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**GENERAL
ASSEMBLY**

TWENTY-SEVENTH SESSION

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**FOURTH COMMITTEE, 2001st
MEETING**

Monday, 13 November 1972,
at 11 a.m.

NEW YORK

Chairman: Mr. Zdeněk ČERNÍK
(Czechoslovakia).

*In the absence of the Chairman, Mr. Ibrahim
(Sudan), Vice-Chairman, took the Chair.*

AGENDA ITEM 65

Question of Territories under Portuguese administration (concluded) (A/8723 (part II), A/8723/Add.3, A/8758 and Add.1, A/C.4/745, A/C.4/750, A/C.4/751, A/C.4/753, A/C.4/L.1013)

**CONSIDERATION OF DRAFT RESOLUTIONS
(concluded)** (A/C.4/L.1013)

1. Mr. HEIDWEILLER (Netherlands) said that his delegation had on several occasions reaffirmed its conviction that the principle of self-determination should be applied as quickly as possible to peoples still under colonial domination. It had consistently rejected Portugal's policy concerning the application of that fundamental principle with regard to the peoples of Angola, Mozambique and Guinea (Bissau) and the Portuguese argument that its African Territories should be regarded as overseas provinces.

2. The adoption by the General Assembly the previous year of resolution 2795 (XXVI) on the question of Territories under Portuguese administration had been a step in the right direction and had been supported by countries from all parts of the world. Those who had voted in favour of the resolution had done so in the hope that it would help to change the Portuguese attitude. His delegation, too, had sincerely hoped that the first statement to be made in the General Assembly by a Portuguese Minister for Foreign Affairs after ten years of absence would open up new horizons and new ways towards a just solution of that tragic problem. It had noted the comment by the Portuguese Minister for Foreign Affairs (2048th plenary meeting) that his Government did not reject the principle of self-determination and that it was not opposed to decolonization. After carefully studying the statement, however, his delegation had reached the conclusion that there were a number of ambiguous elements in it.

3. The Portuguese interpretation of the right to self-determination seemed to be different from its own. Recent changes in the Portuguese Constitution had granted the Territories a broader measure of self-government. In his delegation's view, however, Portugal continued to be bound by its obligations under the Charter of the United Nations, in particular the

obligation to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. Consequently, his delegation regretted that the Portuguese Government had not taken advantage of the opportunity offered in the Manifesto on Southern Africa drafted at Lusaka, and various United Nations resolutions to initiate negotiations with the parties concerned, since such negotiations might make it possible to reach an agreement that would benefit both Portugal and the peoples in the Portuguese African Territories.

4. The Netherlands delegation would vote in favour of draft resolution A/C.4/L.1013, both in order to make it abundantly clear that his country firmly supported the fundamental right of the peoples of Angola, Mozambique and Guinea (Bissau) to determine their own political future and because it was convinced of the need to seek a peaceful and constructive solution through negotiation. Nevertheless, his delegation had certain reservations with respect to the draft resolution. In particular, it had objections of principle to the last part of the tenth preambular paragraph and to paragraph 2, since they implied that the liberation movements in question should be regarded as the sole and authentic representatives of the peoples of Angola, Mozambique and Guinea (Bissau). The draft resolution therefore prejudged the outcome of the Territories' political development and his delegation considered that the Committee was not entitled to qualify certain movements as authentic representatives of the peoples without receiving some kind of formal authorization from the peoples concerned.

5. Furthermore, his delegation deplored the reference to the North Atlantic Treaty Organization (NATO) in paragraph 5. At the previous session his delegation had stated in connexion with a similar paragraph in resolution 2795 (XXVI), that the area covered by the North Atlantic Treaty did not include the Portuguese colonies and had no relation whatever with them and that the fact that the Netherlands and Portugal were NATO members did not prevent his country from clearly repudiating Portugal's colonialist policy. Lastly, his delegation felt that it would have been preferable if the seventh and eighth preambular paragraphs and paragraph 4 had been drafted in more specific terms.

6. Mr. MONTGYA (Peru) said that his delegation reaffirmed its support of the participation of the liberation movements as observers in the work of the Committee and thought it important that the participation of one of the parties directly concerned in the solution of the colonial problem should be mentioned in the

draft resolution, since it was a universally accepted principle that the parties affected should be able to put forward their views.

7. His country, which supported the anti-colonialist struggle in Africa, was aware that the draft resolution under consideration was based on the resolution adopted at the ninth ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity (OAU) on the question of Territories under Portuguese administration. It also understood the desire of the African countries to obtain the adoption of a United Nations resolution which would reflect the concern and aspirations expressed by the Heads of State and Government. The draft resolution recognized that the national liberation movements were the authentic representatives of the true aspirations of the peoples of Guinea (Bissau) and Cape Verde, a principle supported by all African Governments. His Government therefore had no objections to the principles set forth in the draft resolution and would vote in favour of it.

