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THIRTY-FIRST YEAR

**1914**<sup>th</sup> MEETING: 22 APRIL 1976

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#### NOTE

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## 1914th MEETING

Held in New York on Thursday, 22 April 1976, at 10.30 a.m.

*President:* Mr. HUANG Hua (China).

*Present:* The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America.

### Provisional agenda (S/Agenda/1914)

1. Adoption of the agenda
2. The situation in Timor:  
Report of the Secretary-General in pursuance of Security Council resolution 384 (1975) (S/12011)

*The meeting was called to order at 11.45 a.m.*

### Adoption of the agenda

*The agenda was adopted.*

### The situation in Timor:

Report of the Secretary-General in pursuance of Security Council resolution 384 (1975) (S/12011)

1. The PRESIDENT (*translation from Chinese*): In accordance with the decisions taken earlier [1908th and 1910th to 1912th meetings], I shall now invite the representatives of Australia, Guinea, Guinea-Bissau, Indonesia, Malaysia, Mozambique, the Philippines, Portugal and Saudi Arabia to participate in the discussion without the right to vote.

*At the invitation of the President, Mr. Anwar Sani (Indonesia) and Mr. da Costa Lobo (Portugal) took places at the Council table and Mr. Harry (Australia), Mr. Camara (Guinea), Mr. Fernandes (Guinea-Bissau), Mr. Singh (Malaysia), Mr. Lobo (Mozambique), Mr. Yango (Philippines) and Mr. Baroody (Saudi Arabia) took the places reserved for them at the side of the Council chamber.*

2. The PRESIDENT (*translation from Chinese*): The Council has before it in document S/12056 the draft resolution submitted by Guyana and the United Republic of Tanzania, which was introduced at our last meeting by the representative of Guyana. I should like also to draw attention to the amendment to the draft resolution submitted this morning by the delegation of

Japan and contained in document S/12057. As I indicated at the close of the last meeting, it is my hope that this morning the Council will be in a position to vote on the draft resolution and thus conclude the present phase of its consideration of the situation in Timor.

3. Mr. RÍOS (Panama) (*interpretation from Spanish*): Since last year the delegation of Panama has been following the development of events in East Timor with particular interest. We were informed of all the Council's debates on the subject, and as a Member of the United Nations we welcomed resolution 384 (1975). We have carefully read the report of the Secretary-General prepared in accordance with that resolution. We have also listened with special attention to the statements made here on the subject.

4. For us the item is of the most particular importance. We see the essence of the problem as being contained in the principle of non-intervention and the free self-determination of peoples. For us Latin Americans this is a sacred concept never to be violated. No argument could ever justify the interference of one people in affairs which are purely within the internal competence of another. In the case of East Timor it is for its people, according to the wishes of the majority, to decide on its political future. This fact has been recognized and indeed enshrined by the international community. I would say that this is something which nobody honestly dares to question.

5. Now, the question which is before the Council is how to fulfil effectively this supreme aspiration of the people of East Timor. The picture continues to be complex and rather confused. The Special Representative of the Secretary-General recognized this in his report, where he stated that "any accurate assessment of the situation as a whole remains elusive" [S/12011, annex, para. 37]. We read in the same paragraph of the report—which, as we see it, is the most trustworthy source for an evaluation of the various aspects of this delicate matter—that there has been a favourable evolution. In assessing this evolution, the result of the mission entrusted by the Secretary-General to Mr. Winspeare Guicciardi, we believe that what would be most constructive and sensible for the Council at this time would be to prolong the mandate given to the Secretary-General under paragraph 5 of resolution 384 (1975).

6. In stating this point of view my delegation trusts that all the parties to the conflict will co-operate with the Secretary-General so as to make available to the people of Timor all the means and resources necessary so that in the shortest time possible it can exercise its right to self-determination free from outside pressures. In this connexion it seems to us most encouraging that the representative of Indonesia stated in this chamber [1909th meeting] that the armed volunteers operating in East Timor had started to leave that Territory in February and that shortly all of them would have left. This would of course be in compliance with the obligations arising out of General Assembly resolution 1514 (XV) of 14 December 1960. The international community would applaud this action by Indonesia, just as it censures Member States which, acting against history and the binding provisions of the Charter of the United Nations, persist in maintaining colonial enclaves within other States.

