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CONTENTS

Agenda item 23:

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 (*continued*) . . . . .

Page

985

**President: Mr. Gaston THORN**  
(Luxembourg).

*In the absence of the President, Mr. Grozev (Bulgaria), Vice-President, took the Chair.*

**AGENDA ITEM 23**

**Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: 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 (*continued*)**

1. Mr. PUNTSAGNOROV (Mongolia) (*interpretation from Russian*): The General Assembly is now discussing the item concerning the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. We are discussing this item during the thirtieth anniversary of the end of the Second World War and the creation of the United Nations. The great victory won by the peoples of the anti-Hitlerite coalition over the forces of fascism and militarism, to which a decisive contribution was made by the Soviet Union, offered new hopes and possibilities for the national liberation struggle of the colonial and dependent countries. The emergence of the world-wide system of socialism has given a powerful impetus to the national liberation movements which, in the final analysis, has led to the defeat of colonialist régimes in all continents.

2. With the co-operation of the socialist States, the peoples struggling for their freedom and independence have found new friends and allies. We all know the importance of the moral, political and material support which was given and is being given by the socialist States to the peoples struggling for national independence and against attempts to restore forcibly colonialist régimes, against imperialist aggression and intervention.

3. My delegation would like to emphasize the contribution which has been made to the elimination of colonialism by the United Nations, which in its Charter proclaims the principle of self-determination and

equality for all nations. Among the many decisions of the United Nations concerning decolonization, particular stress should be placed on the historic Declaration on the Granting of Independence to Colonial Countries and Peoples adopted in 1960 by the General Assembly in its resolution 1514 (XV) upon the initiative of the Soviet Union.

4. In a specific and practical fashion the Declaration has linked the United Nations with one of the most fundamental and progressive processes of our time and, in so doing, has enhanced the activities of the United Nations in the field of eliminating colonialism. The efforts to implement the Declaration have marked an important milestone in United Nations activities aimed at promoting the elimination of colonialism in all its forms and manifestations.

5. We are pleased to note that as a result of the victories won by the national liberation movements throughout the past 15 years, following the adoption of the Declaration, the political map of the world has been very considerably changed. Dozens of young independent States have arisen from the ruins of the fallen colonialist empires and are playing ever more active roles in the international arena.

6. In recent years détente has become the main feature of the international situation. As we have seen, it is creating favourable conditions for the further intensification of the liberation struggles and promoting international efforts directed at the elimination of the vestiges of colonialism and the uprooting of racism. That is borne out by the recent successes achieved by the national liberation movements. In this context I am pleased to emphasize that this year, 1975, has been marked by a very important event—the total liberation of Africa from Portuguese colonialism. That liberation was promoted by the victories of national liberation movements as well as by the defeat of the Fascist régime in Portugal itself. The final liquidation of the most inveterate form of colonialism in Africa and the formation of the new, independent States of Mozambique, Angola, Cape Verde and Sao Tome and Principe have created a qualitatively new situation which should facilitate and hasten the elimination of the last vestiges of colonialism and racism from the southern part of Africa.

7. This year the peoples of Papua New Guinea and the Comoros have achieved their independence and we await the announcement of the independence of Surinam. We think that still more colonial Territories should be granted their independence in the near future.

8. At the same time we must point out that imperialist and reactionary forces of all kinds are making desperate attempts to delay the process of decolonization, complicate the situation, hamper the coming to power of the true patriotic movements and undermine the co-operation of the anti-colonialist forces.

9. In this connection, my delegation would like to express serious concern about the situation in the People's Republic of Angola. Recently we heartily welcomed the birth of that Republic, which has been recognized already by a great many countries, including my own. However, the celebration of the independence of that country has been marred by the intervention of foreign reactionary forces, which have provoked a civil war and are attempting a military intervention. As we have noted from press reports, regular troops from South Africa and mercenaries from the former Portuguese colonial army are participating in military activities against the young Republic. It is known that for many years the national liberation movement of Angola, the *Movimento Popular de Libertação de Angola* [MPLA], has led the armed struggle for the liberation of Angola and inflicted very considerable blows on the colonialists. It is that movement which has shouldered the main burden of the struggle against the foreign occupying forces.

10. Our delegation considers it important to end foreign intervention in the internal affairs of Angola and to allow the people of Angola to govern their lives. The developments in Angola once again demonstrate how important it is to join forces and strengthen and support all the patriotic and anti-colonialist forces, in order to ensure the triumph of the cause of national independence and progress.

