



**CONTENTS**

	<i>Page</i>
Agenda item 53: Elimination of all forms of racial discrimination: (a) Decade for Action to Combat Racism and Racial Discrimination Report of the Third Committee (part I) .....	1
Agenda item 54: Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict: report of the Secretary-General Report of the Third Committee .....	1
Agenda item 56: Observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights Report of the Third Committee .....	1
Agenda item 107: Illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau and acts of aggression committed by them against the people of the Republic (continued) .....	5

**President: Mr. Leopoldo BENITES (Ecuador).**

**AGENDA ITEM 53**

**Elimination of all forms of racial discrimination:**  
**(a) Decade for Action to Combat Racism and Racial Discrimination**

**REPORT OF THE THIRD COMMITTEE**  
**(PART I) (A/9233)**

**AGENDA ITEM 54**

**Human rights in armed conflicts: protection of journalists engaged in dangerous missions in areas of armed conflict: report of the Secretary-General**

**REPORT OF THE THIRD COMMITTEE (A/9234)**

**AGENDA ITEM 56**

**Observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights**

**REPORT OF THE THIRD COMMITTEE (A/9249)**

1. Mr. BERK (Turkey), Rapporteur of the Third Committee: It is an honour for me, as Rapporteur of the Third Committee, to present to the General Assembly the Committee's reports on items 53 (a), 54 and 56.

2. The report on item 53 (a) [A/9233] relates to an item which well deserves the high priority which the Committee has accorded to it. The report is concise. It sets out in the introduction the documentation which was made available to the Committee. It then summarizes the action taken to revise and improve the draft programme for the Decade for Action to Combat Racism and Racial Discrimination, which was carefully prepared by the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights and which the Economic and Social Council had recommended to the General Assembly for consideration. It reports on the Committee's consideration of a draft resolution concerning the programme for the Decade, and finally, in paragraph 84, it presents for adoption by the General Assembly the text of a draft resolution to which is annexed the revised programme for the Decade.

3. There was general agreement in the Third Committee on the importance of the Decade and on the urgent need for further concentrated United Nations activity aimed at the elimination, once and for all, of all vestiges of racism, racial discrimination, racial segregation and *apartheid*, for which adequate resources would be made available. Support for the draft programme for the Decade was expressed by many delegations, and without exception the amendments submitted by members of the Committee were designed to strengthen and improve the programme.

4. As indicated in the report, a full account of the debate which took place in the Committee will be found in the summary records, documents A/C.3/SR.1978-1987. There it will be seen that the views expressed centred on four points: whether or not to include in the programme a definition of racial discrimination; whether and when a world conference on racial discrimination should be convened; whether or not a special new fund should be established to help victims of racial discrimination; and whether a special committee should be set up to be responsible for co-ordination and appraisal of the Decade programme.

5. These rather minor differences of opinion were resolved with the help of an informal open-ended working group and of consultations between delegations in a spirit of mutual respect and goodwill. The resulting programme is one which should command the General Assembly's full and enthusiastic support.

6. The Committee was assisted in its work by statements made on behalf of the International Labour Organisation and of the United Nations Educational, Scientific and Cultural Organization. Both agencies are planning extensive activities in connexion with the Decade, subject of course to decisions by their appropriate organs.

7. The Committee was also assisted in dealing with the item by the Committee on Non-Governmental Organizations of the Economic and Social Council, which prepared various recommendations concerning the role of non-governmental organizations in the programme for the Decade, and by the Committee of Non-Governmental Organizations on Human Rights, which prepared suggestions concerning possible motivations of the draft programme. All these recommendations and suggestions, which were transmitted to the General Assembly by the Economic and Social Council, were taken fully into account, and there is every reason to believe that the role of non-governmental organizations in the activities connected with the Decade will be a considerable one.

8. The second report I have the pleasure of presenting to the General Assembly concerns item 54 [A/9234]. It may be recalled that this question was first discussed by the General Assembly at its twenty-fifth session and has been studied and debated for the past three years by the Commission on Human Rights, the Economic and Social Council and the Third Committee. As the report points out in its introduction, the Third Committee had before it this year the text of the revised draft articles and final clauses of an international convention for the protection of journalists engaged in dangerous missions in armed conflicts [A/9073, *annex I*], as well as the text of amendments to draft articles submitted by some delegations at the last session of the General Assembly [*ibid.*, *annex II*].

9. The Committee decided to study the proposed draft convention article by article without, however, proceeding at that stage to a vote on any of them. Although there was some divergence concerning whether or not the Committee should proceed to the adoption of the articles of the draft convention, there was general agreement on the desirability of adopting a convention ensuring the protection of journalists engaged in dangerous missions in areas of armed conflicts, as it is stated in operative paragraph 1 of the draft resolution which the Committee decided by consensus to recommend to the General Assembly for adoption [A/9234, *para. 11*].

10. As indicated in the summary records of the Committee's 1990th to 1997th meetings, the discussions of the draft articles tended to focus on the following questions:

(a) The nature of armed conflict to which reference is made in draft article 2 and the relationship of that article to the provisions of the 1949 Geneva Convention which were likely to be substantially modified at forthcoming diplomatic conferences;

(b) The composition and functions of the international provisional committee to be established under the Convention;

(c) The statement to be printed on the card, the geographic validity of that card and the authorities which should be entitled to issue it;

(d) The interconnexion between the authorities entitled to issue the card, the recognition of the card by all parties to an armed conflict under article 7 and the provision in article 12 that the application of the Convention shall have no legal effect on the status of the parties to the conflict;

(e) The usefulness of including in the Convention article 11 as presently drafted.

11. The Committee also believed that it could benefit from any comments and suggestions that might be made on the draft articles and amendments by the plenipotentiary Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable to Armed Conflicts at its forthcoming meeting in Geneva in February and March 1974 in order to be better equipped to continue the examination of this question as a priority item at the twenty-ninth session.

12. The third and the last report I have the pleasure to present today concerns the proceedings in the Third Committee on item 56 [A/9249]. As indicated in the introduction to the report, the Committee had before it a progress report by the Secretary-General prepared in accordance with General Assembly resolution 2906 (XXVII) containing information on measures and activities undertaken or contemplated in connexion with the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights by Governments, the United Nations, the specialized agencies, regional inter-governmental organizations and the non-governmental organizations concerned. Representatives welcomed the activities undertaken or planned by the United Nations on that occasion and, particularly, the stress placed on the importance of marking the anniversary not only by special ceremonial observances but also by activities of a practical nature aimed at fostering universally the cause of human rights and the implementation of the principles of the Declaration.

13. In the course of the general debate on the item, representatives commented primarily on the following points:

(a) The steps taken by their Governments to implement the Declaration, and the progress thus far achieved in this regard;

(b) The measures adopted by the international community during the past 25 years to promote human rights;

(c) The results achieved thus far and the goals still to be attained during the next quarter of the century to ensure the acceptance and application of the respect for human rights by all mankind;

(d) The various aspects of the implementation of the principles of the Declaration at both the national and international levels with regard, in particular, to some of the rights defined in the Declaration, such as the right to self-determination and the elimination of racial discrimination.

14. Delegations endorsed the suggestions that the anniversary should serve as a stimulant for appropriate action by the Governments concerned to encourage speedy ratification of the international instruments relating to human rights, in particular of the International Covenants on Human Rights.

15. The Committee adopted two draft resolutions relating to the observance of the twenty-fifth anniversary of the Declaration. The first, draft resolution A, concerns one of the articles of the Declaration, namely, article 5, which affirms that no one shall be subject to torture or to cruel, inhuman or degrading treatment or punishment, a question

which the Third Committee unanimously decided to examine in relation to detention and imprisonment at the future session of the General Assembly. Here I should like to draw the attention of representatives to operative paragraph 3 of draft resolution A in paragraph 17 of document A/9249. The word "item" should be deleted, so that the paragraph will read:

*"Requests the Secretary-General to inform the General Assembly, under 'the report of the Economic and Social Council', of the consideration which may have been given to this question by the Sub-Commission on Prevention of Discrimination and Protection of Minorities or by the Commission on Human Rights and other bodies concerned."*

16. Draft resolution B, also adopted unanimously, is of a more general character, and is an appeal to the world community to celebrate the anniversary in line with the suggestions made by the Secretary-General for an effective contribution through the realization of the principles, values and ideals of the Declaration. Both draft resolutions are now being presented for the consideration of the Assembly.

17. In this connexion I should like to propose that the two draft resolutions be separated from each other and circulated later with the appropriate headings.

*Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Third Committee on agenda items 53 (a), 54 and 56.*

18. The PRESIDENT (*interpretation from Spanish*): We shall first take up part I of the report of the Third Committee on agenda item 53 (a) [A/9233].

19. I shall now call on those representatives who wish to explain their votes before the vote.

20. Lord GAINFORD (United Kingdom): The United Kingdom will vote in favour of the draft resolution contained in paragraph 84 of document A/9233, approving the Programme for the Decade for Action to Combat Racism and Racial Discrimination. We have a number of reservations about the Programme. These I set out in detail during my explanation of vote in the Third Committee, and I do not consider it necessary to repeat them here.

21. The United Kingdom supports the Programme because it contains many positive elements designed to promote a better understanding of the phenomenon of racial discrimination and the adoption of practical measures to eliminate it wherever it may occur. At the same time, my delegation must express regret that the subamendment we submitted in the Third Committee, to include in the terms of reference of the world conference a reference to the need to seek ways and means of promoting racial harmony [see A/9233, para. 49], was not adopted. We continue to believe that it is not enough to eliminate racial discrimination: positive and energetic action is required at all times in almost every country of the world to promote tolerance and mutual understanding between people of different racial or ethnic origin so that they may live together harmoniously.

22. My delegation does not intend to introduce an amendment to this effect now. But we hope that the Economic and Social Council, whose task it will be to prepare the ground for the world conference, will take into account this crucial element in the effort to eliminate and prevent racial discrimination and ensure that it is not neglected at the world conference.

23. Mr. EVANS (United States of America): My delegation wishes strongly to associate itself with the statement made by the representative of the United Kingdom. Frankly, we consider it extremely unfortunate that the reference to the promotion of harmonious relations between races was stricken from paragraph 5 of the draft programme for the Decade, on the initiative of the Soviet Union, for reasons never adequately explained.

24. We consider it even more unfortunate and, frankly, a tragic commentary that the United Kingdom's subsequent effort to restore the concept of promoting racial harmony as a goal of this Decade was rejected. The purpose of the Decade, as we understand it, is to combat racism and racial discrimination, but surely the achievement of racial harmony is its ultimate goal.

25. The PRESIDENT (*interpretation from Spanish*): Since there are no further speakers, we shall now take a decision on the draft resolution recommended by the Third Committee in paragraph 84 of its report in document A/9233. The report of the Fifth Committee on the administrative and financial implications of the draft resolution appears in document A/9270. May I take it that the General Assembly adopts the draft resolution recommended by the Third Committee?

*The draft resolution was adopted (resolution 3057 (XXVIII)).*

26. The PRESIDENT (*interpretation from Spanish*): The Assembly will now consider the report of the Third Committee on agenda item 54 [A/9234]. As no one has asked to explain his vote, the Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 11 of its report in document A/9234. If I hear no objection, I shall take it that the General Assembly adopts that draft resolution.

*The draft resolution was adopted (resolution 3058 (XXVIII)).*

27. The PRESIDENT (*interpretation from Spanish*): We now turn to the report of the Third Committee on agenda item 56 [A/9249].

28. I call on the representative of Costa Rica, who wishes to submit an amendment.

29. Mrs. de BARISH (Costa Rica) (*interpretation from Spanish*): My delegation wishes to express for the record its satisfaction at the unanimous adoption in the Third Committee of the two draft resolutions in the report on agenda item 56 [A/9249]. Costa Rica was a sponsor of draft resolution A.

30. Now, to be consistent with the position taken by my delegation during the consideration of the draft resolution in the Third Committee and on the present draft resolution B, I should like to propose an oral amendment to operative paragraph 2 (b): after the words "Political Rights", to delete the semi-colon and add the words "and Optional Protocol".

31. As members can see, the purpose of this amendment is to ensure that the International Covenants on Human Rights should be referred to in their complete form as they were approved by the General Assembly on 16 December 1966 and opened for signature and accession by Member States. Costa Rica signed and ratified the two Covenants as well as the Optional Protocol to the International Covenant on Civil and Political Rights. Therefore my delegation considers it necessary to make reference to this very important optional legal document, particularly in a draft resolution designed to commemorate the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights.

32. That is my delegation's intention, and we do not wish to get involved in the issue of when Member States should sign or ratify those instruments. We merely want to record a fact, that is to say, the approval of the three instruments which give legal content to the Universal Declaration. For that reason I would most cordially urge delegations to take a favourable decision on our amendment. My delegation would request you, Sir, to put the amendment to a recorded vote.

33. Mrs. WARZAZI (Morocco) (*interpretation from French*): In the Third Committee we discussed primarily the observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights, and we adopted two draft resolutions. But, in the view of my delegation, the more important draft resolution is the one which deals with the observance of the twenty-fifth anniversary. Consequently, I formally ask that the report be so modified as to have the present draft resolution "B" relettered "A", and the present draft resolution "A" relettered "B".

34. The PRESIDENT (*interpretation from Spanish*): I should like to remind the Assembly of the proposal of the Rapporteur of the Third Committee to the effect that the Third Committee's recommendation should be considered to comprise not two draft resolutions A and B under the same heading, but, rather, two separate draft resolutions. I do not know whether, in the light of that, the representative of Morocco would insist on the change in the lettering; if so, we would first have to consider her proposal to make the present draft resolution B draft resolution A, and *vice versa*.

35. Mr. SMIRNOV (Union of Soviet Socialist Republics) (*translation from Russian*): I assume that, as the Rapporteur of the Third Committee said, resolutions A and B are separate resolutions; they concern two distinct questions and were considered separately in the Third Committee. Accordingly, the Soviet delegation can agree with the proposal made by the Rapporteur, namely that each of these resolutions should in future be published separately. Resolution B should be published under the title "Observance of the twenty-fifth anniversary of the Universal Declaration of Human Rights", and the resolution currently appearing as resolution A would be published with a suitable title as a separate resolution.

36. The PRESIDENT (*interpretation from Spanish*): I shall summarize the procedural position to avoid confusion. The Rapporteur of the Third Committee has proposed that the draft resolutions recommended by the Committee in paragraph 17 of its report, instead of being treated as A and B, be regarded as separate draft resolutions. Hence we would no longer have two draft resolutions which, if adopted, would become resolution 3059 A and B, but separate draft resolutions that would become 3059 (XXVIII) and 3060 (XXVIII). There would then be no need to consider changing the lettering, because the letters would disappear.

37. If this is acceptable to the representative of Morocco, we shall first consider what is now draft resolution A, which if adopted will become resolution 3059 (XXVIII). Since the Third Committee adopted that draft resolution unanimously, may I take it that the Assembly wishes to do the same?

*The draft resolution was adopted (resolution 3059 (XXVIII)).*

38. The PRESIDENT (*interpretation from Spanish*): We shall now proceed to vote on what is now draft resolution B but which, if adopted, will become resolution 3060 (XXVIII).

39. The representative of Costa Rica has submitted an amendment [A/L.705], the effect of which would be to add the words "and Optional Protocol" to subparagraph (b) of operative paragraph 2. The subparagraph would then read:

"(b) International Covenant on Civil and Political Rights and Optional Protocol".

We shall now vote on that proposed amendment. A recorded vote has been requested.

*A recorded vote was taken.*

*In favour:* Australia, Austria, Barbados, Belgium, Bhutan, Bolivia, Botswana, Burma, Burundi, Cameroon, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Germany (Federal Republic of), Ghana, Guatemala, Guyana, Haiti, Honduras, Iceland, Iran, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Khmer Republic, Laos, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Portugal, Rwanda, Saudi Arabia, Senegal, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Togo, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Zaire.

*Against:* Bulgaria, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Equatorial Guinea, Gambia, German Democratic Republic, Guinea, Hungary, Libyan Arab Republic, Mali, Mauritania, Mongolia, Niger, Nigeria, Poland, Sierra Leone, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia, Zambia.

*Abstaining:* Afghanistan, Albania, Algeria, Argentina, Bahrain, Brazil, China, Congo, Democratic Yemen, Gabon, Indonesia, Iraq, Jordan, Lebanon, Oman, Peru, Philippines, Qatar, Romania, Singapore, Thailand, Trin-

idad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Upper Volta, Venezuela, Yemen.

*The amendment was adopted by 74 votes to 21, with 28 abstentions.<sup>1</sup>*

40. The PRESIDENT (*interpretation from Spanish*): May I take it that the General Assembly adopts the draft resolution as amended?