7. Panamanians are very sensitive to any kind of intervention, because we have been and still are victims of a foreign military presence. So we feel all the more sympathy for the struggle of any people fighting for its right to self-determination. For 73 years a foreign Power has remained on Panamanian territory. Panama is divided by a colonial enclave and lacks the right to exercise its attributes of effective sovereignty over a significant part of its own national territory. But we Panamanians, who know of the progress of mankind towards just and equitable solutions, trust that, with the support of Latin America and the major part of the family of nations, over Panama too the sun of justice will shine.

8. On the basis of the principle of the peaceful settlement of disputes we have for 12 long years endeavoured, so far in vain, to obtain the conclusion of a new treaty with the United States which, within a time-limit not exceeding the year 2000, will restore to Panama effective sovereignty over the strip of land known throughout the world as the Panama Canal Zone, a colonial enclave which, as I have already said, prevents territorial integration and the full exercise of Panamanian sovereignty over the entire territory of the Republic. As was stated in an editorial in *The New York Times* on 17 April 1976, what is called the Panama Canal Zone "is not and never has been" sovereign territory of the United States. It is our belief that the United States will become daily more aware of the lessons to be learned from the history we have been living through recently. It must definitely realize that the era of foreign intervention and occupation is coming to an end.

9. My delegation will vote in favour of the draft resolution submitted yesterday by the representative of Guyana. In the comments I just made, I expressed our approval of the following: first, respect for the territorial integrity of East Timor and the right of its people to self-determination; secondly, an appeal for the withdrawal of foreign forces from the Territory of East

Timor—it is worth pointing out in this connexion that our delegation would be pleased if in that paragraph it were placed on record in some way that the Council takes note of the fact that Indonesia, according to its own statements, has started to withdraw the volunteers who invaded East Timor in 1975; thirdly, the continuation of the mandate given the Secretary-General in resolution 384 (1975); fourthly, a request to the Secretary-General that he report to the Council on the progress of his negotiations under that resolution; and fifthly, an appeal to all States and other parties directly concerned in the conflict to co-operate fully with the United Nations to achieve a solution which will ensure the self-determination of the people of Timor and the peaceful settlement of the existing problems.

10. We should like to emphasize that the delegation of Panama believes that it is our collective obligation, each State in so far as it is able, to assist in restoring peace in Timor so that that people, which deserves a better fate, may be able to choose a course corresponding to its own national interests, without any interference by foreign forces. It will be up to the United Nations to see to it that that goal is achieved in a completely effective manner.

11. Lastly, my delegation wishes to express its warm appreciation of the work done by the Secretary-General through the mission of Mr. Winspeare Guicciardi and his efficient group of advisers. We call upon them to continue to render their valuable co-operation for the benefit of world peace and the economic, political and social development of our brothers in East Timor.

12. Mr. KANAZAWA (Japan): During the informal consultations which my delegation held with a number of delegations in an attempt to produce a draft resolution acceptable to all Council members, we emphasized the need for the Council to take a realistic and constructive decision reflecting the current evolving situation in the Territory and safeguarding the right of the people of East Timor to self-determination. My delegation is gratified, therefore, to note that most of the basic courses of action we had suggested in our statement to the Council [1910th meeting] have been incorporated in the draft resolution in document S/12056.

13. However, in the view of my delegation, operative paragraph 2 still does not fully reflect the developments which have occurred in the Territory since the adoption of resolution 384 (1975). As we are all aware, the representative of the "Provisional Government" of East Timor stated that "the Provisional Government decided to allow volunteers to return to their places of origin. This return had already started in February, and it continued in March" [1908th meeting, para. 164]. That statement was confirmed by the representative of Indonesia, who stated that the armed volunteers "are already leaving the Territory, and it is expected that the process will be completed within a short time" [1909th meeting, para. 11]. My delega-

tion considers that the Council should duly take these developments into account in formulating a draft resolution regarding the withdrawal of Indonesian forces from the Territory.