11. At the present time the forces of colonialism, neo-colonialism and racism are trying to maintain their last bastion in the southern part of Africa, and threatening peace and security in that region. It is quite characteristic that the Pretoria and Salisbury régimes, bearing in mind the new situation that has arisen following the defeat of Portuguese colonialism and the decisive condemnation of *apartheid* and racial discrimination by world public opinion, should be trying all types of manoeuvres. On the one hand they are strengthening their repression of the indigenous populations and on the other they are calling for a "dialogue", for "reconciliation" and for "the building of bridges" with the African States. They are also promising "financial and economic assistance". By using such tactics, the racists are trying to weaken the national liberation movements and split the anti-colonialist and anti-racist front and to end their isolation. The purpose of those manoeuvres is, in our view, to maintain the colonialist system itself by modernizing somewhat the system of *apartheid* and racial discrimination.

12. We should also like to mention the manoeuvres of South Africa in the illegally occupied Territory of Namibia; in particular, the so-called constitutional negotiations on Namibia are clearly aimed at splitting the country along tribal lines, all of which would promote the maintenance of racist domination. Our delegation expresses its full support for the declaration adopted by the Council of Ministers of the Organization of African Unity [OAU] at its ninth extraordinary session, held at Dar es Salaam from 7 to 10 April this year, in which the African States declared their determination to achieve freedom and independence for Zimbabwe and Namibia and to eliminate *apartheid* and racial discrimination in South Africa.

13. If all the Members of the United Nations were to implement scrupulously the corresponding United Nations resolutions, then the situation in southern Africa would undoubtedly be quite different from what it is today. It is a secret to no one that the racist régimes in southern Africa only exist thanks to the support of certain western Powers and their transnational monopolies. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples has drawn the well-founded conclusion that support given to the Salisbury and Pretoria régimes by the great world monopolies, and also the financial and technical participation of western Powers in exploiting the colonial territories, strengthen the racist régimes. According to the report of the Special Committee [A/10023, chap. V], 80 per cent of the mines of Southern Rhodesia and 90 per cent of the non-ferrous metals extracted in Namibia are controlled by foreign companies which are making fabulous profits therefrom. Our delegation considers that the domination of the transnational monopolies is one of the basic obstacles to the national independence of the peoples of southern Africa. In this connection, we endorse the appeal made by the Special Committee to Governments as well as organizations of the United Nations system to respect fully the permanent sovereignty of the peoples of the colonial Territories over their natural resources. Our delegation expresses its support for and solidarity with the national liberation movements of Zimbabwe, Namibia and South Africa.

14. Our country urges the United Nations and the specialized agencies to intensify their political, material and moral support and assistance to the African freedom fighters who are struggling for their independence.

15. We should also like to point out that no solution has yet been found to the problems of decolonizing the so-called small territories. As we know, certain territories, many islands and archipelagos in various parts of the world are still under colonial domination and very often are used by the administering Powers for strategic military purposes which, of course, constitutes a threat to peace and security in those areas. The United Nations should endeavour to demilitarize and decolonize those territories.

16. The Secretary-General, in the statement he made at a meeting of the Special Committee on 30 January of this year [*ibid.*, chap. I, paras. 13-20], emphasized that the task of the United Nations would not be fulfilled as long as all the peoples under colonial domination had not achieved freedom and independence. The international situation at present is favourable to the implementation of this historical task. My delegation has already expressed its views with regard to the need for the General Assembly to appeal to the administering Powers to set a target date for full decolonization in the near future of the Territories remaining under their administration. We greatly value the useful activities of the Special Committee in implementing the Declaration on the Granting of Independence to Colonial Countries and Peoples.

17. In conclusion, we should like to emphasize that under existing conditions, at a time when peoples who have achieved their national independence are waging a struggle against the vestiges of colonialism and the

policy of neo-colonialism, in order to restructure international economic relations on the basis of equality and in order to ensure their sovereignty over their own natural resources, the provisions of the aforementioned Declaration are particularly timely since they confirm the rights of all peoples to implement and carry out their own economic, social and cultural development.

18. In this sense, the idea of important documents such as the Declaration on the Establishment of a New International Economic Order [*resolution 3201 (S-VI)*] and the Charter of Economic Rights and Duties of States [*resolution 3281 (XXIX)*]*—all such documents develop and amplify the contents of the historical Declaration on decolonization. We are convinced that the full implementation of the purposes of that Declaration, and the elimination of the last vestiges of colonialism and racism, will eradicate dangerous hotbeds of tension and will normalize the international atmosphere as well as promote the acceleration of the social and economic progress of all peoples.*

19. Mr. OLIYNYK (Ukrainian Soviet Socialist Republic) (*interpretation from Russian*): One of the important problems of our times which calls for an immediate solution is the question of the full and definitive elimination of all vestiges of the shameful colonial system.

