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Chairman: Mr. George J. TOMEH (Syria).

AGENDA ITEM 13

Report of the Trusteeship Council (*concluded*)

DRAFT REPORT OF THE FOURTH COMMITTEE
(A/C.4/L.892)

1. Mr. DASHTSEREN (Mongolia), Rapporteur, introduced the draft report of the Fourth Committee on the report of the Trusteeship Council (A/C.4/L.892), pointing out that the draft resolution which the Fourth Committee had adopted on the question of Papua and the Trust Territory of New Guinea was reproduced in paragraph 15.

2. The CHAIRMAN said that, in the absence of any objection, he would take it that the draft report was adopted.

It was so decided.

AGENDA ITEMS 65, 67 AND 68

Special educational and training programmes for South West Africa: report of the Secretary-General (A/6899 and Add.1, A/C.4/L.891)

Special training programme for Territories under Portuguese administration: report of the Secretary-General (A/6900 and Add.1, A/C.4/L.891)

Question of the consolidation and integration of the special educational and training programmes for South West Africa, the special training programme for Territories under Portuguese administration and the educational and training programme for South Africans: report of the Secretary-General (A/6890, A/C.4/L.891)

CONSIDERATION OF DRAFT RESOLUTION A/C.4/L.891

3. The CHAIRMAN recalled the Committee's decision (1706th meeting) that the three items of its agenda now under consideration would be taken up together. A draft resolution on the three items had been issued in document A/C.4/L.891. The sponsors were Algeria, the Democratic Republic of the Congo, Denmark, Ecuador, Finland, Ghana, Guinea, Iran, Mali, Mauritania, Morocco, Norway, Pakistan, Sierra Leone, Sweden, Tunisia and the United Republic of Tanzania.

4. Mr. ROMARE (Sweden), introduced on behalf of the sponsors the draft resolution on consolidation and integration of the educational and training programmes for Territories in southern Africa (A/C.4/L.891).

5. In the resolution adopted the previous year on that subject (resolution 2235 (XXI)), the Secretary-General had been requested to study the question of a consolidation and an integration of the special educational and training programmes for South West Africa, the special training programme for Territories under Portuguese administration and the educational and training programme for South Africans, and to establish, if he deemed it desirable, a committee to advise him on means to develop and expand those programmes. The Advisory Committee which had been set up had met on several occasions during 1967 and had done productive work, as could be seen from the Secretary-General's report (A/6890).

6. The sponsors of the draft resolution had endeavoured to produce a text based on the recommendations of that report and the discussions in the Advisory Committee with a view to expanding the assistance programmes in such a way as to increase the opportunities for study and training available to persons from the oppressed parts of southern Africa.

7. It was proposed that the General Assembly should decide to integrate the three programmes. The draft resolution provided for the inclusion of assistance to persons from Southern Rhodesia in the programmes and for an expansion of the forms of assistance furnished. In addition to the granting of individual scholarships, which had so far been the sole form of assistance, the draft resolution recommended the granting of subventions to educational and training institutions in Africa in order to enable them to provide places for students under the programme. A small committee would be set up to advise the Secretary-General with regard to such subventions.

8. The Secretary-General was requested to continue his consultations with the various organizations concerned, such as the United Nations Educational, Scientific and Cultural Organization, which had wide experience in such matters, and the Organization of African Unity. Special mention was made of the bureau for placement and education of refugees which was to be set up within that organization.

9. Finally, he wished to point out that the integrated programme would be financed by voluntary contributions, the target being set at \$3 million for the first three-year period. The provision made in the regular budget for administrative and operational costs for 1968 would be the same as had hitherto been made for the programmes for South West Africa and Territories under Portuguese administration. The General Assembly would have to decide at its twenty-third session, in the light of the voluntary contributions received by that time, whether similar provision should be made in the 1969 budget.

10. The sponsors hoped that the draft resolution would command as wide support as had the resolution adopted on the subject the previous year. In the context of the total United Nations effort to deal with the problems of southern Africa, the proposed programme met a limited though urgent need. It was not intended to solve those problems but to contribute towards preparing the peoples of southern Africa for participation in the future development of their countries.

11. Mr. CAINE (Liberia) announced that his delegation would become a sponsor of the draft resolution.

12. Mr. ESFANDIARY (Iran) associated his delegation, which was a sponsor of the draft resolution, with the detailed remarks of the Swedish representative. The objective was to help the Territories in southern Africa to prepare for independence in a particularly effective way, education being one of the best means of liberation available to colonial peoples.