8. Mr. THUNE ANDERSEN (Denmark), speaking on behalf of the delegations of Finland, Iceland, Norway, Sweden and his own, said that they attached great importance to paragraph 3 of draft resolution A/C.4/L.1013. That paragraph, which was the core of the text, called for negotiations between the parties in question concerning the prerequisites for the final implementation of the principle of self-determination. The Nordic delegations had always felt that that was an honourable way for both sides to deal with the problems of the Territories under Portuguese administration and would vote in favour of the draft resolution as a whole. They appreciated the efforts of the sponsors to take into account the views of other delegations in order to muster wide support for the draft resolution, but there were certain elements in it which the Nordic delegations would have preferred to be presented in a different way or which were not in keeping with traditional principles of their Governments.

9. With regard to paragraph 2, the Nordic delegations recognized the need to take into consideration the aspirations of the peoples of the Territories under Portuguese administration, but they had some misgivings regarding possible implications from the point of view of international law. That comment also applied to some extent to the tenth preambular paragraph.

10. The Nordic delegations held that any condemnation should be based on conclusive evidence and that the Committee was not in possession of sufficient facts with regard to certain matters mentioned in the seventh preambular paragraph. The Nordic delegations took it for granted that any action taken in implementation of paragraph 4 would be in accordance with the Charter of the United Nations and international law. They took the opportunity to appeal to the Portuguese Government to heed the message in the draft resolution, which they hoped would be supported by an overwhelming majority, and to follow a course that would allow of an honourable settlement.

11. Mr. BELEN (Turkey) said that during the past decade several countries in Africa had achieved independence and had given clear evidence that they were as capable as any others of directing their own destiny. The fact that the Committee was still discussing the right of the peoples of Angola, Mozambique and Guinea (Bissau) and Cape Verde to self-determination was a regrettable exception to that historic process.

12. As a sponsor of General Assembly resolution 1514 (XV), his country had never hesitated to support the objectives outlined in that text. It had always been faithful to the principle of the independence of all peoples and the equality of rights of all nations.

13. With regard to the Territories under Portuguese administration, his delegation had always been firmly convinced that the peoples of those Territories could no longer be kept under foreign domination and that a solution to the problem must be found at all costs. His delegation agreed with the overwhelming majority of members that the accession of the peoples in the Territories to independence should be achieved by peaceful means. It therefore welcomed the constructive statements made in the Committee by the representatives of the national liberation movements of Guinea (Bissau) (1986th meeting) and Mozambique (1987th meeting). The Secretary-General of the Partido Africano da Independência da Guiné e Cabo Verde (PAIGC) had given a realistic picture of the situation in his country and his statement showed that the people of Guinea (Bissau) now had a solid political organization, an administrative structure and various social and cultural services which enabled them to take their own destiny in hand and to direct their own affairs. The Turkish delegation noted with satisfaction that PAIGC was prepared to initiate negotiations with representatives of the Portuguese Government in order to find the most effective way for Guinea (Bissau) and Cape Verde to achieve independence. His delegation had noted the same spirit of conciliation in the statement made by the Vice-President of the Frente de Libertação de Moçambique (FRELIMÓ).

14. The draft resolution under consideration reflected that spirit of conciliation; in paragraph 3, it stressed the need for negotiations between the parties, and in paragraph 8 it invited the Secretary-General to provide the necessary assistance with respect to those negotiations.

15. The draft resolution differed from those discussed in the Committee in previous years in the concrete and constructive proposals it put forward. His delegation would support the draft resolution, but that did not mean that it agreed with all the paragraphs. It had serious reservations with regard to the fourth and tenth preambular paragraphs and paragraph 2, which dealt with the representation of the national liberation movements and their status as observers. He wished to make it clear that his delegation's concern did not relate to the national liberation movements and that it had no doubt that they were authentic representatives of the true aspirations of the peoples of the Territories in

question. Rather, his delegation's concern related to the legal aspects and the political consequences of such a decision. He wondered how it would be possible to prevent such a decision from being exploited in the future for deliberate separatist purposes aimed at undermining the integrity and stability of a country Member of the United Nations, and what would be the criterion to be applied in the future with respect to similar requests. In his delegation's view, the Committee must act with caution in order not to change the nature of the Organization, which in principle should remain open to States. It was for that reason that his delegation had abstained in the vote (1975th meeting) on the proposal made by the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples regarding the granting of observer status to representatives of liberation movements. If a separate vote was taken on paragraph 2, his delegation would vote in the same way.

