile in 1976 of a government delegation from that territory, headed

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(Mr. Alfonso, Cuba)

by the so-called Minister of Health of the Transkei, which had been received by the authorities of the fascist Junta.

31. The illegal occupation of Namibia was also continuing in defiance of the United Nations resolutions and the Namibian people's increasingly determined fight for national liberation. The growing successes of the national liberation forces in Zimbabwe had led to intensified repression by the Smith régime as a desperate last-minute effort to inject some life into the present system of white domination.

32. The situation in the Middle East was also extremely disturbing. The establishment of new settlements by the Zionist Government in the occupied Arab territories was an obvious act of colonization and contravened the principles of the Charter because it stemmed from aggression and the occupation by force of foreign territories. Unless the Palestinian people were allowed to exercise their legitimate right of self-determination, there could never be a lasting peace in that region.

33. The rights of other peoples such as those of Belize and of the Comoros, including Mayotte, should also not be overlooked.

34. In conclusion, he wished to draw attention to two specific points. The first was the question of mercenaries, which had been the subject of several resolutions at the preceding session of the General Assembly. The United Nations would soon have to decide what action the international community could take in order to put an end to that curious phenomenon which was a threat not only to the national liberation movements but also to independent States. The second point was the question of political prisoners. In view of the recent instances in which prisoners in South Africa had been killed by their racist gaolers, the Committee should call for full respect for the individual rights of each prisoner detained for fighting for national liberation and self-determination and demand that they be freed immediately.

35. He reiterated his country's support both for all United Nations actions to that end and for the national liberation movements.

The meeting rose at 12.25 p.m.