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: Territories not considered separately (continued) (A/6661, A/6662, A/6700/Rev.1, chaps. VIII-XII and XIV-XXIII; A/6802, A/6845, A/6876, A/6882, A/C.4/703, A/C.4/704, A/C.4/L.876/Rev.1, A/C.4/L.877, A/C.4/L.884, A/C.4/L.888-890, A/

C.4/L.893, A/C.4/L.894, A/C.4/L.898, A/C.4/L.899)

CONSIDERATION OF DRAFT RESOLUTIONS (continued) (A/C.4/L.876/Rev.1, A/C.4/L.877, A/C.4/L.884, A/C.4/L.893, A/C.4/L.894, A/C.4/L.898, A/C.4/L.899)

13. The CHAIRMAN drew attention to the three draft resolutions concerning Gibraltar (A/C.4/L.876/Rev.1, A/C.4/L.877 and A/C.4/L.884) and to the amendments proposed to those texts (A/C.4/L.888-890). He invited representatives wishing to do so to explain their votes in advance.

14. Mr. DE PINIES (Spain) said that the draft resolution originally submitted by the Latin American countries (A/C.4/L.876/Rev.1) was in conformity with the decisions which the Special Committee had taken on the question of Gibraltar. It was not fully satisfactory to his delegation, which considered that the question of the military base should have been mentioned, as in the amendment by Algeria and other countries to operative paragraph 2; the Latin American draft resolution was identical to the Special Committee's resolution except that it had been brought up to date. He would vote in favour of that proposal precisely because he believed that it reflected the point of view of the Special Committee.

15. On the other hand, the draft resolution submitted by the United Kingdom (A/C.4/L.877) seemed to him to contain nothing that was conducive to further negotiations between the United Kingdom and Spain. In particular, Spain objected to the allegation made in the fourth preambular paragraph that it had taken action "aimed at the interests of the people of Gibraltar". It hoped that a statute defining the interests of the people of Gibraltar would be drawn up so that the United Nations could form clear ideas on the subject. With regard to the referendum of 10 September 1967, of which the General Assembly was invited to take note, his country believed that that referendum had been held in contravention of the provisions of General Assembly resolution 2231 (XXI), as was pointed out in the Latin American draft resolution. Lastly, Spain believed that the content of operative paragraph 4 of the draft resolution submitted by the United Kingdom was incompatible with Article 2, paragraph 4, of the Charter.

16. His delegation would also be unable to vote in favour of draft resolution A/C.4/L.884 since, in its view, the proposals made in that text were neither frank nor constructive, but partial.

17. Mr. CHTOUROU (Tunisia) recalled his delegation's position: the fact that Gibraltar was regarded as part of the national territory of Spain did not mean that the question of that territorial dispute must necessarily be referred for arbitration to the International Court of Justice or to any other arbitral body; that was demonstrated by the fact that the administering Power itself had recognized the Special Committee's competence in the matter because Gibraltar was under colonial occupation. Paragraph 6 of resolution 1514 (XV) was applicable to that situation. It was, moreover, in that spirit that the General Assembly and the Special Committee had dealt with the question of Gibraltar and its decolonization, for

resolution 2231 (XXI) contained two provisions which were particularly significant in that regard: (a) the interests of the inhabitants must be taken into account in the negotiations that were to take place between the United Kingdom and Spain; (b) the process of decolonization must be undertaken and implemented in agreement with the Spanish Government. It should be noted that Spain had not been chosen merely because it bordered on the territory of Gibraltar. On 10 September 1967, the administering Power had held a referendum in the occupied territory. However, as his delegation had said in the Special Committee, the referendum had not followed the directives of resolution 1514 (XV), since it had offered only a limited choice to the population concerned and had been designed rather to enable United Kingdom nationals established in Gibraltar to determine their status; the Special Committee must therefore decline the responsibility of endorsing its results. The Special Committee had, moreover, opposed the holding of that referendum in its resolution of 1 September 1967 (A/6700/Rev.1, chap. X, para. 215), operative paragraph 2 of which declared that "the holding by the administering Power of the envisaged referendum would contradict the provisions of resolution 2231 (XXI)". Furthermore, his delegation felt that, contrary to the United Kingdom representative's statement, that referendum might jeopardize the forthcoming negotiations between the administering Power and Spain.