14. One of the main objectives of the draft resolution that will emerge from our debate must be to secure the continued implementation of resolution 384 (1975) by the Government of Indonesia. Therefore, my delegation considers that the Council, while acknowledging the partial withdrawal of Indonesian forces, should call upon the Government of Indonesia to complete the withdrawal of all its remaining forces from East Timor without further delay.

15. Since operative paragraph 2 does not adequately take into account either the evolving situation or the goodwill of the Government of Indonesia, my delegation submits an amendment for the Council's consideration. Our amendment [S/12057] would insert the word "remaining" between the words "its" and "forces". Therefore the paragraph would read:

*"Calls upon the Government of Indonesia to withdraw without further delay all its remaining forces from the Territory".*

16. I hope that this amendment will obtain wide acceptance in the Council. I believe its adoption would facilitate the continued co-operation of the Government of Indonesia in implementing the resolution to be adopted by the Council. Its adoption would, I believe, also make it possible for some delegations, including my own, to support the draft resolution in document S/12056.

17. Mr. PAQUI (Benin) (*interpretation from French*): Mr. President, since I have already had occasion to congratulate you on your assumption of the Presidency, it only remains for me to express to you the satisfaction of my delegation at seeing the Council discussing this delicate matter under your high authority. As a representative of the great people of China, the friends of the people of Benin, and given your standing in the Asian region, there can be no doubt that you are well placed to understand the problem before us and to lead our debate to a successful conclusion in keeping with the true interests of the people of East Timor and of that people alone.

18. Benin was not yet a member of the Council when that body first took up the grave crisis caused by Indonesian military intervention in East Timor, an intervention which was and remains a most serious threat to peace and security in Asia. In other words, Benin is not familiar with the process which led to the adoption of resolution 384 (1975). Although my delegation wishes to congratulate the sponsors of that resolution, we regret that, as a result of compromises, not to say concessions, they missed the true objectives they ought to have aimed at in that resolution and disappointed quite a number of other delegations.

One thing is certain, however, and that is that when the problem was raised in the General Assembly my delegation, not wanting to be an accomplice to any manoeuvre and failing to find in General Assembly resolution 3485 (XXX) of 12 December 1975 the minimum it had the right to expect in so intolerably serious a situation, was obliged to vote against that resolution. I personally had occasion at the time to explain the position of my Government. Thus what was true yesterday is more than ever true today, because, in spite of that resolution, which is after all favourable to Indonesia, the troops of that friendly country have not yet withdrawn from East Timor.

19. The position of my Government arises from a number of considerations. At the time when the General Assembly was to discuss the report of the Committee of 24,<sup>1</sup> a first new element was injected into the situation, radically changing it. I refer to the proclamation of the independence of East Timor by progressive and nationalist forces headed by FRETILIN [*Frente Revolucionária Timor Leste Independente*]. A second and more serious factor was subsequently introduced: the announcement of the invasion of Timor by Indonesian troops. Convinced that it was not the task of the United Nations to distinguish good independence from bad independence and that it should condemn military aggression of whatever kind and from whatever quarter, my delegation felt entitled to expect an energetic attitude on the part of the General Assembly with a view to the strict application of the principles of the Declaration annexed to resolution 1514 (XV). It was the absence of these elements from the text which obliged Benin to cast a negative vote in the Assembly, as I have mentioned.