16. Mr. PIRSON (Belgium) said that his Government's position was that the peoples of the Portuguese Territories should be able to exercise their right to self-determination and independence. To fail to recognize that the era of colonial empires had ended was to lack a sense of realism. The initiation of negotiations and consultations with regard to the question before the Committee undoubtedly required a fundamental revision of a policy that had been successfully pursued for centuries, but such a dialogue had become necessary in the interest not only of the parties concerned but also of the two continents of Europe and Africa. His delegation addressed a friendly appeal to Portugal to hesitate no further and to allow the peoples of its Territories in Africa to exercise their right to self-determination and independence. If the experience of other European States which had formerly been colonizers could serve to strengthen the new trends emerging in Portugal, he would point out that for those States the end of colonial empires had meant neither loss of prestige nor economic and social decline but rather a prosperity which was a continuing source of wonder and which enabled them to contribute further to the development of formerly dependent Territories. There was no doubt that more and more people in the Portuguese African Territories favoured the idea that traditional colonial relations should yield to new structures which did not exclude the possibility of establishing special ties with Portugal. His delegation urged the Portuguese authorities not to deny the peoples concerned a right which in any event would one day be seized if it were not granted in good faith. Continued recourse to force and violence and increased loss of human life would only make the political evolution of the Territories in friendship and understanding more difficult.

17. His delegation deplored the fact that the draft resolution under consideration included useless condemnations and questionable recommendations. Referring to the seventh preambular paragraph, he wondered whether it was really necessary to condemn Portugal for the use of napalm and chemical sub-

stances, since that allegation did not appear to have been proved. Furthermore, he considered it somewhat premature to state, in the tenth preambular paragraph, that a particular party was the sole and authentic representative of a people. Paragraph 2 stated that the liberation movements were the authentic representatives of the peoples of the Territories and recommended that the representation of those movements within the United Nations system should be ensured. In his delegation's view, that could only be a source of interminable discussion and genuine difficulties.

18. With regard to paragraph 3, his delegation believed in the value of dialogue but considered that such dialogue should not be limited to liberation movements, since the matter concerned the whole of the population of the Territory. His delegation had reservations with regard to other operative paragraphs of the draft resolution, in particular the appeal to violence in paragraph 4 and the indirect invitation to the Special Committee in paragraph 9 to continue to dispatch special missions to the Portuguese African Territories.

19. His delegation did not think that the adoption of a resolution whose implementation was doubtful and which was not acceptable to several great Powers could serve the cause of the peoples of the Portuguese Territories. His delegation would have liked the Fourth Committee to show greater realism and to concentrate its efforts on the search for a dialogue. His delegation would have voted in favour of a text along those lines, but for the reasons which it had given it would abstain in the vote on the draft resolution under consideration.

20. Mr. LUGO (Nicaragua) said that his delegation requested a separate vote on paragraphs 2 and 4 of draft resolution A/C.4/L.1013. In his country's opinion, those two provisions went somewhat further than its present international commitments permitted and their implementation would present practical difficulties. If his delegation's request was granted, it would vote in favour of the draft resolution and abstain in the vote on the two paragraphs in question. Otherwise, it would abstain in the vote on the draft resolution as a whole.

21. His delegation had always condemned any form of colonialism or neo-colonialism and any activities designed to restrict the exercise by peoples of their right to self-determination. His Government's support of the peoples of the African continent in their struggle to achieve independence had been demonstrated in its participation in the various studies of the question. A clear example of that had been his country's attitude when the Security Council had invited his delegation to preside over the mission which had visited Senegal to study the problem of Guinea (Bissau). His country could not forget that the struggle in the Territories under Portuguese administration was similar to those waged by the peoples of Latin America to achieve their independence.

22. For all those reasons, he was confident that his delegation's request would be favourably received, since it represented a positive but realistic position

that was in keeping with the aspirations of the peoples concerned and with the possibilities for practical implementation by his Government.

23. Mr. VENEGAS TAMAYO (Colombia) supported the Nicaraguan representative's request and asked also for a separate vote on the fourth, seventh and tenth preambular paragraphs and on operative paragraph 6.

24. Colombia had repeatedly given proof of its anti-colonial policy, which it had inherited from its liberators and which had been consolidated through the country's democratic institutions and through respect for morality, law and peace. Its respect for the fundamental principles of international law and the various resolutions of the General Assembly were a logical result of the juridical order in Colombia. The African peoples still under political, economic, racial or ideological colonial domination could rest assured that his people appreciated the struggle for independence through which they would achieve statehood and become Members of the United Nations.

25. His delegation was grateful to the Afro-Asian group, which in a spirit of understanding and respect for the Latin American countries had held extensive consultations before submitting the draft resolution. Although the group had been unable to accept the suggestions put forward by his delegation, he appreciated its position. Its decision was all the more regrettable in that Colombia had recently voted in favour of the resolutions adopted by the General Assembly relating to agenda item 22 and had been a sponsor of one of them.

26. During the consultations, his delegation had explained its reservations, which were of a legal and political nature, concerning draft resolution A/C.4/L.1013. Although the draft resolution was based on similar resolutions adopted by the General Assembly in previous years, there were certain new elements which his delegation would have to analyse in the light of international law and the principles of the Charter. The reservations related specifically to the fourth, seventh and tenth preambular paragraphs and to paragraphs 2 and 6 of the draft resolution.