18. For those reasons, his delegation preferred draft resolution A/C.4/L.876/Rev.1 to the other proposals that had been submitted.

19. Mr. EL HADI (Sudan) thought that the referendum which the United Kingdom had held in Gibraltar could not be regarded as consistent with the principle of self-determination of peoples as set forth in resolution 1514 (XV). The aliens which a colonial régime had imported into the Territory could hardly decide that Territory's future; for example, Mr. Ian Smith's supporters could hardly claim that the principle of self-determination should be applied to them.

20. His delegation could not agree to recognition of the referendum of 10 September 1967 and would therefore vote in favour of draft resolution A/C.4/L.876/Rev.1.

21. Mr. DIALLO (Upper Volta) said it was somewhat ironic to see two colonial Powers, the United Kingdom and Spain, now urging the application of the principle of self-determination of peoples, which they had so often flouted in the past. Upper Volta, for its part, could not take either country's side, but was concerned to ensure that the provisions of resolution 1514 (XV) were applied, because, in its view, the question of Gibraltar was undeniably a colonial question.

22. He could only hope that Spain, which had not yet set a date for the independence of Spanish Sahara and Spanish Guinea, would itself apply the principle it was invoking with regard to Gibraltar. One might perhaps even go so far as to hope that that change of attitude might be communicated to the other country on the Iberian Peninsula.

23. His delegation would vote in favour of draft resolution A/C.4/L.876/Rev.1 out of fidelity to the principle of self-determination of peoples.

24. Mr. SHAKHOV (Union of Soviet Socialist Republics) stated that the position of his country on the Gibraltar question had been laid down in the Special Committee. He recalled that the Soviet delegation had spoken there in favour of the negotiation between the United Kingdom and Spain. At the same time his delegation had opposed the holding of the referendum of 10 September 1967. It had considered that the holding of such a referendum under the military occupation could not give other results than those favourable to the colonial Power. The purpose of the said referendum was only to preserve the colonial régime in the Territory and thus the presence of British military bases there. He said that his delegation was in favour of demilitarization of the Gibraltar zone and liquidation of military bases there. In that connexion his delegation took note of the declaration of the Spanish delegation that the Spanish Government had advocated the liquidation of the military bases in Gibraltar and the demilitarization of that Territory.

25. Taking into account what had been said, his delegation would vote in favour of draft resolution A/C.4/L.876/Rev.1 and against draft resolution A/C.4/L.877, which had been submitted by the United Kingdom.

26. Mr. GAMIL (Yemen) drew attention to document A/C.4/L.888 containing his delegation's proposed amendment to draft resolution A/C.4/L.884. The paragraph which his delegation proposed should become operative paragraph 1 of that draft resolution mentioned the chapter of the report of the Special Committee concerning Gibraltar, which the Fourth Committee would approve. That paragraph also referred to the resolution which the Special Committee had adopted on 1 September 1967 and which stressed the interests of the population of Gibraltar and the need for consultations with Spain.

27. His delegation had submitted its amendment in a co-operative spirit. That was in keeping with the traditions of the Fourth Committee. It was prepared to vote in favour of draft resolution A/C.4/L.884 if the sponsors accepted his delegation's amendment.

28. Mr. BARNETT (Jamaica) noted that operative paragraph 2 of draft resolution A/C.4/L.876/Rev.1 invited the Fourth Committee to declare the holding of the referendum of 10 September 1967 "a contravention of the provisions of General Assembly resolution 2231 (XXI)". He failed, however, to see how that resolution rejected the idea of a referendum. Moreover, operative paragraph 3 of the draft resolution was vague and contained some debatable points.

29. His delegation could not, therefore, support draft resolution A/C.4/L.876/Rev.1, which it regarded as biased.

30. Mr. QUARLES VAN UFFORD (Netherlands) said that his country was disturbed to see two friendly countries, the United Kingdom and Spain, divided for so long a period of time by the question of Gibraltar. His Government's chief desire was to maintain bonds of friendship with both.

31. The different draft resolutions submitted to the Committee did not seem to combine the elements essential for creating an atmosphere of mutual acceptance. Clearly, each party entertained insurmountable objections to the draft which the other considered acceptable. Moreover, one of the parties opposed the compromise text drawn up by a number of delegations.