20. The 15 years that have elapsed since the adoption, upon the initiative of the Soviet Union, of the Declaration which called for an immediate and unconditional end to colonialism in all its forms and manifestations, have been marked by a tireless struggle carried on by the overwhelming majority of countries of the world to fulfil the principles of this historic document.

21. The successes achieved in this difficult struggle are clearly highlighted at the present session of the General Assembly where we have welcomed new States, namely, Cape Verde, the Democratic Republic of Sao Tome and Principe, the People's Republic of Mozambique, Papua New Guinea and the Comoros, all countries which have achieved their own sovereignty.

22. Today we are congratulating the Angolan people who, under the leadership of MPLA, have achieved their own independence. Angola has already been recognized by dozens of States.

23. However, the celebration of the accession of those new countries to the family of sovereign States is darkened by our realization that, as a result of the strong resistance shown by the reactionaries and primarily by the racists in southern Africa, there still remain dozens of colonial Territories where millions of people are denied their natural and inalienable right to self-determination and independence. In South Africa, in Namibia and in Southern Rhodesia today, just as in the past, colonialism, racism and *apartheid* still prevail. Perhaps at this very moment Vorster's thugs are crushing the freedom fighters in Namibia. Perhaps also at this very moment, to the music of the "Ode to Joy" taken from Beethoven's Ninth Symphony—a piece of music which the Southern Rhodesian racists have cynically selected as their own national anthem—white judges are passing death sentences on the Zimbabwe patriots. How this brings to mind the cruel Hitlerite methods by which classical

music was played on loudspeakers in order to muffle the death moans of those being incinerated!

24. This is not the only similarity between the régimes of Ian Smith and Vorster and the Nazi régime. Many laws in South Africa are patterned after the legislation of the Fascist Reich, in particular the laws on sabotage, terrorism, on the birth restrictions imposed on the indigenous population, on land-tenure, on the restriction of movement of the coloured population and many similar laws and regulations by means of which the Pretoria régime is oppressing the indigenous population and condemning the population of South Africa and Namibia to live in conditions of misery and humiliation.

25. As stated in the report of the Special Committee, "during the past year the Pretoria régime has further escalated its reign of terror over the Namibians, including in particular the members of the national liberation movement, SWAPO, by killings, mass arrests, detentions, floggings and other repressive measures and practices" [*A/10023, chap. X, para. 13, sect. 2*].

26. The South African racists for several years now have been occupying Namibia, which at no time ever belonged to South Africa; the régime has been imposed on Namibia by means of violence and terror directed against the indigenous population, and the prisons are filled with political prisoners; the executions continue and the South African armed forces have settled in Namibia as if it were their home.

27. Almost totally isolated and at odds with the liberation movements, the racists have tried everything possible to preserve and strengthen white minority rule. For example, Vorster frequently stated that he is ready to begin a "dialogue", and promised the "liberalization" of the system of *apartheid*. However, the reality simply confirms our own view that this is nothing more than the usual smokescreen of words, behind which one of the "comrades-in-crime" tries to hide his bestial face.

28. Several months ago the best known poet in South Africa today, Breiten Breitenbach, whose works celebrate the love for man regardless of his skin colour and have been translated into many languages, was imprisoned.

29. What kind of dialogue could there be with an executioner who has caused the death of millions of people? There should be no compromise, there should be no dialogue. There can only be the final and complete liberation of the Namibian people. There can only be the granting to that people of true freedom and independence.

30. The people of Zimbabwe have also been carrying on a long and bitter struggle, in which a handful of racists under Ian Smith are continuing illegally to hold power in that country. Our delegation has already given its views on the question of Southern Rhodesia in the Fourth Committee [*see A/C.4/SR.2139, paras. 25-29*]. We know that from the time the white minority régime in Southern Rhodesia usurped power the United Nations condemned that régime and stigmatized the actions of the Ian Smith clique as criminal. We also know that the rebels were outlawed and that the Security Council adopted economic sanctions against the racist régime. These sanctions

have been systematically violated by certain Western States, their monopolies and the so-called transnational corporations. In the annex to chapter IX of the report of the Special Committee more than 10 pages are devoted to a listing of the States and companies which are violating the sanctions against Southern Rhodesia, and facts and figures are quoted in that report concerning those who are supporting the racist régime there. In this connexion, petitioners were heard in the Fourth Committee [see A/C.4/SR.2145]. Today, on the basis of facts and authentic sources, we are entitled to state that one of the main reasons for the slow pace of decolonization is the activity of international imperialist monopolies which, by their investments in colonial Territories, are galvanizing and encouraging the racist régimes there.