27. Unless separate votes were taken on those paragraphs, which would enable his delegation to express its support for most of the provisions of the draft resolution and suggest certain amendments, his delegation, despite its steadfast anti-colonialist position, would have to abstain on the draft resolution.

Mr. Černík (Czechoslovakia) took the Chair.

28. Mr. PETRELLA (Argentina) thanked the Afro-Asian group for holding consultations with the Latin American countries, which had again underscored the common attitude of the two groups towards the substance of the matter under discussion. Unfortunately, the fact that the various suggestions put forward had not been incorporated in the text might give the impression that they had not been considered with the desired flexibility.

29. The new elements in draft resolution A/C.4/L.1013 appeared to mark the introduction of a different trend from that adopted in earlier resolutions. In particular, the negotiations referred to in paragraphs 3 and 8 called for a common approach, a desire for reconciliation and the spirit of compromise required for all successful negotiations.

30. One of his delegation's difficulties with the draft resolution related to the fourth preambular paragraph. It considered that a legal opinion was called for before the Assembly adopted new decisions without the support of the group of States which could command most influence in the questions of substance with which the resolution dealt. His delegation and others considered that the legal aspects of the matter should take precedence over political considerations, however important they might be. With regard to the tenth preambular paragraph, his delegation did not doubt the influence of PAIGC or of Mr. Amílcar Cabral in Guinea (Bissau), but it wondered whether the General Assembly was competent to take action on a question which fell strictly within the internal affairs of Guinea (Bissau). His delegation would therefore have preferred a less rigid wording, particularly since the preambular paragraphs in such draft resolutions were of great importance.

31. With regard to the operative part of the draft resolution, his delegation considered that paragraph 2 embodied a series of different ideas joined together in an obscure text whose scope was not sufficiently clear. The same was true of paragraph 4 in relation to the specialized agencies.

32. With those formal reservations, his delegation would vote in favour of the draft resolution. It was in no way changing its position, since it had always been opposed to Portuguese colonialism. It felt that, despite certain questionable aspects, the draft resolution came close to establishing what the United Nations could achieve in that field in the short term.

33. Mr. MYFTIU (Albania) said that his delegation had reservations concerning paragraphs 3 and 5 of the draft resolution, for it felt that the only way for the people of the Portuguese Territories to rid themselves of the colonial yoke was by armed struggle. Moreover, the draft resolution should condemn the imperialist Powers, and particularly the United States, for providing military assistance to Portugal. Albania, a peace-loving country, would nevertheless vote in favour of the draft resolution.

34. Mr. JAMIESON (United Kingdom) welcomed the efforts which had been made by the sponsors to attract a wide range of support for draft resolution A/C.4/L.1013. In particular, with regard to paragraph 3, his delegation favoured moves designed to lead to negotiation and compromise and away from condemnatory language which could contribute only to deadlock and sterile confrontation. It had grave doubts, however, about the propriety of the General Assembly's seeking to determine which were the authentic representatives of the peoples with whom Portugal was

called upon to negotiate. It was right that in any dependent Territory there should be continuous consultation between the administering Power and the people of the Territory, but it was not for the United Nations to assume the prerogative of the administering Power on whom the onus for guiding its people towards self-government in accordance with their freely established wishes must ultimately rest.

35. In 1971, the representative of the United Kingdom in the Fourth Committee, speaking in explanation of vote (1961st meeting), had reaffirmed the right of the people of the Portuguese Territories to self-determination and had expressed the hope that by the twenty-seventh session the Government of Portugal would be able to indicate that progress had been made towards that goal. Although there had been no substantial progress, it was encouraging that the Portuguese Minister for Foreign Affairs had stated in the General Assembly on 2 October 1972 that his Government did not reject the principle of self-determination which it considered to be the prerogative of all men (2048th plenary meeting). Such remarks indicated an evolution in Portugal's attitude and, if the constitutional and administrative measures recently introduced in the African Territories were intended to further that aim, his delegation welcomed them. It also ventured to hope that during the course of the forthcoming year there would be significant moves in all the Territories towards permitting the people, in full and free consultation with the administering Power, to make progress towards exercising their inalienable right to self-determination. Thus, subject to the reservations which he had expressed, his delegation supported the thought underlying the first part of paragraph 3.

36. His delegation had major difficulties, however, with certain provisions to which it had objected in the past. For example, it could not associate itself with any action whereby the General Assembly would improperly call upon the specialized agencies to act in an unconstitutional manner or with any language which purported to legitimize, even by implication, the use of force in the pursuit of political ends.

37. In view of the reasons which his delegation had given on 2 October for its opposition to the proposal that representatives of certain African liberation movements should participate in the Committee's proceedings as observers (1976th meeting), it could not accept the final preambular paragraph or paragraph 2 which, taken together, were clearly intended to confer on them the status of sole and authentic representatives of the Territories concerned. For that and other reasons, his delegation would be obliged to vote against draft resolution A/C.4/L.1013.