20. Today, several months after adoption of resolution 384 (1975), how does the situation stand? The least one can say is that fundamentally there has been no satisfactory development. Sufficient proof of this is the report of the Special Representative of the Secretary-General, which, in spite of his concern for balance and objectivity, nevertheless makes clear the existence of shadowy elements and which should lead us to raise a number of questions. As we read it, it becomes clear there is still doubt about Indonesia's good faith and its genuine willingness to withdraw its troops from a Territory that has ever been recognized as belonging to it. Permit me at this stage to pay a well deserved tribute to the Secretary-General and especially to his Special Representative for their efforts to bring the mission to a successful conclusion in spite of the numerous difficulties encountered. Certainly that mission is not over, but the question that arises is whether it is still necessary to continue it. This is an open question, because until certain obstacles are removed, my delegation will find it very difficult to endorse its continuation. However that may be, the mission cannot be renewed unless the foreign occupation forces withdraw from the island and until it is left to the Timorese, and only to them, to settle their own problems among themselves.

21. Faced with a question such as that of East Timor, the Organization should explore the question of what should now happen to small colonial Territories in the light of the growth of the expansionist and annexationist ambitions of neighbouring countries. The Organization should raise the question of whether it is not now time to review certain provisions of the famous Declaration annexed to resolution 1514 (XV), in order to preserve the rights to self-determination and independence of people in such Territories who express the wish to exercise such rights. In my delegation's view, this is the core of the various problems that have been facing the United Nations for some years now. Examples are so familiar and alive in our memories that there is no need to recall them here. In any case, my delegation would very much appreciate it if this suggestion were taken into account by the Secretary-General in his report to the next session of the General Assembly. There is hardly any need to stress that, while everyone talks about and recognizes the right of colonial peoples to self-determination, not everyone interprets it in the same way. To put it another way, the letter remains while imperceptibly the spirit gradually seeps away, and if we are not careful there will be none left at all.

22. The Military Revolutionary Government of the People's Republic of Benin notes with some bitterness the dangerous trend that has been emerging before the indifferent eyes of the United Nations. We remain faithful to the spirit and letter of the Declaration annexed to resolution 1514 (XV), and we cannot but condemn most vigorously the annexationist and expansionist ambitions emerging. My Government, committed to its revolutionary struggle and determined to fight colonialism, neo-colonialism and imperialism in all their forms, cannot tolerate any former colonies today revealing themselves as colonialist and expansionist at the expense of new States.

23. My delegation has followed with particularly close attention the statements made in the Council. Some of them have undoubtedly helped members of the Council in their search for a just solution in keeping with the Charter. We have heard the supporters and the opponents of the act of aggression committed by Indonesia, and we might have listened even to the supporters with a great deal of sympathy. But the argument that my delegation cannot possibly accept is the argument that would regard as a humanitarian act Indonesia's military invasion of East Timor. What my delegation cannot tolerate is the tendency to maintain that Indonesia thought it had to occupy Timor in order to prevent chaos and introduce order into the country after independence. That claim is an insult to the intelligence of the people of Timor, and I do not think that even those who are called members of the Provisional Government would want to endorse the claim.

24. My delegation has listened sympathetically also to the statements of the representative of Portugal,

particularly his first statement [1908th meeting], in which he said that his Government still regards itself as the administering Power. That position would have been welcomed if Portugal itself had not left Timor, or at least if it had not been supplanted by a new colonial Power, resulting in its no longer being in a position to pursue the policy which it claims it is following. Furthermore, in my delegation's opinion, once FRETILIN had proclaimed independence, whether or not that proclamation was unilateral, Portugal's role as administering Power should have ceased *ipso facto*. Now, the United Nations did not find it necessary to consider the problem from that standpoint, although legally Portugal might have believed that it had the right to proclaim its will as administering Power. If the Council wishes to continue to recognize that Portugal does have that right, can it—a question the representative of Portugal so rightly raised—make available to that country the means to face up to the force of aggression and to bring the decolonization of Timor to a successful conclusion? In the situation of uncertainty, we prefer to endorse the *fait accompli* created in Timor by FRETILIN.