*The draft resolution as amended was adopted (resolution 3060 (XXVIII)).*

41. The PRESIDENT (*interpretation from Spanish*): I call on the representative of Sweden, who wished to explain his vote after the voting.

42. Mr. KORPÅS (Sweden): The unanimous adoption, on the recommendation of the Third Committee, of the draft resolution is an important feature of our commemoration of the twenty-fifth anniversary of the adoption of the Universal Declaration of Human Rights.

43. During the 25 years that have passed since the adoption of the Declaration much progress has been achieved in the field of human rights, due, to a large extent, to the existence of the Declaration, which must always be foremost in our minds, not contemplated merely on the occasion of its anniversaries.

44. These 25 years have also seen, however, the continued use of torture, through technically advanced and sophisticated methods. The unanimous adoption, for the first time in the General Assembly, of a separate resolution dealing with torture is therefore an important event. Yet it is, of course, too early to say exactly what will be the true importance of this resolution. We must not allow its provisions to become dead letters.

45. Sweden, which was among the eight sponsors of the draft resolution in the Third Committee, is of the firm view that the United Nations collectively and the Member States individually must now use this resolution as a platform upon which we can join efforts to combat the practice of torture. The Swedish Government is ready to take part in such efforts. Mankind cannot permit another 25 years to pass without determined efforts to eradicate torture. We must not permit a development whereby the question of torture will figure as a major phenomenon also at the time of the celebration of the fiftieth anniversary of the Declaration in 1998. The time for action against torture is now, wherever and whenever it occurs.

#### AGENDA ITEM 107

**Illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau and acts of aggression committed by them against the people of the Republic (*continued*)**

46. The PRESIDENT (*interpretation from Spanish*): I shall now call on those representatives who wish to explain their

<sup>1</sup> The delegations of India, Malaysia and Mauritius subsequently informed the Secretariat that they wished to have their votes recorded as abstentions.

votes before the vote on draft resolution A/L.702 and Add.1-7.

47. I should like to remind representatives of the recommendation of the Special Committee on the Rationalization of the Procedures and Organization of the General Assembly, which was approved by the Assembly at its twenty-sixth session [*resolution 2837 (XXVI)*] and which reads as follows:

“The Special Committee considers that, in explaining their votes, delegations should limit their statements to an explanation, as brief as possible, of their own votes and should not use the occasion to reopen the debate.”

That recommendation is contained in paragraph 74 of annex V to the rules of procedure.

48. I would also remind representatives that, under rule 90 of the rules of procedure, the “President shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment”.

49. I shall now call on those representatives who wish to explain their votes before the voting.

50. Mr. PETRELLA (Argentina) (*interpretation from Spanish*): My delegation will vote in favour of draft resolution A/L.702 and Add.1-7. In our opinion the situation involved in the consideration of item 107, which is before the Assembly, is the result of the failure of Portugal to engage in negotiations with the parties concerned, in accordance with paragraph 3 of Security Council resolution 322 (1972), and General Assembly resolution 2918 (XXVII). Both resolutions were supported by our delegation.

51. The adoption of the draft resolution which we have before us would inject new life into consideration of the question and make it possible to take a new approach, which would enable the United Nations to take measures consistent with the substance of this complicated issue. My delegation believes that, despite the observations and reservations of a formal nature which the title of agenda item 107 would seem to present, the reality is that in Guinea-Bissau for some time now the fundamental rights of the people have been violated, as well as principles upon which the United Nations Charter rests. We have mentioned this on previous occasions and for this reason we are convinced that that precisely is where the substance of the matter that we are looking at lies, as well as the substance of the text which will be put to the vote. The very fact that today we are about to vote on a draft resolution such as the one submitted by so many distinguished delegations is eloquent evidence of the fact that realities in this part of the world are not the same as they were a year ago. This observation leads us to the conviction that it is necessary that a pragmatic approach be taken, even by Portugal, in order not to continue to oppose application of the precepts of the Charter.

52. On another issue, my delegation would like to state that its position with respect to the recognition of States is that that is a unilateral and explicit act, which has bilateral ramifications, and that no interpretations by analogy or multilateral decisions are appropriate. Accordingly, the attitude of my delegation on the voting that is about to take place does not at this stage signify recognition.



53. In the context of the statement in which I have explained our position, my delegation will vote in favour of draft resolution A/L.702 and Add.1-7.

54. Mr. MEGALOKONOMOS (Greece) (*interpretation from French*): The position of Greece on the problem of decolonization and right of peoples to self-determination has always been clear and constructive. Indeed, ever since the foundation of our Organization, Greek representatives have repeatedly had the honour of voting in favour of all resolutions and all movements designed to promote the cause of these great principles of law. This is a policy pursued by Greece which will be vehemently continued by it as long as there are colonies and oppressed peoples.

55. However, the question of concern to us and the draft resolution which is to be put to the vote, while *prima facie* appearing to espouse a just cause, represent a method and a course which in our view are liable to create dangerous precedents. We must not lose sight of the fact that, if the struggle of the peoples has been the driving force towards independence, the crowning of their efforts would not have been possible without the strict application of the fundamental principles of international law, such as the right of peoples to self-determination, the conditions governing the existence or non-existence of a State, and so forth. Indeed, these inalienable principles have largely contributed to the formation of the world today and to the creation of many States in our Organization, and we are sure that the United Nations will need these same principles for a long time to come in order to complete the task of decolonization and liberation of all peoples.

56. The rules governing the existence of a State are too familiar for me to have to repeat them here. Suffice it to mention that the functional coexistence of the three indispensable elements—people, sovereignty and territory—does not seem to us for the time being to have been fulfilled to a degree which would permit the new entity to assume all the rights and responsibilities incumbent upon a State. In this case we are dealing with a principle of international law which cannot be diminished or lost sight of under any pretext, however just it may be. It should, on the contrary, be preserved most carefully in space and time, particularly by medium-sized and small countries, and our country is one such. In fact, we consider that, if respect for international law and its principles depends at times and to a certain extent on the discretionary power of the great Powers, the same respect is a *sine qua non* condition for the smaller Powers, which cannot afford to create precedents that would be *extra jure* or even *contra jure*.

57. We do believe, however, that absolute respect for these principles is the only guarantee of the maintenance of justice where it already exists and its extension to countries which still bear traces of colonialism. That is why the Greek delegation has regretfully taken a decision that it is unable to support the draft resolution that is to be put to the vote.

58. Mr. BAZÁN (Chile) (*interpretation from Spanish*): There are two different aspects involved in the draft resolution on which we are about to vote. On the one hand, the affirmation is made that a sovereign State has been created, namely, the Republic of Guinea-Bissau. This is equivalent to

saying that in this case the conditions required by international law to exist as an international entity are met. It therefore means that the people of Guinea-Bissau have control over the territory of their country, that they have provided themselves with a government which constitutionally has adopted the form of a republic, and that that government is exercising its authority with complete independence. Basically the aforesaid affirmation involves recognition that Guinea-Bissau is a new member of the international family.

59. With all sincerity my delegation would hope that the facts which I have mentioned were true, because Chile has always supported and will always continue to support the right of peoples to self-determination. But as we see the picture, in this particular case these facts have not been sufficiently proved; on the contrary, they are being disputed.

60. In recognizing a new State as having an international personality, existing States exercise a quasi-judicial function. This position is forcefully upheld by Oppenheim, the expert on international law. My country would like to exercise this function seriously and independently, disregarding all political considerations. For that reason, we cannot subscribe to any affirmation at this time which would prejudice the events and the facts and which would accept as a reality the existence of the Republic of Guinea-Bissau—which, indeed, we should like to see brought about but which has apparently not yet been brought about.

61. The draft resolution on which we are about to vote contains, on the other hand, some very categorical affirmations against Portuguese colonialism, affirmations which Chile supports unreservedly. My country maintains friendly diplomatic relations with Portugal. In Chile we recognize the value of the historical role that Portugal played in the era of great discoveries when, together with Spain, it succeeded in broadening the horizons of the world, and we believe that Portugal did positive work in America. Therefore, we cannot find any explanation for the methods Portugal is now using to maintain its African colonies. We are not in agreement with them and we would have wished to subscribe to each and every one of the expressions of condemnation and protest against such methods that are contained in the draft resolution on which we are about to vote.

62. Therefore, we find ourselves with a dual stance on this draft resolution. On the one hand, we reject its recognition of Guinea-Bissau, because we do not think that it accords with the facts; on the other hand, we fully accept all the anti-colonialist language condemning the methods used by Portugal in its colonies. Since separate votes on different parts of the draft resolution cannot be taken, and since accepting the text as a whole would put us in contradiction with our own position, my delegation, much to its regret, finds itself bound to abstain.