38. Mr. CHELLE (Uruguay) said that colonial domination was incompatible with the principles of the international community. His delegation had consistently voted in favour of resolutions in the Fourth Committee in the hope that they would accelerate the process of decolonization.

39. His delegation sympathized with the aims of draft resolution A/C.4/L.1013, but had reservations con-

cerning the tenth preambular paragraph and paragraph 2, which might prejudice the political development of the Territories and which had unforeseeable legal implications. It would have preferred a more precise wording for paragraph 4, but understood that it should be interpreted within the scope of the Charter.

40. He supported the suggestion made by the representative of Nicaragua. Unless there was a separate vote on certain parts of the draft resolution, his delegation would be forced to abstain.

41. Mr. TEYMOUR (Egypt) said that his delegation would vote in favour of the draft resolution. It had always recognized the legitimacy of the struggle by all available means for self-determination and independence, which were inalienable rights enshrined in the Charter.

42. His delegation had been surprised to hear certain delegations express the view that the armed struggle being waged by the peoples of the Portuguese Territories was contrary to the Charter. The provisions, principles and spirit of the Charter were in fact being violated by those very delegations, which provided Portugal and South Africa with the arms which enabled them to maintain their foreign domination of the colonized and oppressed peoples and deny the right to freedom and independence as laid down in the Charter. If they wished to contribute to the work of the Fourth Committee, they should bring their influence to bear on Portugal to end the war it was waging, *inter alia*, with napalm, and to cease committing atrocities in the Territories.

43. His country would continue to provide all possible assistance to the oppressed peoples. It was Portugal's duty to cease all military activities and to recognize the independence of the peoples under its domination, whose representatives had been recognized by OAU and given observer status by the Committee. His delegation would oppose any attempt to hold a separate vote on individual paragraphs of the draft resolution.

44. Mr. ARTEAGA (Venezuela) supported the suggestions made by the representatives of Nicaragua, Colombia and Uruguay. He formally requested separate votes on the fourth, seventh and tenth preambular paragraphs and on paragraphs 2 and 4. If such votes were taken, his delegation would vote against the fourth, seventh and tenth preambular paragraphs and paragraph 2, and would abstain on paragraph 4 and on the draft resolution as a whole.

45. Mrs. JOKA-BANGURA (Sierra Leone) stressed that the draft resolution had been the result of lengthy consultations and that, in order to accommodate as many opinions as possible, considerable concessions had been made. She appreciated the reservations expressed by certain speakers but announced that the sponsors would oppose separate votes on various parts of the draft resolution, since they considered that they would lessen its impact.

46. Mr. ABDULLEH (Somalia) endorsed the remarks of the representative of Sierra Leone. As the

draft resolution had been the result of lengthy consultations and as concessions had already been made, he did not consider that it would be worth while to reopen a discussion of the various shades of opinion which had already been covered in the consultations. He was therefore opposed to separate votes on specific parts of the draft resolution. Members could in any case state their reservations in statements made in explanation of vote.

47. He proposed that the Committee should proceed forthwith to vote on the proposal for separate votes on certain provisions of draft resolution A/C.4/L.1013.

48. Mr. VENEGAS TAMAYO (Colombia) said that, in accordance with rule 131 of the rules of procedure, the Committee should decide on the motion for a separate vote, as requested by four delegations. He requested a roll-call vote on the motion.

49. Mr. TEYMOUR (Egypt) appealed to the representatives who had requested a separate vote not to bring about a confrontation or to delay the vote on the draft resolution as a whole.

50. Mr. AL-QAYSI (Iraq), speaking on a point of order, said that rule 131 was perfectly clear. As there had been objections to the request for a separate vote, the Committee should proceed first to vote on the motion for a separate vote.

51. The CHAIRMAN put to the vote the proposal made by Nicaragua that a separate vote should be taken on operative paragraphs 2 and 4 of draft resolution A/C.4/L.1013 and by Colombia and others that a separate vote should be taken on the fourth, seventh and tenth preambular paragraphs and on operative paragraphs 2 and 6.

At the request of the representative of Colombia, the vote was taken by roll-call.

Laos, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Netherlands, New Zealand, Nicaragua, Norway, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Argentina, Australia, Belgium, Bolivia, Canada, Colombia, Costa Rica, Denmark, Ecuador, Finland, France, Guatemala, Honduras, Ireland, Israel, Italy, Japan.

Against: Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Poland, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, 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, Bahrain, Barbados, Bhutan, Botswana, Bulgaria, Burma, Burundi,

Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Egypt, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guinea, Guyana, Hungary, India, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait.

Abstaining: Laos, Mexico, Peru, Philippines, Spain, Thailand, Turkey, Austria, Brazil, Chile, El Salvador, Greece, Haiti, Iceland, Khmer Republic.