31. Every clear-thinking person realizes that colonialism, racism and *apartheid* are anachronisms of history which are doomed to disappear. But we must never forget that a wild beast is most dangerous when it is forced into a life-and-death struggle. Each day that passes, each day of the continued existence of such régimes, causes untold loss of lives and the natural resources belonging to the peoples of colonial Territories, their rightful owners.

32. One recent example of the sombre reality is the incursion by South African troops and by white mercenaries from occupied Namibia into neighbouring Angola, whose people had achieved its own independence only a few days before.

33. At this point my delegation would like to dwell on the so-called small colonial Territories. Utilizing these island Territories as military bases, the colonialists are trying, by fair means or foul, to maintain their domination over these islands, and they are using all kinds of doubtful "arguments" to show that it is for the benefit of the peoples concerned that they are trying to "associate" such Territories with the metropolitan country. In our view, such "arguments" are simply attempts to perpetuate under a new name the colonial status of these Territories. For this reason, it is important that the United Nations defend the peoples of these Territories against any attempts to incorporate them under the guise of "associations" and allow them to avail themselves of their sovereign right to self-determination and independence.

34. The Declaration on the Granting of Independence to Colonial Countries and Peoples was adopted 15 years ago; and this is not such a short period of time that we can afford to delay independence still further, and we are now faced with the urgent question of the granting of immediate independence to all remaining colonial countries and peoples. It is the duty of the General Assembly to demand implementation of the resolution on decolonization.

35. The peoples of our country, true to their international duty, have always given, are giving now and will continue to give all material and moral assistance to peoples in their struggle against colonialism. Our delegation would like again to confirm that we fully support the resolutions and decisions on decolonization adopted by the United Nations.

36. The final uprooting of colonialism would be the culmination of all the efforts undertaken by the United Nations since that time 15 years ago when, on the

initiative of the Soviet Union, the Declaration on the Granting of Independence to Colonial Countries and Peoples was adopted.

37. Mr. LAI (China) (*interpretation from Chinese*): Over the past year, the peoples of Asia, Africa and Latin America have achieved new victories in their struggle against imperialism, colonialism, neo-colonialism and super-Power hegemonism. The past year has witnessed the vigorous development and victorious advance of the national liberation struggle of the great African people. Under the heavy blows of the African people, the five-century-old Portuguese colonial rule in Africa has disintegrated. After protracted heroic struggles, the peoples of Mozambique, Cape Verde, Sao Tome and Principe and the Comoros have finally attained national independence. The people in the non-independent regions of southern Africa are deepening their liberation struggle and mass movement. Defying brute force and overcoming numerous difficulties, the people of Zimbabwe, with the support of the numerous African countries and peoples, have persevered in armed struggle and dealt telling blows at the Smith régime. The people of Namibia are continuing their advance along the road of opposing the illegal occupation by the South African racist authorities and are striving for national independence. New progress has been made in the Azanian people's mass movement against *apartheid* and racial discrimination.

38. The African peoples have supported each other in their joint struggle against the common enemy. The Assembly of Heads of State and Government of the OAU at its twelfth ordinary session held this year at Kampala, the capital of Uganda, adopted a series of resolutions reaffirming its firm support to the just struggle of the peoples of southern Africa. The militant call of unity against imperialism, colonialism and hegemonism has resounded through all Africa.

39. It should be pointed out that the development of the national liberation struggle in Africa is by no means all plain sailing. On the one hand, the old colonialists are not reconciled to their defeat and are resorting to all kinds of intrigues and plots in a desperate struggle to preserve their vicious colonial system. On the other hand, the super-Powers contending for world hegemony are stepping in their infiltration. Over a long period, one super-Power has been doing its utmost to help sustain the racist régimes in southern Africa, while the other super-Power which flaunts the banner of "socialism" has been sowing dissension within the national liberation movements, undermining their unity and inciting to civil war with a view to replacing the old colonialists in exercising control over this region. A conspicuous case in point is the recent deplorable and distressing situation emerging in Angola.

40. After valiant struggles with the support of the African people and the people of the rest of the world, the Angolan people have finally terminated the prolonged Portuguese colonial rule in Angola, which has become an independent sovereign State. This is a great victory won by the Angolan people in their dauntless struggle against Portuguese colonialism, particularly their armed struggle initiated in the 1960s. We rejoice with the African countries and people at this victory,

and we wish to extend our warm congratulations to the Angolan people and the three Angolan liberation organizations.

41. However, despite the termination of the Portuguese colonial rule, it has not been possible to form a government of national unity, and an unfortunate situation of division and civil war has emerged in Angola after independence. This is entirely the result of the contention between the two super-Powers, and particularly the undisguised expansion and crude interference by that super-Power which flaunts the sign-board of "socialism".