63. Mr. WORSLEY (United Kingdom): At the outset of this explanation of vote, I feel obliged to refer to the statements which have been made in the course of the debate about the alleged support of the North Atlantic Treaty Organization [NATO] for Portuguese policies in Africa. This is a familiar refrain, but constant repetition does not make it any truer.

64. Let my delegation state once again that NATO is a defensive alliance dedicated to preserving the freedom and independence of the countries which belong to the alliance in the NATO area—and that area does not include any part of the African continent. NATO has no responsibility for the defence of Portuguese overseas Territories. NATO as such does not supply arms or military aid to Portugal; indeed, there is no such thing as “NATO arms”, and any supplied to that Government are supplied on a purely bilateral basis.

65. As for my own Government, for which alone my delegation can speak, I would remind the Assembly that, as long ago as 31 July 1963 in the Security Council, Sir Patrick Dean said: “We do not supply arms to Portugal for use in its overseas Territories and we shall not do so.”<sup>2</sup> Any military equipment that we supply to metropolitan Portugal is to meet its legitimate requirements as a NATO ally and not for use in Africa. No evidence has been advanced that arms supplied to Portugal by the United Kingdom are being used in the overseas Territories. Let us be quite clear on that. Portuguese membership in NATO is one thing; Portugal’s colonial policies are another. We do nothing to assist Portugal in its colonial policies. On the contrary, as we have frequently demonstrated, we dissociate ourselves from those policies. It is to that aspect that I now turn.

66. My Government has frequently made clear, both in the United Nations and directly to the Portuguese Government, our strong conviction that Portugal should press ahead with all practicable speed towards the granting of self-determination in accordance with the rights of, and taking into account the wishes of, the people of its Territories in Africa. That is still our view. We call upon the Government of Portugal to follow the example of those other colonial or former colonial Powers whose former dependencies in Africa and elsewhere are now sovereign independent States represented in this Assembly. We urge the Government of Portugal to abandon the contention that the Portuguese Territories are an integral part of the metropolitan country and to acknowledge that the obligations and responsibilities imposed by Chapter XI of the Charter apply to that Government as they apply to the administrators of any other Non-Self-Governing Territory. It pains us that Portugal, a country with which we have so many historical ties, should be pursuing policies which we regard as so misguided.

67. From our experience, decolonization is a two-way process: a progressive dialogue between the administering Power on the one hand, and the representatives of the people of the Territory on the other; a dialogue on the increasing devolution of authority, leading to the exercise of self-determination with, if the people of the Territory so wish, the emergence of a sovereign independent State. However, in the case of the Portuguese Territories in Africa it appears, regrettably, that such a dialogue has scarcely begun. There is another point. My Government, as is well known, cannot condone the use of violence in pursuit of political ends even by those who are seeking to establish their right to self-determination and, as we said in our explanation of vote on Security Council resolution 322

(1972), we recognize the responsibilities of an administering Power in regard to the maintenance of law and order. But we deeply deplore the fact that in trying to solve the problems of its colonial Territories Portugal apparently relies in those Territories so heavily on the use of military measures instead of choosing the constructive road of dialogue and political advancement.

68. Nevertheless, my delegation is obliged to vote against draft resolution A/L.702. We shall do this for the simple reason that it is based on unreal assumptions and that the propositions which it makes are therefore unfounded and unacceptable. The existence of a new State cannot be recognized until it satisfies the normal objective criteria for such recognition. The State proclaimed as Guinea-Bissau by PAIGC<sup>3</sup> clearly does not do so now.

69. As my delegation pointed out on 19 October at the General Committee’s 5213th meeting, the Territory at present remains—as the General Assembly has previously held it to be—a Non-Self-Governing Territory covered by the provisions of Chapter XI of the Charter. We cannot accept, therefore, that a Government can be guilty of illegal occupation or acts of aggression in a Territory over which it is sovereign in international law. We accordingly cannot accept that the Government of Portugal can be guilty of such acts in relation to the Territory in question in the present case.

70. I think it is fair to say that the assumption on which the draft resolution is based represents what people would like to see translated into reality—that is, the existence of an independent sovereign State of Guinea-Bissau. That is fair enough. But factually and objectively Guinea-Bissau as an independent and sovereign State is not a reality. It is always dangerous to base policies and actions on what one would like to be reality rather than on what is. It is dangerous for individuals; it is dangerous for Governments; it is even more dangerous for the United Nations, if we have any regard to its future. I might add that when policies and actions based on what amounts to wishful thinking take the form of legal judgements there is a further casualty—international law, at least if that law is to have any authority as a reflection of real life. The future of the United Nations and international law—that is what our vote is about. It is not about Portuguese policies.

71. It will be clear from what I have said earlier that my Government accepts that there is much in Portuguese colonial policy, in Portuguese Guinea as elsewhere, which we criticize and deplore. For example, in its resolution 322 (1972), which had the unanimous positive votes of all members of the Council, the Security Council called on Portugal to cease its military operations and acts of repression and to enter into negotiations with the parties concerned with a view to achieving a solution which would permit the peoples concerned to exercise their right of self-determination and independence. That was something which, with certain reservations to which I have already referred, we could support. But we cannot accept that it is right to pass without opposition a draft resolution which moves away from the matters for which Portugal can rightly be criticized and instead accuses it of actions which on

<sup>2</sup> See *Official Records of the Security Council, Eighteenth Year*, 1049th meeting, para. 46.

<sup>3</sup> Partido Africano da Independência da Guiné e Cabo Verde.

objective criteria it cannot have committed. If a somewhat different draft resolution had been introduced as a sort of demonstration to reinforce and express in dramatic terms the international community's disapproval of Portuguese colonial policies, that is something we could have examined in a different light. But draft resolution A/L.702 goes too far by stating, on the basis of an unfounded assumption, that Portugal is committing an act of international aggression.

72. As my delegation said in the General Committee, we have no intention of denying that it is proper for the General Assembly to discuss the consequences of Portugal's unwillingness to make any progress towards self-determination. But this draft resolution ignores the accepted and fundamental objective principles to which I have referred and is inconsistent with the Charter. It is therefore unacceptable to my delegation.

73. Mr. LONGERSTAEY (Belgium) (*interpretation from French*): The abstention of my delegation on the draft resolution in document A/L.702 will reflect my country's doubts on the status of Guinea-Bissau. We are not convinced that that Territory meets all the criteria of sovereignty and independence and hence that it meets the criteria traditionally adopted in the question of recognition of States.

74. It is indeed notorious that Portugal controls a large part of the population of the Territory over which Guinea-Bissau claims to exercise its Power. However, Belgium's reservation, to which it intends to adhere for the moment, does not contradict its support for the cause of decolonization in general and decolonization of the African Territories administered by Portugal in particular.

75. It should be recalled that my country voted in favour of Security Council resolution 322 (1972), which the Security Council adopted unanimously on 22 November 1972, thus recognizing the rights of the peoples of those Territories to self-determination and independence.

76. We are obliged to regret once again that Portugal has remained indifferent to the appeals addressed to it by the Security Council about a year ago. Indeed, far from entering into negotiations with those who are the spokesmen of the peoples it administers, it continues to wage a pointless war against them.

77. My country is following attentively the evolution of a situation which, as my Foreign Minister declared here on 8 October [2144th meeting], is contrary to the universality of our Organization.

78. It is in that spirit that Belgium is examining the question of recognition of Guinea-Bissau, and hopes to accord that recognition when the time comes, together with those who share its views. In the meantime, my delegation is unable to associate itself with the draft resolution, which implies a recognition which it is up to Member States to grant and at the same time prejudices an aggression which it is a matter for the Security Council to determine.

79. In the light of those considerations, my delegation will vote in a way which, I do not need to stress, would have been different if the draft resolution on which the Assembly is

about to vote had been introduced under another item of its agenda, such as that relating to Territories under Portuguese administration.

80. Mr. RYDBECK (Sweden): I have the honour to speak for all the five Nordic countries.

81. The Governments of Denmark, Finland, Iceland, Norway and Sweden have on many occasions explained their views on the situation in Guinea-Bissau. Our concern has also been shown in concrete ways—for instance, by extending support and assistance to the PAIGC.

82. The Nordic Governments and the Nordic peoples have followed with keen interest and sympathy the developments in Guinea-Bissau both before and after the declaration of independence a little more than one month ago. The efforts of the people of Guinea-Bissau to obtain self-determination and independence have our whole-hearted support. We have in particular watched with admiration the establishment of a civil administration and the development of a political process, including the holding of elections.