25. In the light of all the present negotiations and arrangements, there is a great temptation to say that Indonesia, far from wishing to withdraw its troops from Timor, wants to continue there the game of international imperialism and to impose a *fait accompli* in that island. As one representative so rightly put it, in engaging in this adventure Indonesia has chosen, voluntarily or unwittingly, to play the game of imperialism, for which the presence of a progressive régime in that protected zone constitutes a danger and a threat to peace. My delegation has in the past condemned those great Powers that wanted to claim the right to be world policemen. We equally vigorously condemn today this tendency of Indonesia to take the place of the traditional policemen.

26. In his statement the representative of Indonesia attempted to prove to us that his Government had no territorial claims on Timor nor any expansionist ambitions. But how can we describe the present situation which Indonesia is imposing on the people of Timor? In any case, it is difficult not to share his view that the solution of the problem should be based on the wishes of the people of the Territory. Why, then, once those wishes had been expressed, did Indonesia find it necessary to use force to impose a solution of its own? Without going into detail, my delegation considers that the statement of the representative of Indonesia raises many more questions than it answers. For example, I quote following part of his statement:

“One should not forget that the people consider themselves already”—I emphasize the word “already”—“Indonesians and their territory an integral part of Indonesia. In their view, the call for withdrawal is unjust, for why should Indonesians be requested to leave what they already consider

Indonesian territory, especially if the people of the Territory themselves wish them to remain?" [1909th meeting, para. 10.]

27. Indonesia has had a long history of struggling for independence, and it is certainly better placed than anyone else to say what is the will of a people forced to take a decision on its future under the threat of rifles and bayonets, not to mention bombers. Please, let us not try to lull the Council's vigilance by honeyed words and red herrings. How and by what process was the people of Timor consulted and how did it manifest its wish for the Indonesians to remain? What objective evidence have we that that people had already officially decided to become independent in total integration with the Republic of Indonesia? In any case, if that did happen, it happened without the knowledge of the Security Council and the United Nations. In those circumstances, let no one try to stain the Organization by attempting to involve it in the final phase of East Timor's decolonization. If the Organization had a role to play, it would have been immediately after the alleged flight of the Portuguese and not after Indonesia had committed aggression in the Territory and established a whole system favourable to it.

28. My delegation's concern at Indonesia's attitude towards this problem is particularly great because that fraternal country, a founding member of the non-aligned movement, is not doing this kind of thing for the first time. A glance at the records of the Council shows us that in the case of the South Moluccas Indonesia operated in the same way. That question is still pending before the Council, which as composed at that time seemed to accepted the *fait accompli*. But Indonesia should understand that today conditions are different and that the General Assembly and the Security Council of 1976 cannot afford to close their eyes to acts of aggression and to reprehensible expansionist and annexationist ambitions. That is why it would be to Indonesia's advantage to break its ties as soon as possible with those whose game it is playing, if it wants to retain the place and the position of respectability that it deserves in the non-aligned movement. It must contemplate, therefore, the immediate and unconditional withdrawal of its troops from Timor, whether or not they are called "volunteers". That is the only way to create conditions favourable for the free expression of the will of the people of Timor.

29. Before concluding, I should like to address the representative of Indonesia in particular and say to him that, while defending the principles dear to the Organization, my Government is in no way opposed to desires for integration. But it considers that such integration must be the result of consultations with the people in accordance with the sacred principle of the right of all peoples to self-determination. The affirmation of that right should be a prerequisite, and integration could only be a final step, once the United Nations had taken note of such a wish freely expressed. In

other words, there can be no question of putting the cart before the horse, particularly if that is done by force. Furthermore, if we have ventured to say this to Indonesia, it is because my country considers it a friendly country and among friends certain truths should be told, however unpalatable they may be. In this particular case, Indonesia is wrong on all counts, and it would be dishonest for my delegation not to say so and instead to proffer it bouquets.