42. As is well known, with the common goal of fighting against Portuguese colonialism and achieving national independence, all the three Angolan liberation organizations waged armed struggles over a long period in the past, and have made contributions to the cause of national liberation of Angola. The OAU has recognized and supported all the three liberation organizations that carried on armed struggles.

43. In order to promote the co-operation among the three Angolan liberation organizations and avoid a civil war, the OAU urged them to sign an agreement on strengthening their unity, renouncing the use of force as a means to solve the problem and achieving independence on a joint basis. The three liberation organizations together reached agreement with the Portuguese Government on the independence of Angola and on the joint establishment of a transitional government. However, in total disregard of the OAU position and the agreements reached among the three organizations on unity against the enemy, the Soviet Union has gone so far as to identify one organization as revolutionary and censure the other two as reactionary, in a deliberate attempt to sow discord and create division. Furthermore, it has sent large quantities of arms, even including such heavy arms as the Angolan people never obtained during their fight against Portuguese rule, to support one of the Angolan organizations and thus provoked the civil war in Angola. It is also ceaselessly sowing discord and creating differences among the African countries. The over-all situation of African unity is in unprecedentedly grave jeopardy. The other super-Power has not lagged behind and is actively instigating intervention by the South African authorities. The conflict among the three Angolan organizations has speedily expanded into a nation-wide civil war. The situation in Angola is becoming more and more complicated.

44. In order to contend with United States imperialism for hegemony in Africa, Soviet social-imperialism has placed itself entirely in a position hostile to the OAU, and it has wilfully undermined all OAU efforts of mediation on the question of Angola. The OAU has called on the three liberation organizations to realize reconciliation and to form a government of national unity on a joint basis, whereas the Soviet Union has been actively engaged in conspiratorial activities against their reconciliation. The OAU has asked the three Angolan organizations to cease conflicts immediately, whereas the Soviet Union has done its utmost to expand the civil war in Angola and is stepping up the transportation of various arms, causing continued escalation of the military conflicts.

45. The OAU and many African countries have done a lot of work to promote unity among the Angolan

liberation organizations and stop the armed conflicts, and have put forward a series of positive proposals on the immediate cessation of the civil war among the three Angolan liberation organizations and the formation of a government of national unity. Such a just position on their part is in full accord with the interests of the Angolan people and the people of all Africa. We highly appreciate and firmly support it. It is intolerable that the Soviet Union has carried out sabotage by every conceivable means and has even come out undisguisedly with repeated efforts to intimidate and exert pressure on some African countries. Obviously, the spearhead of the Soviet Union is directed not only against individual African countries but against the OAU and the African people as a whole. Such acts on the part of the Soviet Union have evoked the antipathy and indignation of many African countries and the broad masses of the African people. We resolutely condemn Soviet social-imperialism for its hegemonic acts of hostility towards Africa.

46. The Soviet Union harbours ulterior motives in its wanton sabotage of the liberation cause of the Angolan people. Situated in the southern part of Africa, bordering on the southern Atlantic and having excellent ports along its coastline of over 1,000 kilometres, Angola is a place of great strategic importance. In an attempt to establish its spheres of influence in southern Africa, the Soviet Union has set its mind on placing Angola under its control and turning it into an important stronghold in its rivalry with the other super-Power over southern Africa and for command of the south Atlantic. Moreover, it has long cast a covetous eye on the abundant resources of Angola, anxious to have a hand in their plunder. By splitting the Angolan liberation organizations, it plots further to divide the African countries so as to fish in troubled waters, thereby quickening its pace of aggression and expansion in the whole of Africa and strengthening its position of rivalry with the other super-Power for world hegemony.

47. The Chinese Government and people have always firmly supported the African peoples in their revolutionary struggle against imperialism and colonialism and firmly supported the Angolan people in their just struggle against colonial domination and for national independence. We have always treated the three Angolan liberation organizations on the same basis and in a friendly way, and we provided them with various kinds of assistance, including military assistance, in their struggle against Portuguese colonialism. In our opinion, the three Angolan liberation organizations are fraternal organizations, who were comrades-in-arms in the days of arduous anti-colonialist armed struggle. They have every reason to restore their unity and no reason whatsoever for confrontation, division and war. That is why we have been trying to persuade them to seek common ground while putting aside their differences and to unite against the enemy. After they reached agreement with the Portuguese Government on achieving independence on a scheduled date, we stopped giving new military aid to the three liberation organizations. The Soviet slander about Chinese interference in the internal affairs of Angola is the despicable trick of a thief crying "catch the thief!" Nothing can cover up the countless crimes committed by social-imperialism in Angola.