83. We condemn the continued Portuguese repression and intransigence in Guinea-Bissau. The draft resolution before us, however, contains elements which would prejudice the question of our relations with the newly proclaimed republic. As the Nordic Governments' considerations of the questions involved are not concluded, our delegations will abstain in the vote on the draft resolution before us.

84. Miss BÉGIN (Canada) (*interpretation from French*): The Canadian delegation will abstain in the vote on draft resolution A/L.702 which we now have before us.

85. My delegation deplores the fact that the principle of self-determination as conceived by the United Nations is still being denied to the peoples of the Territories under Portuguese administration. We not only deplore this, but we take the Portuguese authorities to task for it, both in private and in public, and we do so as often as we can.

86. Canada voted, as everyone knows, in favour of resolution 1514 (XV), recognizing the right of peoples to self-determination, and we can, therefore, neither associate ourselves with nor support a policy which denies this fundamental right, a right which incidentally has recently been forcefully reaffirmed by the Heads of Government who met in Ottawa last August at the Conference of the Commonwealth countries.

87. The item we are considering today puts my delegation in very great difficulty in that it presupposes implicitly the recognition of the new State of Guinea-Bissau. Indeed, draft resolution A/L.702, on which we shall be voting in a few minutes, makes unequivocal reference in the title itself and in most of the paragraphs of the preambular and operative parts to the concept of the independence of the people of Guinea-Bissau and the sovereign State of the Republic of Guinea-Bissau.

88. All know that Canada, like certain other countries, has not recognized the State which has just proclaimed its independence and which is referred to here. Our abstention on this draft resolution should not and cannot in any way be



interpreted as recognition by Canada of the new State. We cannot, moreover, conceal the sense of resentment we feel over the fact that, through such a draft resolution, a majority wishes to impose upon a minority an act of recognition which should, according to the rules of international law, be a free and sovereign act and, consequently, be taken without compulsion.

89. We would have hoped therefore that the sponsors of this draft resolution would have consulted us on this important question so that, as was suggested by the Canadian Secretary of State for External Affairs, Mr. Mitchell Sharp, in the course of his address in the general debate, we might seek to avoid barren and abrasive confrontations which are often the result of the formal processes of voting and, instead, undertake a search for common ground which would lead to unanimity. Unanimity, he said: "does not mean the imposition of the will of the majority on a ... minority ... it means the shared recognition of what should and can be done" [2126th meeting, para. 60].

90. Sir Laurence McINTYRE (Australia): Australia will abstain in the vote on draft resolution A/L.702 because, in our view, to vote in favour of it could not but prejudice our position on the legal question of recognition of Guinea-Bissau. International legal norms as we observe them provide certain criteria for the recognition of States and it is the Australian view that these criteria have not yet been fulfilled in the case of Guinea-Bissau.

91. That formal position having been made clear, it should also be clear that we have wished to offer no objection to the proceedings which have taken place under agenda item 107. Our abstention will indicate no such objection. On the contrary, Australia voted in favour of the inclusion of item 107 in the agenda in order, among other reasons, to ensure that the claims of Guinea-Bissau could be given the fullest hearing by the United Nations. We believe that the voice of the peoples of Africa seeking freedom from colonial domination and exploitation, to which all are entitled, must be heard in the United Nations to help ensure that their future will be found in peace, dignity and human fulfilment.

92. The fundamental issue of the rightness of the aims and objectives of the national liberation movements struggling to free the African peoples from Portuguese colonialism calls for unqualified recognition. It has that recognition from Australia and the liberation movements command our firm support. In this spirit the prospect of contact bilaterally between Australia and PAIGC is not excluded on our side.

93. The PRESIDENT (*interpretation from Spanish*): We shall now proceed to the vote and a roll-call vote has been requested. I should like to remind members that under rule 90, after the President has announced the beginning of voting, he can give the floor to speakers only on matters concerning the form of the voting. We shall now proceed to a roll-call vote.

*A vote was taken by roll call.*

*Maldives, having been drawn by lot by the President, was called upon to vote first.*

*In favour:* Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Oman, Paki-

stan, Panama, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Barbados, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, China, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Ecuador, Egypt, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia.

*Against:* Portugal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America, Brazil, Greece.

*Abstaining:* Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Sweden, Turkey, Uruguay, Venezuela, Australia, Austria, Belgium, Bolivia, Canada, Chile, Colombia, Denmark, Dominican Republic, El Salvador, Finland, France, Germany (Federal Republic of), Guatemala, Honduras, Iceland, Ireland, Israel, Italy, Japan, Luxembourg.

*The draft resolution was adopted by 93 votes to 7, with 30 abstentions (resolution 3061 (XXVIII)).<sup>4</sup>*

94. The PRESIDENT (*interpretation from Spanish*): I call on the representative of Mauritius, who wishes to make a statement on behalf of the group of African States.

95. Mr. RAMPHUL (Mauritius): Mr. President, thank you very much for allowing me to speak once again at this late stage. As we are about to conclude this item, I shall be brief and to the point.

96. First of all, on behalf of the 65 sponsors of the draft resolution which the Assembly has just adopted, I wish to express our deep gratitude and appreciation to all those members which have expressed and registered their firm support for and unyielding solidarity with the people of Guinea-Bissau and Cape Verde. We appreciate the position of those delegations which abstained in the vote at this stage, since I believe that they are already on the right path.

97. The result of the vote just taken patently symbolizes the overwhelming endorsement by the world community of the heroic struggle being waged by the people of the new Republic of Guinea-Bissau for the ultimate consolidation of their national independence and the reconstruction of their country. At the same time, it clearly signifies the condemnation in the strongest possible terms by the international community of the obdurate and intransigent attitude of the Fascist régime of Portugal which, contrary to all accepted concepts and practices of international law and lacking any

<sup>4</sup> The delegation of the Bahamas subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

respect whatsoever for fundamental human rights, continues to pursue with impunity the despicable policies of a genocidal war of annihilation against African peoples and criminal armed interference and intervention committed against independent African States.

98. More important, the conclusion in this forum of this specific phase of the matter marks only the beginning of co-ordinated efforts on the part of the majority of the States Members of this Organization and their collective will and determination to bring about the cessation forthwith of the illegal presence of the Portuguese armed forces in the independent Republic of Guinea-Bissau and their acts of aggression against the African people of Guinea-Bissau and Cape Verde. The world community could no longer tolerate the perpetuation of this abhorrent and anachronistic situation, a situation which poses a most serious threat to international peace and security.

99. As I stated in my earlier intervention [2157th meeting]—and this has been supported by the overwhelming majority of this august body—an urgent action must now be initiated at the level of the Security Council. The Charter of the United Nations clearly prescribes the modalities for the elimination of all threats to peace and acts of aggression. Let this be a solemn warning to the régime of Lisbon that we shall spare no effort to dislodge Portugal from its illegal presence in Africa and to restore the territorial integrity and sovereignty of independent African States.

100. Finally, I should like to assure the courageous fighting people of Guinea-Bissau and Cape Verde that we, the overwhelming majority of this Organization, shall continue to assist them with all available means at our disposal in the attainment of the full enjoyment of their birthright as a united, independent force, free from any interference by external forces.

101. Throughout the debate on this item you, Mr. President, and your fellow officers have extended to me personally and to all my African colleagues and beloved brothers, as well as to our friends, unbounded courtesy. You have co-operated fully with us and have shown great patience, and, I would even say, courage, given the fact that no less than 51 speakers took the floor on this item in the general debate, and to that must be added a number of explanations of vote. It is therefore only fitting that we Africans and the other sponsors of the draft resolution just adopted pay you, Sir, a special tribute and express to you our very deep appreciation. Our sincere thanks go also to the Secretariat. Long live the Republic of Guinea-Bissau!

102. The PRESIDENT (*interpretation from Spanish*): I thank the representative of Mauritius and I would assure him that I have done no more than strictly fulfil my duties.

103. I shall now call upon representatives who have asked to be allowed to explain their votes after the voting.

104. Mr. FACK (Netherlands): The Netherlands delegation has asked for the floor to make a brief explanation of its vote on the draft resolution just adopted by the General Assembly.

105. When the question of the inclusion of this item in the agenda came up in the General Committee I clarified the position of the Netherlands Government on the present status of Guinea-Bissau. That position may be summarized as follows.