The proposal that separate votes should be taken on the fourth, seventh and tenth preambular paragraphs and on operative paragraphs 2, 4 and 6 was rejected by 79 votes to 26, with 15 abstentions.

At the request of the representative of Somalia, a recorded vote was taken on draft resolution A/C.4/L.1013.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Bhutan, Botswana, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Congo, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Denmark, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, Gambia, Ghana, Greece, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia, Zaire, Zambia.

Against: Brazil, Costa Rica, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Belgium, Bolivia, Colombia, El Salvador, France, Guatemala, Honduras, Italy, Nicaragua, Uruguay, Venezuela.

The draft resolution was adopted by 104 votes to 5, with 11 abstentions.

52. Mrs. HEANEY (Ireland) said that her delegation had voted in favour of the draft resolution in the interests of furthering the cause of self-determination in the Territories under Portuguese administration.

53. Her delegation had been heartened by the statement by the Foreign Minister of Portugal in the General Assembly (2048th plenary meeting) to the effect that self-determination was the prerogative of all men and of all societies and by his reference to the Portuguese

Government's objective of translating into reality the orientation in the direction of a progressive autonomy for the overseas provinces. Paragraph 3 of draft resolution A/C.4/L.1013 would be a useful step in that direction and she urged all parties to implement that paragraph.

54. While her delegation believed that the voice of opposition should be heard internationally, it felt that paragraph 2 raised complex issues, including legal ones, which had not yet been resolved or even fully explored and that it was therefore premature. Only the people of the Territories concerned, and not the United Nations, could identify their authentic representatives. The United Nations should not prejudge the decision of the people of the Portuguese Territories themselves but should be scrupulously careful to avoid action which might seem to limit their free exercise of unrestricted political choice. Her delegation therefore had strong reservations concerning paragraph 2 and the associated final preambular paragraph, particularly the phrase "the sole and authentic representative of the people of Guinea (Bissau) and Cape Verde". Had there been a separate vote on paragraph 2, her delegation would have abstained. It also had some reservations about the seventh preambular paragraph, since not all its allegations against the Portuguese Government had been proved.

55. With regard to operative paragraph 7, it was her delegation's understanding that any action contemplated therein would be in accordance with the relevant provisions of the Charter of the United Nations.

56. Her delegation had appreciated the constructive spirit in which the sponsors of the draft resolution had consulted other delegations and taken their views into consideration. Its affirmative vote indicated the overriding importance it attached to the opening of negotiations.

57. Mr. DAGAN (Israel) said that, in accordance with its frequently expressed opinions, his delegation had voted in favour of the draft resolution. It wished, however, to record its serious reservation on paragraph 3 (b). That paragraph was legally questionable, for if a person was protected as a civilian he could not at the same time be treated as a prisoner of war. If a separate vote had been taken on that paragraph, his delegation would have abstained.

58. Mr. GRIGG (United States of America) said that his delegation had voted against the draft resolution, albeit reluctantly, since it knew that its action might be misunderstood by some as evidence of support by the United States for Portugal's policies in Africa. The United States, however, had no doubt that the people of Angola, Mozambique and Guinea (Bissau) had an inalienable right to self-determination. In its support for that principle, the United States delegation yielded to none. Nevertheless, his delegation very much doubted whether the draft resolution which had just been adopted would make a substantial contribution towards that goal.

59. The draft resolution had two approaches towards the solution of the problem: negotiation and the implied use of force. His delegation agreed with the idea of negotiation, for only free and full discussions between all parties concerned could lead to a peaceful and lasting settlement. The draft resolution, however, would impose stringent conditions, both in terms of the subject of the negotiations and through its recommendation that, in the event of non-compliance by Portugal, the Security Council should urgently consider what steps should be taken against that country. His delegation did not think that that was the way to bring a party to a dispute to the negotiating table. If the General Assembly wished to endorse the approach to a practical solution, it should do so without preconditions or threats. None the less, it was encouraging that the subject of negotiations had been raised.

60. The draft resolution's other approach would appear to endorse the use of force, not perhaps directly but through the emphasis laid on the role of the liberation movements in ending Portugal's African policies. Although his Government considered that Portugal must recognize the right to self-determination of the people in its Territories, and was urging it to do so, it did not think that the draft resolution would encourage it in that direction. The United States could not condone the use of force either by Portugal or by liberation movements in finding a solution to the problem.

61. Finally, his Government had grave doubts about the propriety and the legal and political implications of a suggestion by the General Assembly concerning a status and form of representation for political movements which was not in accordance with their status under international law. Procedures for granting a hearing by United Nations bodies to individuals from a variety of movements, had long been available and had been freely used. His delegation did not think that the United Nations should go beyond that. Furthermore, it was paradoxical that the Committee should take it upon itself to determine who were the authentic representatives of the peoples of Non-Self-Governing Territories. As the term "self-determination" clearly indicated, the decision was one which only those people could make. Individuals might have valuable information for various United Nations organs, and they should be heard; any further step would be an unjustified derogation of the right of peoples to choose their own representatives.