48. It is our sincere hope that the three Angolan liberation organizations, taking to heart the national interests of Angola and bearing in mind the over-all situation, will eliminate their differences and unite themselves against the common enemy, root out the super-Power meddling and intervention and work together for the establishment of a truly independent Angola built on national harmony, solidarity and unity.

49. Mr. LESSA MARQUES (Uruguay) (*interpretation from Spanish*): May I be permitted to say a few words on the case of the Malvinas Islands. The problem of the Malvinas Islands is for me of very particular importance given my twofold capacity as a citizen of the Americas and as a Uruguayan linked by brotherly ties with the Argentine people. This twofold role makes me deeply proud, but it cannot lead me to lose the essential quality which entitles me to address this Assembly, namely, equanimity based on the sincerity and justice of the principles and of the considerations of fact and of law which I must set forth. Furthermore, I would not be acting in keeping with my conscience as a man of law if I did not do so. In so far as possible, I shall try to spare the Assembly considerations and quotations of texts and principles which have been repeated in the debates of previous years. I shall confine myself to the most essential in support of my Government's position.

50. The name of the Spanish navigator who discovered the islands is not known even though these islands appear in chronicles and maps of seafarers in the service of Spain dated 1522, 1527, 1529, 1541, and the one carried by Sebastian Cabot in 1544, just to mention the earliest. But even apart from this irrefutable evidence about the discovery, the Spanish claims were not only based on that fact, which was legally relevant at that period, but there were also treaties—Tordesillas of 1494, to mention one basic document—establishing the extent of its dominion.

51. Papal bulls had embodied the allocation of seas, portions of land and islands, adjacent or otherwise, discovered or still to be discovered in those areas. From a theoretical and legal standpoint, these bulls, or rather the principle on which they were based, could be challenged, but not from the standpoint of the Europe of the time, which respected them, as preventing many possible conflicts and giving the world of that time an ideal formula, a formula still anxiously sought today, that of a higher power accepted by individual countries as long as it respects them.

52. England recognized the real power of those instruments of international law of that time, and applied them with regard to its claim over Ireland and for the issuance of letters patent.

53. History without hesitation attributes to Bougainville, in his official capacity as representing the King of France, the first effective establishment, in the year 1764. The British Official Gazette of 1966 notes that priority. Immediately following, in 1765, England began its explorations in the area, christening the place which had been named by the Spaniards Puerto de la Cruzada and by the French Port de la Croisade as Port Egmont, which was later occupied by McBride almost two years after the first French occupation by Bougainville. Spain responded immediately. It reached an agreement with France, which returned the occupied territory, reimbursing Bougainville for expenses

he had incurred during his colonizing attempt, but vacating the islands in recognition of the better Spanish claim.

54. Facing England's claim, and concluding that its efforts through diplomatic channels were useless, Spain ordered the Governor of Buenos Aires, under whose jurisdiction the islands fell, to undertake a military expedition, which expelled the British in 1770. Complex and at times secret negotiations followed, ending in the symbolic satisfaction of an honourable compromise. The British went back to Port Egmont, healing the scar left by wounded pride—an arrangement motivated by the complex and dangerous European political situation at the time—while Spain still retained its sovereignty over the islands. The agreement was implemented, and in 1774 the British forces left Port Egmont.

55. This series of facts thus comes to an end, but our hearts fill with grief when we realize the philosophy they reflect. It is expressed in the words of Lord Egmont, First Lord of the Admiralty, in a letter dated 20 July 1775 on the subject of the Malvinas—that is to say, a year after the withdrawal—in which he said:

“This establishment is undeniably the key to the entire Pacific Ocean. This island can control the ports and the trade of Chile, Peru, Panama, Acapulco and, in brief, all the Spanish territories bordering that sea.”

These words express a rough political philosophy, whose principles, unfortunately, cannot be attributed to any given statesman, much less to a single nation. It is the guiding principle of the Powers of that time, which was to last well into this century, and which the United Kingdom itself, in our own time, has done so much to change.

56. From 1774 until 25 May 1810, when the process of independence began in the Vice-Royalty of the Río de la Plata, Spain exercised its authority pacifically, publicly, continuously and effectively, undertaking coast guard and coastal control activities which even involved and affected English vessels.

57. Having broken the legal bonds which linked us to the metropolitan country, what principle of law was used in the Americas to indicate the different State entities that were being established, which at the same time would make it possible to block the claims of European Powers to the dismembered Spanish empire? It was that regulating legal principle which spared Latin America so many conflicts, avoiding so much bloodshed in a continent exhausted by the independence struggles: the principle of *uti possidetis juris*. Fully accepted by the former Spanish colonies, proclaimed and followed by Bolivar, San Martín, Artigas and all the statesmen in favour of the independence, it was always applied in Latin America except when abrogated by external armed force.