106. My Government has already made it abundantly clear that it will support all efforts aimed at the elimination of remnants of colonialism at the earliest possible moment. On the particular question of the Portuguese Territories in Africa the Netherlands Government firmly believes that Portugal should recognize the right of the peoples of those Territories to self-determination. We approach the question of recognition of the newly proclaimed Republic of Guinea-Bissau in that light. Under international law, recognition is usually not accorded to a new State until certain well-established criteria have been met. In our view, those requirements do not so far appear to be adequately fulfilled in Guinea-Bissau. A specific problem lies in the fact that a significant part of the population of the Territory, especially in the largest centres, is still under Portuguese control, while one of the accepted criteria for recognition is effective control over a large majority of the population.

107. The Netherlands Government will follow developments in Guinea-Bissau with the closest attention. We shall remain in contact with other governments which share our approach in this matter. As soon as the point is reached where, under international law, recognition may be granted, the Netherlands Government will be active, together with those other governments, with a view to concurrent recognition. Meanwhile, continued contacts between us and representatives of PAIGC are by no means ruled out and, indeed, continue to take place.

108. The constitutional difficulties are important because, in our view, an affirmative vote by the Netherlands on draft resolution A/L.702 might, in the circumstances, have implied my country's *de facto* recognition of Guinea-Bissau as a new State, a recognition which, as I have pointed out, my Government does not consider legally appropriate at this time.

109. The text submitted to the General Assembly was clearly prejudicial to the issues involved. We would have preferred to see the question of Guinea-Bissau dealt with as an issue of decolonization pure and simple. Under such a procedure, a text might well have emerged which would have enabled Member States like the Netherlands, which is second to none in its support for decolonization in all its aspects and wherever it may occur, to cast an affirmative vote. The text of draft resolution A/L.702, however, confronted my delegation with an awkward dilemma. On the one hand, the logic of our constitutional attitude ruled out an affirmative vote. On the other hand, we extend our sympathy and our understanding to those who exert themselves to promote and advance the cause of self-determination in Guinea-Bissau. Indeed, we are looking forward to the time when we may salute and welcome, on a basis of equality of rights and privileges, a delegation from Guinea-Bissau in these halls. A negative vote was therefore as unthinkable as an affirmative vote would have been illogical. There was therefore no alternative for the Netherlands delegation but to abstain.

110. In explaining those reasons for our abstention, we should like to address another appeal to the delegation of Portugal. We would ask the members of that delegation, even at this later hour, to recognize that times have changed and that political anachronisms have no future. We would urge them to change direction from armed confrontation to peaceful dialogue aimed at constructive decolonization on the basis of the right of self-determination of the peoples concerned. Our plea is all the more urgent because, in our view, it is not only the destinies of Portugal and its colonies that are at stake. The failure of Portugal to take the appropriate and imaginative action required by the spirit of our times may lead to conflicts—and here I quote the Netherlands Minister for Foreign Affairs—"the world-wide consequences of which would be incalculable" [2128th meeting, para. 163].

111. Mr. EVANS (United States of America): I should like to set forth my Government's views on the resolution which the General Assembly has just adopted.

112. United States policy towards Territories remaining under minority rule in Africa and our support for the clear language of Chapters IX and XI of the United Nations Charter hardly need reiteration. We have long endorsed the right of all men—and let me emphasize, the right of all women also—to have a voice in their government. Members of my delegation have often stated, and in this hall, the very deep belief of the United States Government that peoples which have not achieved self-government should be given the opportunity to exercise self-determination.

113. In that connexion, my delegation was particularly struck by the continued claims that the United States was assisting Portuguese military efforts on the African continent. As we have said many times before, and I repeat now, military training and materials given by the United States to the Government of Portugal within the context of NATO are prohibited for use in Portugal's African Territories, and we have good reason to believe that that prohibition has not been violated.

114. Furthermore, let me re-emphasize that there is no evidence—no evidence—that herbicides under the control of the United States are being used by the Portuguese as defoliants in military operations in Africa.

115. The United States delegation voted "No" on today's resolution because our own perception of the facts differs from that of the drafters. Let me assure you, my fellow representatives, that the United States Government has followed events in this Territory very closely, and we have discerned nothing to convince us that the declaration of independence is justified. Needless to say, we are aware that the insurgents occupy and claim to administer certain areas within the Territory and along its borders. It is our observation, however, that Portugal continues to control the population centres, most rural areas and the administration of the Territory.

116. Those circumstances, under generally accepted precepts of international law, dictate that Portugal should continue to be recognized as sovereign in the Territory. We believe that to do otherwise is simply to disregard the facts.

117. Let me assure you that the United States—the Government of the United States, the people of the United States—are not blind to the suffering, to the loss of life, to the destruction of property caused by the struggle in this Territory and we, as other nations, deplore the persistent violence of the conflict. And yet we ask ourselves—and we ask you, my colleagues, to examine your thinking, and this is the crux of the argument—will today's vote speed the resolution of the conflict over self-determination, a right to which all are entitled? We think not. My Government believes that to end the bloody struggle in the Territory the parties concerned should enter into negotiations on the basis of Security Council resolution 322 (1972). It is towards negotiation which the United States and, we believe, others should look to bring self-determination to that Territory.

118. Mr. CREMIN (Ireland): I wish to explain briefly the vote cast by my delegation on the draft resolution just adopted.

119. It is unnecessary to say that the Irish Government and people are unequivocally opposed to colonialism and to the pretension of one people to dominate another. Our history and our record here are sufficient testimony of that position. In conformity with it, the Irish delegation has over the years consistently voted for resolutions of the Assembly affirming the inalienable right to self-determination and independence of the people of the African Territories under Portuguese domination. Consequently, my delegation unhesitatingly supports effective steps towards the independence of those peoples.

120. However, the text before the Assembly was in terms which we think go too far. The information available does not in our judgement establish that Guinea-Bissau has as yet acquired the characteristics of a State. For this reason we could not accept, for instance, paragraph 1 of the resolution, which speaks of the creation of a sovereign State. We therefore felt obliged to abstain.

121. At the same time, we naturally hope that the day is not far distant when Guinea-Bissau will manifestly have achieved sovereignty and independence.

122. Mr. PONCE (Ecuador) (*interpretation from Spanish*): On the occasion of the vote on the inclusion of the additional item on which we have just adopted a resolution in this Assembly, my delegation supported that proposal, considering that any matter linked to a greater or lesser degree with the decolonization of peoples still suffering from colonial occupation is always a matter of the utmost interest to the international community, and therefore the consequent consideration of the matter and debate is binding on anyone who represents a country in this Assembly.

123. In its consideration of the matter and other items related thereto my delegation, taking into consideration the circumstances reflected therein fundamentally related to the culmination of a process of decolonization, decided to vote in favour of the draft resolution which has been adopted, without prejudice to reservations on subsequent considerations concerning recognition of a new State which are within the purview of the Government granting such recognition. The resolutions adopted successively by the General Assembly of the United Nations have contained a most energetic

condemnation of the colonialist practices which unfortunately are still characteristic of the exploitationist policy of Powers which by their attitudes offend the universal consensus of the need to free the oppressed.

124. My delegation, faithful to those principles which constitute the best jurisprudence for the proper guidance of our work in these matters, trusts that very shortly we will receive convincing evidence of the success of all the liberation processes, because we must retain the same loyalty to the consequences as we have proclaimed to the principles themselves.

125. Mr. LECOMPT (France) (*interpretation from French*): My delegation wishes to explain the meaning of its abstention during the vote that has just been taken.

126. At the meeting of the General Committee, we have already had an opportunity to indicate that, if the wording proposed for the inscription of the item concerning Guinea-Bissau had been different, we would not have opposed its adoption by consensus.

127. There is no doubt, indeed, that the deterioration in relations between the Administering Power and the peoples involved creates a situation of concern. We deplored this last year when that situation was already obvious. The problem has worsened this year and it has commanded the attention of the international community.

128. Although the information available to us on the frequency and extent of armed confrontations in Guinea-Bissau is often contradictory, it is a fact that they exist, and that is sufficient to justify the concern felt by our States and our Assembly.

129. I should like to remind Portugal that repeatedly in various organs of the United Nations and in particular in the Security Council, the French delegation, among others, has urgently appealed to it to look to the future and firmly embark on the process of self-determination for which it must take the initiative in order that armed confrontation may be succeeded by co-operation among men. We have always expressed the opinion that the time has come to recognize the inalienable right of the Portuguese Territories to pronounce themselves on their destiny, and we understand Africa's impatience. Unfortunately, our appeals have not been heeded, and today the positions taken do not facilitate the solution of the problem.