30. Coming finally to the draft resolution submitted by Guyana and the United Republic of Tanzania, my delegation takes pleasure in the effective participation of the parties principally concerned in the debate, which is constructive behaviour and evidence that it is possible to reach a satisfactory solution that takes account of the interests of all the populations of Timor—and I should like to make that absolutely clear: "of all the populations of Timor", without distinction. My delegation appreciates the effort made to avoid introducing partisan considerations into this text. However, Benin cannot give it its endorsement for the obvious reasons that we have already explained. I do not think it is taking sides to say what we have said to Indonesia; neither is it taking sides to remedy today the weaknesses of resolution 384 (1975) and to firmly condemn Indonesian military aggression against the young republic of Timor. Nor is it partisan to call for the immediate and unconditional withdrawal of Indonesian troops from East Timor. To ask for anything else would be to be guilty of acquiescence and, wittingly or unwittingly, to endorse the act committed by Indonesia in flagrant violation of all the principles of international law. Thus my delegation has some very serious reservations about this draft resolution in its present form. Those reservations are accentuated by the fact that the amendment submitted by Japan introduces elements of confusion. Indeed, after four months of appealing to Indonesia to withdraw its troops immediately, we are obliged to acknowledge that practically nothing has been done to give effect to paragraph 2 of resolution 384 (1975). At the present stage, to seek a watered-down formula, not to speak of sugaring the pill, makes it impossible to accord sufficient credibility to the actions of the Council. Further, it is tantamount to accepting without verification the assertion that the so-called Indonesian volunteers have indeed begun to withdraw from Timor. But what about FRETILIN's statement which asserts the contrary, that the Indonesian military occupation of East Timor is not only continuing but is even being intensified? In spite of the efforts of the sponsors, this draft resolution, in the view of my delegation, is not balanced and once again bypasses the true objectives. That is why Benin will not participate in the vote on this draft, and that is the least that my delegation can do.

31. We venture to hope, however, that the Council will not lose sight of its obligations and responsibilities in the field of the maintenance of peace and security. It is at any rate desirable, in spite of the tacit endorse-

ment given to Indonesia by certain great Powers, that those Powers should make a point of putting serious pressures on Indonesia to give up its machiavellian plan to place before the United Nations a new fait accompli in respect of East Timor. Finally, my delegation would like to issue a friendly appeal to Indonesia and to ask that its future actions in Timor be dictated by the spirit of Bandung rather than by strategic, economic and, hence, selfish interests.

32. Mr. DATCU (Romania) (*interpretation from French*): The essential points of reference for the delegation of Romania in considering this agenda item are contained in General Assembly resolution 3485 (XXX), which emphasizes the inalienable right of all peoples to self-determination and independence in conformity with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The delegation of Romania voted in favour of that resolution, in consistency with the position of principle of our country, which has always supported the struggle of peoples to exercise their right to independence and freedom and freely to choose their political status.

33. We consider that the objectives contained in the aforementioned resolution and reaffirmed in resolution 384 (1975) provide the necessary framework for a just solution to the situation in East Timor. Indeed, to arrive at such a solution it is essential that the people of Timor be able to enjoy their right to self-determination and freely decide their own fate, without any foreign interference.

34. In their resolutions adopted at the end of last year the General Assembly and the Security Council called on all States to respect the unity and territorial integrity of East Timor. Romania unreservedly subscribes to that appeal, which is the expression of one of the fundamental principles of international law enshrined in the Charter and reaffirmed on many occasions by both the Assembly and the Council.

35. In this connexion, I should also like to recall that in the Declaration annexed to resolution 2625 (XXV) the General Assembly stressed that

“Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country.”

In the case of East Timor, respect for that principle is an essential condition for the people of East Timor to be able to decide freely and peacefully its own destiny.

36. It is in this spirit that we believe there must be an immediate cessation of any act of violation of the territorial integrity of East Timor and a withdrawal of all foreign military forces from that Territory, so that

the people of Timor may enjoy conditions propitious for the exercise of their inalienable right to self-determination and independence.

37. We have always attached particular importance to the role which the Secretary-General can play in the settlement of the problems before the Organization. It is in this spirit that we have taken note with interest of the report submitted by the Secretary-General pursuant to resolution 384 (1975). While expressing to the Secretary-General and to his Special Representative, Mr. Winspeare Guicciardi, our appreciation for the efforts they have made to fulfil the mandate entrusted to them by the Council, we cannot fail to note that despite their efforts the results achieved are insufficient to assure the implementation of the provisions of resolution 384 (1975). We regret this fact, which can only delay solution of the situation in East Timor.