58. Its origins and meaning under Roman law are not germane to the present case. For Latin America it meant recognition in law of the State authority exercised in the provinces or other territorial units when they were colonies, and its continuity after they were freed and became independent and sovereign States.

59. This principle has been frequently invoked in determining rights among the new States established

both in Africa and in Asia. Switzerland, to mention a European example, applied the principle of *uti possidetis* when it was acting as an arbiter on borders between Latin American countries. The United States invoked it when signing the peace treaty in 1814 which established its borders with the British dominions, which rendered the principle valid for the United Kingdom as well.

60. Therefore, the principle existed at the beginning as an American doctrine, and it was embodied and endorsed as a rule of universal public international law.

61. Thus in 1810, we had the Argentine Confederation by virtue of the above-mentioned principle, made up of the archipelago of the Malvinas, and in 1829, as the result of an administrative reorganization, it was made part of the province of Buenos Aires as a political and military command, headed by a Commandant appointed and residing in Puerto Soledad.

62. That was the *de facto* and *de jure* situation obtaining in 1833 in lands 12,320 kilometres distant from the United Kingdom and only 554 kilometres from Argentine soil.

63. Over the 59-year period from 1774 to 1833 the most varied political, diplomatic, legislative and administrative acts took place in Argentina. There was the declaration of the commandant of *La Heroína* giving notice to foreign vessels of the provisions governing navigation and fishing on the coasts. There was legislation on the same subject in 1821 and on the adjudication of land, among other things, in 1823. There was the treaty of peace and friendship between the United Provinces and England in 1825, without any reservation or observation contradicting the principle of the succession of the new State to all rights and titles previously enjoyed by the metropolitan country.

64. It is interesting to note that in 1829, as a result of the jurisdiction to which the administration submitted itself, which we have already mentioned, His Majesty's Government, through its envoy, Mr. Parish, delivered a protest, saying that such a measure was incompatible with its right of sovereignty based on "the discovery and subsequent occupation of the islands". After all I have said, this argument seems so superficial as not to be worthy of attention. That is the will-o'-the-wisp in Lord Egmont's letter of 1775, which I have already read, triumphing over any principle of law.

65. We must mention that during those months the British Consul at Montevideo reproached Captain Duncan for his acts in the Malvinas, which infringed on the jurisdiction of Mr. Vernet, whom Buenos Aires had duly appointed to exercise authority there.

66. On 3 January 1833 the corvette *Clio* under the command of Captain Onslow of His Majesty's Navy compelled Commandant Pinedo to vacate the islands. That was the beginning of the transplantation of their population, a situation which has continued to the present day.

67. In this account we have not mentioned such facts as the Argentine-United States conflict and others, since we believe they are not directly related to the case, even though they always showed the effective sovereignty which the Argentine Republic exercised over the islands.

68. From the very outset of British occupation, Argentina took steps through diplomatic channels aimed at changing the situation. Since then it has done everything necessary to safeguard its rights and, practically speaking, there has been no assembly or international meeting at which it has not presented its views.

69. It is now a question of decolonizing the Malvinas. What principles apply? Uruguay, and Latin America in general, have a clear, unequivocal and proven theory on the principle of colonial possession, which they have expressed in all international forums, including this Hall: that colonialism must be completely superseded in the history of mankind. Fortunately this principle is being confirmed day after day by undeniable facts.

70. In the process of decolonization we must distinguish between two totally different situations which therefore require two different solutions. In other words, we must distinguish between the decolonization of peoples and the decolonization of territories.

71. In the first case, the free nations of the world must be made up of peoples who have lost their individuality as States but have nevertheless retained their original population despite the colonial system: in other words, they have retained their sociological individuality. In the second case, we are dealing with the decolonization of territories, not of colonized peoples. This is the predominant case in situations in the American hemisphere which have resulted from acts of illegal occupation of territory which is part of a State—in other words, where its integrity has been destroyed. Furthermore, in the latter cases, as opposed to the former, in general—and this is the case of the Malvinas—the original population does not remain; it has been displaced by the occupation forces which have brought their own contingents for military or economic reasons, or sometimes for both.

72. As regards the first case, Uruguay advocates as the only possible and just solution the application of the principle of the self-determination of those peoples.