130. According to the documents submitted to the Assembly, PAIGC—relying on the testimony of observers and a visiting mission—maintains that it controls two thirds of the territory of Guinea-Bissau and that it has set up a centralized administrative apparatus. But, for its part, the administering Power, also calling upon the testimony of visitors, asserts that the liberation movement controls no part of the territory and that Portuguese administration is effectively being exercised over the whole of the territory. Such opposing viewpoints do not allow us to draw the objective conclusion that the *de facto* situation in Guinea-Bissau has been so radically changed as some have alleged.

131. The French delegation therefore considers that in present conditions Guinea-Bissau does not satisfy the legal

requirements which are generally necessary for recognition of new States. That is why we abstained from voting on the draft resolution, which implies that the Republic of Guinea-Bissau has been recognized.

132. True, the question does arise: if one recognizes the self-determination of peoples, should one not also set aside juridical details? That question does not escape our attention. It is not we who dispute the idea that the evolution of ideas in the course of recent decades has created new obligations for the members of the international community. The need to support the political aspirations of peoples and their self-government is enshrined in the Charter. However, the provisions of international law are also mentioned therein. Since those relating to the recognition of new States maintain their logical value, we can hardly fail to respect the minimum of criteria.

133. I should like to emphasize that our attitude has no connexion with the relationship which exists among the members of the Atlantic Alliance or the countries of Europe. We simply think that it is not in the interest of the United Nations to embark on the hasty recognition of States, and we would not have voted differently had it been a question of taking a decision on another, similar case.

134. It has been almost 15 years now since France successfully completed its decolonization work, and it has every reason to congratulate itself on this, because the former relations have been replaced by relationships based on friendship and mutual respect. It has no interest in creating any obstacle of any kind whatsoever to the recognition of a State satisfying the generally accepted rules—and particularly in the case of Africa it has no desire to do so. If one day the international community can receive a new member into its midst we shall be the first to rejoice at this.

135. Mr. de ROSENZWEIG-DÍAZ (Mexico) (*interpretation from Spanish*): The affirmative vote my delegation cast on draft resolution A/L.702 is a reflection of the traditional attitude of principle of its Government, in strict compliance with the fundamental precept of self-determination and independence for countries and peoples under colonial domination.

136. Accession to independence by the Republic of Guinea-Bissau is the logical consequence of the failure for 13 years to operate the process of decolonization in the context of the peaceful development of a people under colonial administration towards independence in accordance with the system established by the United Nations, on the basis of the essential principles of its Charter and the decisions taken by its various organs.

137. Mr. von HIRSCHBERG (South Africa): The South African delegation opposed the inclusion of this item in the agenda for it believed that the title presupposed the existence of a sovereign State of Guinea-Bissau, and nothing that we were aware of could justify such a presupposition. It thus, in our view, prejudged the issue. We have since then carefully followed the extensive debate on this item. So far as we are concerned, nothing that has been said in the course of this debate has served to dispel our misgivings. It is clear that Guinea-Bissau does not meet any of the criteria laid down in international law for recognition. It is indeed remarkable

that the proponents of this item did not even seriously attempt to justify or defend their position on the basis of the requirements of accepted international law.

138. The claim that Guinea-Bissau effectively occupies, controls and administers territory is also, in our view, unsubstantiated. It is to be regretted in this regard that the invitations extended by the Portuguese Government to the United Nations, aimed at securing an objective and impartial investigation into the validity of the claims of PAIGC, went unanswered.

139. It follows from what I have said that we cannot accept the assertion in the title that Portugal is in "illegal occupation" of certain sectors of what is in fact its own territory; neither can it, therefore, be said to have committed "acts of aggression" against the people of the Territory. The accusation to this effect is, in our opinion, entirely without foundation.

140. Since those claims and assertions, which we consider to be unfounded, are reflected in the resolution just adopted and because we believe that this initiative is in contravention of Article 2, paragraph 7, of the Charter, the South African delegation voted against the resolution.

141. Mr. ZADOTTI (Italy): When the General Assembly voted on the inclusion in the agenda of this session of the item whose consideration we are just concluding, my delegation abstained because we thought that the wording of the proposal that was laid before us was such as to prejudge the issue which we were being asked to debate. Today, my delegation similarly abstained in the vote on draft resolution A/L.702. We wish, in this connexion, to place on record once more the adamant stand of my delegation in favour of the principle of self-determination and independence set out in the Charter which should inspire and guide all Members of this Organization in the process of decolonization.

142. We therefore want to express our appreciation for the noble motives and ideals which have led so many delegations to bring this important problem to the attention of world opinion. However, in addition to the objection of a juridical nature which has been underlined by so many delegations and which I will not repeat so as not to use up the time allotted to me, my delegation, having regard to the information available to my Government on the subject at this stage, does not consider itself in a position to make a clear evaluation of the issue before us and, therefore, when asked to vote it had to abstain. I am confident, however, that the records of this debate and of all the statements made on this subject will be studied with particular care and attention by my Government.

143. Mr. von HASSEL (Federal Republic of Germany): A few days ago my delegation had the opportunity to explain to the Fourth Committee our attitude as regards the inalienable right of all peoples to self-determination and freedom. My Government has already made it very clear that it supports all efforts aimed at the elimination of the anachronistic vestiges of colonialism.

144. As regards the question of the Portuguese Territories in Africa, we support the legitimate desire of the peoples of these Territories to achieve independence by the exercise of

their right of self-determination and in accordance with the purposes and principles of the United Nations Charter. The resolution just adopted by the General Assembly, however, raises the question of the present status of Guinea-Bissau.

145. Under international law, recognition is not normally accorded to a new State until certain well established criteria have been met. One of the generally accepted criteria for recognition is the State's effective control over a large majority of the population. In our view, this requirement does not appear to be adequately fulfilled.

146. However, the Government of the Federal Republic of Germany will follow developments in Guinea-Bissau with the closest attention and will remain in contact with other Governments which share our approach to this matter.

147. We also have some difficulty with paragraph 4 of the resolution just adopted. If, in the opinion of the authors of this resolution, the situation prevailing in Guinea-Bissau constitutes a threat to peace and security, the matter should have been submitted to the Security Council as the principal organ primarily responsible for the maintenance of international peace and security. If the General Assembly wishes now to draw the attention of the Security Council to the situation in Guinea-Bissau, this should not be done in such a way as to postpone the result of an evaluation of the situation by the Security Council.

148. In view of our general attitude as outlined before, and of the difficulties which I have explained, my delegation had no option but to abstain when the resolution was voted upon.

149. Mr. WALTER (New Zealand): New Zealand abstained in the vote on draft resolution A/L.702. The New Zealand Government does not at the present time recognize the new Republic of Guinea-Bissau, and in our view it was not possible to cast an affirmative vote on the text, in the form in which it was presented to this General Assembly, without prejudice to our position on the question of recognition.

150. My delegation has already made clear in the Fourth Committee where New Zealand stands on the question of the Territories under Portuguese administration. We voted in favour of the inclusion of this item in the agenda as an urgent and important question, and we have followed the course of debate with close interest.

151. New Zealand recognizes the legitimacy of the struggle of the people of Guinea-Bissau to win full human rights and self-determination, and our abstention on this resolution should not be regarded as qualifying in any way our support for, and our commitment to, the principle of self-determination.

152. The PRESIDENT (*interpretation from Spanish*): We have exhausted the list of speakers who have expressed their wish to speak after the vote. I shall now call on those who wish to exercise their right of reply. I would remind them that, in accordance with the decision of the Assembly, the time allotted for the exercise of the right of reply is 10 minutes.



153. Mr. ALARCÓN (Cuba) (*interpretation from Spanish*): At the 2161st meeting, on 31 October, the representative of Portugal referred at various times to my country. I shall not distract the attention of the General Assembly by entering into a dispute with him about the precise details of the facts—real or imaginary—included in his statement. I shall say only that the full, militant and concrete solidarity which the Revolutionary Government and people of Cuba have with the struggle of the people of Guinea-Bissau is fully in keeping with our policy of principle and with the decisions and recommendations adopted for years by the General Assembly. The assistance provided to the fighters of PAIGC is wholly in keeping with the objectives and resolutions of the United Nations and with the anti-colonialist principles proclaimed by the Organization and supported by the vast majority of its Members. This is an obligation on all independent and progressive States.

154. Cuba is complying with an elementary duty of solidarity with the African fighters who are confronting colonialism and are attempting to win national independence. This is not so with the massive assistance, military material and advisers and financial resources which Portugal receives from the United States and other Western Powers. The support from these States for Portuguese colonialism has been and is condemned by the international community and constitutes defiance of the majority of the States Members of this Organization and a flouting of the resolutions adopted by the Assembly.