62. Mr. DE ROSENZWEIG DÍAZ (Mexico) said that his delegation had voted in favour of the draft resolution as a whole, but had reservations concerning the tenth preambular paragraph and paragraph 2, which might prejudge the political evolution of all the inhabitants of the Territories in question and affect the right of every people to the exercise of the principle of self-determination.

63. Mr. WALTER (New Zealand) recalled that his delegation had, for the second year in succession, voted in support of the draft resolution on the Territories under Portuguese administration, largely because of the strenuous efforts made by the sponsors to enlist

the support of a broad cross-section of Member States, thus avoiding extreme formulations. He welcomed the constructive elements in the draft resolution and hoped that it would open the way for Portugal to grant the peoples of Angola, Mozambique, Guinea (Bissau) and Cape Verde the right to decide freely and democratically what their future would be.

64. His delegation had reservations, however, about certain aspects of the draft resolution, particularly the question of liberation movement representation dealt with in the fourth and tenth preambular paragraphs and in paragraph 2. Certain other paragraphs, including the seventh preambular paragraph, seemed to be based on allegations rather than proven facts, while others raised issues which his delegation was not in a position to judge. Moreover, the wording of certain sections had caused his delegation some difficulty. While reserving its position on those points, his delegation had nevertheless supported the draft resolution.

65. Mr. PETROPOULOS (Greece) said that, by voting in favour of the draft resolution, his delegation had indicated its support for a policy of self-determination for the peoples in the Territories under Portuguese administration, in accordance with the relevant resolutions of the United Nations.

66. His delegation did not, however, wish to give any implicit or explicit endorsement of the use of force, which was contrary to the Charter of the United Nations. Moreover, it was not sure of the meaning and implication of certain phrases in the text concerning the representation of the peoples of the Territories and did not know whether the United Nations was competent to confer representative status on groups representing peoples which had not yet achieved statehood.

67. His delegation interpreted the steps which the specialized agencies were requested to take as excluding any action not in conformity with their constitutions and their non-political nature.

68. If a paragraph-by-paragraph vote had been taken, his delegation would have abstained on the fourth and tenth preambular paragraphs and on paragraphs 1 and 2.

69. Mr. YOSHIDA (Japan) recalled the statements made to the Committee by Mr. Amílcar Cabral of PAIGC and Mr. Marcelino dos Santos of FRELIMO, to the effect that their representatives were willing to start negotiations with the Government of Portugal (1986th and 1987th meetings). His Government welcomed those assurances, since it maintained that all peaceful means should be explored in bringing about a settlement of the question.

70. It was his delegation's understanding that the core of the draft resolution was in paragraphs 3 and 8, which mentioned the willingness of the peoples concerned to enter into negotiations and the role of the Secretary-General in assisting such negotiations. It was on that understanding that his delegation had voted in favour

of the draft resolution as a whole. That support, however, did not indicate any change in its position on certain preambular and operative paragraphs upholding ideas concerning which his Government had repeatedly reserved its position.

71. Mr. DA COSTA FRANCO (Brazil) said that his delegation's negative vote had been due to its disagreement with the content and phraseology of several of the preambular and operative paragraphs of the resolution. Brazil still hoped that a solution could be found in accordance with the purposes and principles of the Charter of the United Nations and it reaffirmed its faith in the principles of non-intervention and self-determination. Those principles had recently been reiterated by the Brazilian Minister for External Relations, who was at present on a tour of several countries of Africa, a continent to which, for cultural, ethnic and historical reasons, Brazil felt closely linked.

72. Mr. GARCÍA (Ecuador) said that his delegation had reservations about the words "the sole and authentic representative of the people of Guinea (Bissau) and Cape Verde" in the tenth preambular paragraph and the words "the authentic representatives of the true aspirations of the peoples of those Territories" in paragraph 2 which, together with paragraph 3, seemed to exclude the possibility of movements other than those mentioned being representative of the desire for national liberation. While his delegation did not doubt the need for negotiations, it felt that the legal right of the liberation movements to conduct them was not clear.

73. Mr. ASHWIN (Australia) said that his delegation had voted in favour of the draft resolution. Australia supported the objective of self-determination for the Territories in question and the decision to call for negotiations to that end, and hoped that the Secretary-General would be able to assist in bringing about such negotiations. His delegation appreciated the efforts made by the sponsors to produce a moderate text which would command wide-ranging support, for it thought that the resolutions of the General Assembly had a much greater impact when they had that kind of consensus behind them.

74. His delegation had reservations, however, about the implications of the tenth preambular paragraph and paragraph 2 concerning representation of the Territories. At the Committee's 1976th meeting he had made it clear in an explanation of vote that his delegation held that representatives of the liberation movements in the Portuguese Territories, Southern Rhodesia and Namibia should be heard when matters affecting those Territories were being discussed. It also believed that those movements represented the aspirations of most of the people in the Territories, although the picture became complicated when more than one movement existed and he doubted whether it was proper for the United Nations to make such determinations. His delegation could not, however, accept that those movements could be regarded as representing the Territories in any formal or legal sense.