73. In respect of the second case, the principle of self-determination does not seem to us to be the most relevant. The principle of the defence of territorial integrity is so deeply rooted in the American legal tradition that it was Latin America that insisted at San Francisco that the Charter expressly guarantee such integrity and categorically condemn aggression and territorial annexation resulting from such aggression. That sentiment, so dear to the countries of the American hemisphere, was expressed precisely by Uruguay, as we have said in the past, when at Dumbarton Oaks we proposed an amendment according to which:

"1. The Organization is based on the essential principles:

(a) of the legal equality of all its members;

(b) of the maintenance of political independence and territorial integrity and the right to full sovereignty."

74. This means that the principle of self-determination, which is the legal basis for the change in a large part of the world, cannot be distorted for the purpose of consolidating *de facto* situations, cloaking with

legality acts born of violence against other States or for any other reason contrary to law.

75. Because of the *de facto* and *de jure* bases we have set out, we conclude, that in the case of the Malvinas Islands the principle of self-determination is not the one that should be applied in order to solve the problem. It is hard for us to admit that a transplanted, dwindling population which amounts to barely 2,000 islanders might decide a situation which we believe originated in an act contrary to law.

76. Since we discard the principle of self-determination, we feel that negotiations are necessary which will lead to a successful settlement of the dispute concerning the sovereignty of the Malvinas and which will take into account the interests of the inhabitants of the islands, in accordance with General Assembly resolution 2065 (XX) of 16 December 1965, which was the origin of the promising Joint Statement of Buenos Aires of 1 July 1971. It has yielded important results since it regulates such fundamental questions as passports, tax exemptions, air communications, shipping, military service and recruitment.

77. It is a problem of sovereignty, a problem of self-determination and one on which Uruguay has stated its position. May we be allowed to add a few words concerning self-determination by analysing and observing the reality which prevails in the area.

78. England, we assume, supports the principle of self-determination in order to protect the islanders from economic, cultural influences, from incompatibility of customs, all of them foreign, which would force the islanders either to emigrate to Great Britain or to be subjected to those influences emanating presumably from the Argentine Republic.

79. We do not consider this argument to be sound, even though we are respectful friends of the British, who have had so much influence in Uruguay, especially during the second half of the last century and during a good part of this one. If we were to take an imaginary journey through the area adjacent to the islands—a vast area with similar and unmistakably Argentine characteristics, namely Patagonia—we would find an interesting phenomenon. Among the best livestock farms—sheep-breeding being, as in the islands, the basis of the economy—we find the estates of the Anglo-Argentines with the best wool, the best animals and the best organization. Those Anglo-Argentines, whose English forebears arrived in Patagonia four or more generations ago, maintain all of their British traditions; they live in peace with Argentines of the most varied origins; they realize that their customs and systems are respected, and have a deep sense of being Argentines. What is more, their family names

are to be found in the military, political, economic and social history of the Argentine Republic.

80. I doubt that in the imaginary journey I proposed, if the traveller were an Englishman he would miss in those remote and icy areas the forms and customs of his homeland, and at tea-time he would be able to comment by the fireside on the weather and on the happenings of the day—a manifestation of the fraternal bonds between the two peoples. After the journey was over, we firmly believe that we could not defend with great conviction the principle of self-determination of 2,000 islanders, most of whom, if they wish to continue their studies, do so in the Argentine Republic.

81. Uruguay believes that there is no problem, difficult as it may be, that cannot be solved through negotiations. It believes that peoples can and must place their faith in them. It believes that negotiations can lead to a peace springing from trust in others, and it believes in the trust which can only come from peace. It believes that without peace and trust the world will not be able to bear the consequences of a crisis that is threatening peoples, rich and poor, alike. It believes that trust is the basis for emerging from under-development which afflicts so many.

82. There is no doubt that in disputes between States, there are spiritual and real factors which hamper understanding, factors that are historical, geographic, economic and strategic in nature; and perhaps the worst are those of national self-esteem, augmented by incidents of all kinds, and frequently spurred on by third States.

83. Uruguay and Argentina, through negotiations, have just set the world an example, settling on the basis of mutual understanding an age-old problem between them—the question of their borders in the Río de la Plata. In that problem all the factors mentioned by me were present. However, that river which separated my country from Argentina today unites both countries and at the same time forms our mutual border.

84. The PRESIDENT (*interpretation from Russian*): I call on the representative of the United Kingdom who has asked to speak in exercise of his right of reply.

85. Mr. RICHARDSON (United Kingdom): The representative of Uruguay has just made a lengthy statement about the Falkland Islands under the administration of my Government. We shall naturally study his statement most carefully, but at this stage I wish simply to reserve my delegation's right to reply on a subsequent occasion should we deem this necessary.

*The meeting rose at 4.50 p.m.*