38. We consider that what is necessary at this time is to continue the efforts, including those made within United Nations framework, to arrive through negotiation at a peaceful solution to the situation in Timor. It seems to us that on this aspect there are no basic differences among the parties concerned.

39. We support the suggestions made by the Secretary-General in paragraphs 7 and 8 of his report that he should continue implementation of resolution 384 (1975) and that the consultations between the parties concerned and his Special Representative should continue, it being understood that the Council will be informed of any new development.

40. In this spirit, the delegation of Romania remains in favour of any action likely to contribute to establishing favourable conditions for the people of East Timor to enjoy its inalienable right to self-determination and to exercise that right in accordance with its legitimate aspirations. We shall thus vote in favour of the draft resolution before the Council.

41. The PRESIDENT (*translation from Chinese*): As there are no further speakers, if no other representative wishes to speak at this stage, I take it that the Council is ready to proceed to the vote. I shall now put to the vote the draft resolution submitted by Guyana and the United Republic of Tanzania [S/12056] and the Japanese amendment thereto [S/12057]. The Council will vote first on the Japanese amendment.

*A vote was taken by show of hands.*

*In favour:* France, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Against:* Benin.

*Abstaining:* Guyana, Romania, Sweden, Union of Soviet Socialist Republics, United Republic of Tanzania.



*The result of the vote was 8 in favour, 1 against and 5 abstentions.*

*The amendment was not adopted, having failed to obtain the affirmative votes of nine members.*

*One member (China) did not participate in the voting.*

42. The PRESIDENT (*translation from Chinese*): The Council will vote next on the draft resolution in document S/12056.

*A vote was taken by show of hands.*

*In favour:* China, France, Guyana, Italy, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

*Against:* None.

*Abstaining:* Japan, United States of America.

*The draft resolution was adopted by 12 votes to none, with 2 abstentions.<sup>2</sup>*

*One member (Benin) did not participate in the voting.*

43. The PRESIDENT (*translation from Chinese*): I shall now call on those members who wish to speak in explanation of their vote.

44. Mr. AKHUND (Pakistan): My delegation stated its views on the general aspects of the issue of East Timor while explaining its vote in favour of resolution 3485 (XXX).<sup>3</sup> My delegation continues to believe that the two principles on which both that resolution and resolution 384 (1975) were based remain pertinent to the consideration of this case: namely, self-determination and its corollary, the non-use of force and non-intervention in the affairs of other States.

45. In giving primacy to principle, we do not by any means wish to ignore the complex realities of the situation which prevails in the Territory at the present time and the factors, immediate as well as remote, which have brought it about. The report of the Secretary-General's Special Representative mentions the astounding fact that in the whole of East Timor only some 10 persons hold university degrees. There cannot be a more telling indictment of colonialism, which in the case of East Timor lasted over a period of centuries. The state of affairs is also an indication of the difficulties which confront the people of the Territory as they face the future. The proximate cause of the crisis in East Timor was the outbreak of dissension and civil strife between various political and ideological factions in the Territory. We know that one of these, FRETILIN, made a unilateral declaration of independence while the others proclaimed a merger with Indonesia. It is no longer material to discuss which act was the cause and which the consequence; undoubtedly the vacuum created by Portugal's abrupt and unceremonious departure from the scene had much to do with these developments. In the circumstances it is difficult to accept Portugal as having

in any practical sense any further responsibilities as the administering Power, though this did not prevent us from listening with interest to what the representative of Portugal had to say about the present situation and his delegation's suggestions about the future.