75. His delegation had reservations about the condemnations in the seventh and eighth preambular paragraphs, since it was not sure that the evidence so far produced established conclusively the truth of the statements in those paragraphs of the preamble. He also reserved his delegation's position on operative paragraph 4.

76. Mr. LAFON (France) said that his delegation's abstention represented a change from its 1971 attitude, for reasons made clear elsewhere.

77. Nevertheless his delegation had certain reservations concerning paragraph 2, whatever the motives behind it. There was a risk for the future, for the United Nations could not take the place of the people of a territory, which had to choose its own future and select its own leaders.

78. Mr. CASTALDO (Italy) said that his country maintained that the peoples of the African Territories under Portuguese administration should be allowed to exercise their right to self-determination. Indeed, his delegation had voted in favour of a recent Security Council resolution on the matter.

79. His delegation, however, had abstained on the draft resolution which had just been adopted because it had strong reservations about several of the paragraphs, notably the tenth preambular paragraph and paragraphs 2, 4 and 5. Nevertheless, his delegation endorsed the idea of the negotiations mentioned in paragraph 3.

80. Mr. ABDULLEH (Somalia) remarked that many of the objections raised to the draft resolution had mentioned the use of force. He pointed out that a war was still going on in Viet-Nam and said that the use of force in Africa was a last resort for the liberation movements. Freedom was a right which the United States often boasted of defending; the peoples of Africa wished to attain that freedom by all available means.

REPORT OF THE FOURTH COMMITTEE

81. The CHAIRMAN announced that the Committee had completed its consideration of agenda item 65. As the General Assembly would take up the question the following day, and since the report of the Fourth Committee would follow the previously established pattern, he took it that the Committee agreed to authorize its Rapporteur to submit the Committee's report direct to the General Assembly.

*It was so decided.*¹

AGENDA ITEMS 13, 22, 63, 67, 68 AND 12, 69, AND 70*

Agenda item 13 (A/8704, A/8825)

Agenda item 22 (Territories not covered under other agenda items) (A/8723 (parts II and IV), A/8723/Add.4 (parts I and II), A/8723/Add.5, A/8723/Add.6 (parts I and II))

¹ The report was submitted to the General Assembly as document A/8889.

* For the title of each item, see "Agenda" on page ix.

Agenda item 63 (A/8723/Add.7, A/8821 and Add.1, A/8827)

Agenda item 67 (A/8723 (part III))

Agenda items 68 and 12 (A/8647 and Add.1 and 2, A/8703 (chapter XVI), A/8723 (part V), A/8862)

Agenda item 69 (A/8850 and Add.1)

Agenda item 70 (A/8855)

GENERAL DEBATE

82. Mr. ARYUBI (Afghanistan, Rapporteur of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples), opening the general debate on agenda items 13, 22, 63, 67, 68 and 12, 69, and 70, introduced the chapters of the report of the Special Committee relating to those items.

83. The work programme of the Special Committee had been extremely heavy in 1972. In paragraph 10 of resolution 2878 (XXVI), the General Assembly had requested the Special Committee to continue to seek suitable means for the immediate and full implementation of resolutions 1514 (XV) and 2621 (XXV) in all Territories which had not yet attained independence and, in particular, to formulate specific proposals for the elimination of the remaining manifestations of colonialism. In paragraph 13 the General Assembly had requested the Special Committee to intensify its consideration of the small Territories and to recommend to the General Assembly the most appropriate methods and also the steps to be taken to enable the populations of those Territories to exercise fully and without further delay their right to self-determination and independence. In accordance with the provisions of that resolution and of others, the Special Committee had devoted considerable time to the situation in colonial Territories. In addition to holding a further series of meetings in Africa during April 1972 and dispatching a special mission to the liberated areas of Guinea (Bissau), the Committee had sent a visiting mission to Niue and had participated in the United Nations Visiting Mission which had observed the elections to the Third House of Assembly of Papua New Guinea. It had also given extensive consideration to specific aspects of the question of decolonization, such as the role of foreign economic and other interests, military activities and arrangements by colonial Powers in Territories under their administration, and to matters relating to the implementation of the Declaration by the specialized agencies and other international institutions associated with the United Nations.

84. Despite that heavy programme, the Special Committee had managed to complete its work for the year in good time, and all the chapters of its report relating to the items before the Fourth Committee had been available for some time. In those chapters, the Special Committee had recommended a number of measures to ensure the effective implementation of the Declara-

tion in respect of the various colonial Territories and their inhabitants. He was confident that the Fourth Committee would pay due regard to those measures in formulating its recommendations. On behalf of the

Special Committee he commended those chapters to the serious attention of the Fourth Committee.

The meeting rose at 1 p.m.