155. There is one aspect of the statement of the representative of Portugal on which I should like to dwell for a moment. In his statement he attempted to represent the national liberation movement as something alien to the territory, as a result of the action of foreign Powers. The person who made this allegation is precisely the representative of a colonialism which has interfered for more than five centuries in the life of the African peoples and denied them their right to national self-determination. Africa was not invented by the slave traders. Its history has roots far beyond the dreams of mediaeval discoverers, and when European colonialism and racism are only a hateful memory Africa will still be there.

156. PAIGC is the most authentic expression of the indomitable will of the people of that Territory to be free. It is the legitimate representative of the people, the incarnation of its desires for emancipation, the fighting, fearless vanguard of a people determined to regain what has always been and rightfully is still theirs. To ignore the authenticity of the progress-loving forces is a dream to which have clung all the reactionaries known to history. But it is not by closing their eyes to reality that the oppressors will be able to hold up the inexorable course towards independence of all peoples subjected to colonialism.

157. PAIGC emerged from the struggle of the people of Guinea-Bissau and Cape Verde against their enemies. It was born in the heat of the efforts of the workers, peasants and students who for more than 20 years have rejected foreign exploitation and organized themselves with a view to gaining independence. Since September 1956 it has been the organizer and leader of the people's struggle. For more than 10 years it has been winning victories in the armed struggle that has already liberated the greater part of the territory of

Guinea-Bissau. In its successful and unselfish struggle it has gained the support of international solidarity, which should increase and spread in compliance with a duty consecrated by this Assembly itself. But it is the struggle of the people of Guinea-Bissau and Cape Verde which is the decisive factor that will completely uproot foreign domination.

158. In connexion with the situation in the Territory, I should like to make known to this Assembly some data received this very day, contained in a message signed by our comrade Aristides Pereira, Secretary-General of PAIGC. In this message, which is dated 2 November 1973, the highest leader of PAIGC confirms the situation in the Territory that has been liberated, based on the most recent statistics provided by the State of Guinea-Bissau, which show that within the liberated area there are approximately 350,000 inhabitants, out of the 650,000 which comprise the total population of the Territory, figures which of course do not include the 150,000 persons who have taken refuge in the neighbouring territories of Senegal, Gambia and Guinea. With respect to the liberated territory, of the 36,125 square kilometres that make up the total area of the country, 26,100 square kilometres are under the effective authority of the independent State of Guinea-Bissau, and they are broken down as follows: 10,000 square kilometres north of the River Geba, 8,600 square kilometres in the southern part of the country, and 7,500 square kilometres in the eastern part of the territory. These figures show that within the liberated area of Guinea-Bissau live the greater part of the population of the country and that this area represents approximately 72 per cent of the national territory.

159. The speaker on whose statement I am commenting said that Amílcar Cabral had died in Conakry and his body was buried outside Guinea-Bissau. He was also surprised to note that the proclamation of the independent State of Guinea-Bissau allegedly did not take place in the urban areas, but rather in the liberated area. But whoever has looked at the conditions in which PAIGC is carrying out its historic struggle, and considered the brutal methods employed against it, will easily understand the fallacious nature of the Portuguese arguments. The fact that the body of the Secretary-General of PAIGC was buried outside of the territory of Guinea-Bissau cannot surprise anyone. After all, the remains of dozens of thousands of anonymous inhabitants of that country also rest in many corners of the Caribbean or American continent where they were dragged by the slave trade, which for a century and a half was the primary reason for the ties between Portugal and its province of Guinea.

160. Moreover, Amílcar Cabral may be buried in Guinea or in some other part of Africa, Asia or Latin America, because he belongs to all the peoples of what is known as the third world. His fighting message, his example as a tireless revolutionary fighter, goes beyond the confines of Guinea-Bissau, it goes beyond African geography, and forms an inseparable and glorious part of the general process of emancipation of all peoples. Amílcar Cabral was buried everywhere and nowhere. The important thing is not the place where his body may lie; what is important is that his example lives in the heart of our peoples. What is decisive is that his example lives and multiplies in the fighters who are joining the struggle imbued with the revolutionary spirit that was his legacy to them. He will live for ever and he will

fight everywhere, and his message will grow tirelessly just as long as there are people to be liberated and as long as man's exploitation by man persists.

161. Mr. BAROODY (Saudi Arabia): I have asked for permission to exercise my right of reply to all those representatives who cast a negative vote on the resolution which has just been adopted.

162. Seven States voted "no", and their explanations of vote were not even plausible. The representative of the United States, like others who were against the resolution, invoked international law to bolster his spurious arguments that Guinea-Bissau should, in effect, remain under the foreign yoke of Portugal.

163. As I mentioned in my last statement on this item [2162nd meeting], it is understandable why Spain has cast a negative vote and I will not take issue with its attitude. Both Spain and Portugal have very close ties and they both constitute the Iberian peninsula.

164. Similarly, Brazil has close ethnic ties with Portugal, and we can appreciate the linguistic and cultural links between Portugal and Brazil.

165. But I hardly have to find a reason to explain why South Africa voted "No", as, after all, South Africa and Portugal are the only colonial Powers that are left in the African continent. Parenthetically, I do not consider Southern Rhodesia as an independent country, for the United Kingdom still claims that it is the administering Power. Why, then, did the United Kingdom vote "No"? Was it in order to continue to give the green light to Southern Rhodesia to co-operate with South Africa and Portugal in order to keep the *status quo*; or is there collusion between the United Kingdom and the United States in respect to this item?

166. There was no infraction of international law, and international law could not be invoked when the United States cast aside the right to self-determination in 1947 and partitioned Palestine. We asked your President, the late Harry Truman, to refer the question of Palestine to the International Court of Justice, and he turned down our request. How dare you talk about international law—you and the others—when it suits your purpose? Say once and for all, and let the American people know, that you voted "No", because Portugal lent you territory in the Azores where you have bases from which you are sending Phantoms. Look at me; do not put your hand over your mouth; do not block your ears; listen. You used that small State, Portugal, for which we would have sympathy if it did not still have colonies. Come out with it: "We need Portugal for bases." That was the reason, and not international law. When it suits you, you trample on international law and you forget that there is an International Court of Justice.

167. Whom do you think you are fooling, my good friend from the United States? As a person, I consider you a friend. All United States citizens who have nothing to say are friends. They are our brothers in humanity.

168. So you are conniving with many of those who abstained, telling them: "You abstain so as not to antagonize the African people." This is what you are doing. I have lived for over three decades, and I know your tricks and the tricks of those who assume power. Come on, you are a gentleman and I like your looks. But, poor you, you have to express a policy that is like a basket with which you cannot draw water. Next time, have a good bucket for your argument—a good zinc or steel or aluminium bucket with which you can draw water with your argument.

169. That is my reply to those who voted "No". I tried to ascertain from the representative of Greece the reason why he voted "No", but I could not find him. I do not know why Greece, which bore high the torch of democracy—democracy started in Athens, as you may know—voted the way it did. Perhaps the United States brought pressure to bear upon Greece, a member of NATO. NATO, NATO, we know it by heart. But we exonerate Greece because it is a lovely country and I am sure one day it will extricate itself from your nefarious influence—you, the Government of the United States, its Senate and its legislators. Why do we mention your Senate? Because it is meddling in African and Asian affairs, setting the rule. My dear friend from the United States, you constitute 6 per cent of the world's population and you want to lord it all over the world. Others tried it. The Romans tried it; the British tried it; we tried it once when we had four successive and sometimes simultaneous empires, and we failed. Do not get drunk with power. Justice will prevail and your people will rise against you. That is my answer to your "No".

170. And you, my African friends, if you do not do this, I shall do it forthwith. Do not wait to study, you, Mr. Ramphul sitting there and representing Africa, because you are or were the Chairman of the African group. Wake up. Do not study legal considerations, international law and all that. Bring this item forthwith to the Security Council and draw a United States or a United Kingdom veto. I am sure France will not cast a veto; I am sure China will not cast a veto; and the Soviet Union, I am certain, will not cast a veto.

171. And I say to the United States, if you set yourselves apart, if you try to trample on the right to self-determination, the whole world stands ready to single you out. Do not show me your watch my friend. You come here to work. I feel sorry for you. You are in a pathetic position, and I do not envy you sitting there listening to the voice of truth.

*The meeting rose at 1.20 p.m.*