46. It is the future of East Timor which must concern the Council at this stage. We listened with great attention to what the representatives of that Territory had to say here. I wish to assure them of the sympathy of the people of my country for the hardships which they have been undergoing and the sufferings which they have endured. The loss of human life in the Territory, the dislocation caused to its economy and the material damage suffered have by all accounts been enormous. It is our hope that reconciliation, and not retribution, will now become the common objective and that, keeping in mind the supreme need for peace and the speedy development of the people, all the leaders of East Timor will now look to the future and work jointly for the common benefit. This must remain the Council's own principal objective.

47. The Council's point of departure naturally was its resolution 384 (1975), in which it recognized the right of the people of East Timor to self-determination in accordance with the principles and decisions of the United Nations and in which it called on the Government of Indonesia to withdraw its forces from the Territory. We read with very great care the report submitted by the Secretary-General's Special Representative, who visited the Territory in pursuance of the mandate given to the Secretary-General under resolution 384 (1975). I should like to put on record my delegation's appreciation of the conscientiousness and determination with which Mr. Winspeare Guicciardi tried to carry out the task entrusted to him in this regard. The difficulties inherent in the prevailing situation, difficulties to which the Special Representative refers with considerable circumspection in his report, may have made it inevitable that he would not be able fully to achieve the objectives set out in resolution 384 (1975). The one conclusion of a positive character which does emerge from his report is his belief that it would be worth making further efforts "to build on the slender common assumption that the people of East Timor should be consulted on the future status of the Territory" [S/12011, annex, para. 44].

48. In the course of the current series of meetings we have heard the representatives of the different East Timor parties as well as of the concerned States, including, above all, Indonesia, speak in support of the idea that the people of the Territory must be allowed to decide their future for themselves and in freedom. There seems to be agreement also that the United Nations should have a role in enabling the people to exercise their right to self-determination. Furthermore, we heard views as to the alternatives which are to be put to the East Timorese people for decision. Although on this matter there are naturally sharp differences of opinion, representatives of all parties agreed that one

of the alternatives to be considered by the people of East Timor would be integration with Indonesia. The important consideration is that the people must be given the opportunity to state their choice in conditions of freedom and without outside interference. We were therefore gratified by the repeated assurances of Indonesia that it had no territorial claims over East Timor and that it would respect the freely determined views of the people of East Timor regarding their future constitutional status and affiliation. We have also taken note of the Indonesian Government's declaration that the armed personnel which went into East Timor from Indonesia were being withdrawn and that the process would be completed in a short time.

49. The resolution which the Council has just adopted is broadly in line with the views of my delegation on the East Timor question. In it the Council reaffirms the decision of the General Assembly and this Council that the people of East Timor should be enabled to decide their own future. It calls on Indonesia to complete, as it has committed itself to doing, the withdrawal of all its forces from the Territory. It authorizes the Secretary-General's Special Representative to continue the assignment given to him by resolution 384 (1975) and to pursue consultations with the parties concerned with a view to achieving a peaceful solution to the existing situation. We attach particular importance to this mission at the present stage and hope therefore that the Special Representative will receive continued Council support in his difficult and delicate

task. We are pleased to see that the resolution now adopted has avoided fault-finding and recrimination and aims at finding a solution which would be acceptable to all and would promote the welfare of the people concerned. In the spirit which animated the sponsors, we should like to endorse the appeal addressed in paragraph 5 to all States and parties concerned to co-operate fully with the United Nations in achieving a peaceful solution to the situation and in facilitating the decolonization of East Timor. It is in this spirit that my own delegation cast an affirmative vote for the text.

50. Mr. RÍOS (Panama) (*interpretation from Spanish*): I wish to place on record that my delegation had requested to speak, although perhaps we did not do so at the right time, because we wished to become a sponsor of the draft resolution which the Council just adopted. I wish it to be placed on record, if the rules allow it, that Panama would like to appear as a sponsor of the draft resolution which has now become a resolution.

*The meeting rose at 1 p.m.*

*Notes*

<sup>1</sup> Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

<sup>2</sup> See resolution 389 (1976)

<sup>3</sup> *Official Records of the General Assembly, Thirtieth Session, Fourth Committee, 2188th meeting, paras. 41 to 43.*



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