32. His delegation's vote would be guided by those considerations.

33. Mr. ABDEL-WAHAB (United Arab Republic) said that his delegation would vote against the draft resolution submitted by the United Kingdom (A/C.4/L.877); that proposal, which had no bearing on the question of decolonizing the Territory, was purely and simply a reflection of the position of a colonial Power. His delegation would also vote against draft resolution A/C.4/L.884, which had been introduced by Norway on behalf of a number of countries, because that proposal added nothing to the decisions already taken by the General Assembly and failed to take account of the efforts made by the Special Committee. On the other hand, it fully supported the amendment submitted by the Yemeni delegation in document A/C.4/L.888.

34. Mr. McCOMIE (Barbados), observing that two points of view had been put forward in the Committee, said he would attempt to follow each to its logical conclusion. According to the supporters of one point of view, since the question of Gibraltar was a legacy from the period when colonialism had reigned supreme and when the colonial Powers had ceded territories to each other, the question at issue was a territorial dispute and the problem one of sovereignty; if that was so, the question must be solved in a body other than the Fourth Committee, which was not competent to settle territorial disputes.

35. Spain, for its part, contended that the question of Gibraltar should be considered as a colonial question, since the Territory was a part of Spain which had been colonized by the United Kingdom. He could not see how one part of a country could be treated as a colony while the rest of the country was independent. Either the whole of Spain was a colony because one part of its territory was a colony, or Spain was an independent country, in which case Gibraltar, as a colonial territory, could not be considered as an integral part of that country. If Gibraltar was a colonial territory, the provisions of resolution 1514 (XV) should apply and the right of the people of Gibraltar to self-determination should be recognized. That meant that neither the United Kingdom nor the Fourth Committee nor Spain could speak for the people of the Territory or take a decision for them regarding their future.

36. For those reasons, his delegation would vote in favour of draft resolution A/C.4/L.884, because it left room for hope that further developments would make it possible to apply resolution 1514 (XV), as his delegation interpreted it.

37. Mr. DIARRA (Guinea) observed that his delegation had deliberately refrained from taking part in the general debate on the question of Gibraltar on account

of the conflict of interests to which it gave rise and which forced the Committee to play the painful role of arbiter between two Powers whose sorry colonial record made it difficult to decide in favour of one rather than the other.

38. The Guinean delegation intended to vote in favour of the draft resolution sponsored by Latin American and African countries (A/C.4/L.876/Rev.1), but wished to make it clear that its vote must not be interpreted as implying support for one or other of the two parties concerned; its position was exclusively that of a country which upheld a policy of complete decolonization. The Guinean delegation hoped that Spain would be able to draw the necessary lessons and would implement the recommendations in resolution 1514 (XV) without delay.

39. Mr. MALECELA (United Republic of Tanzania) thought that draft resolution A/C.4/L.876/Rev.1 was the one closest to the resolution which had been adopted by the Special Committee by a very large majority, the only negative votes having been cast by the United Kingdom and Australia; in that resolution the sponsors, considering it necessary for the interests of the inhabitants of Gibraltar to be taken into consideration, had invited the United Kingdom and Spain to resume negotiations with that point in mind.

40. Unfortunately, the question of decolonization was not what most concerned the two Powers which were embroiled over the question of Gibraltar. The administering Power had not organized the referendum out of concern for the interests of the population of the Territory, since, if that had been the case, it would first have asked the inhabitants of the Territory to indicate what their deepest aspirations were, and not to which of the two countries they wished their future to be linked, a consideration which should only have taken second place. If the results of the referendum were valid at all, as its supporters claimed, there would be no point in the negotiations of which they themselves were advocating the resumption. The truth was that the referendum had not been designed to give the population of the Territory an opportunity to make its wishes known but primarily to give the United Kingdom a strong bargaining position in the negotiations with Spain.

41. The Tanzanian delegation would vote in favour of draft resolution A/C.4/L.876/Rev.1, but still maintained, with respect to the fifth preambular paragraph of that proposal, the reservations it had expressed with respect to a similarly worded text in the Special Committee, reservations which related to the interpretation of paragraph 6 of resolution 1514 (XV) (A/6700/Rev.1, chap. X, para. 202).

42. The Tanzanian delegation would vote against resolution A/C.4/L.884 and against the amendment submitted by the delegation of Guyana (A/C.4/L.890).

43. The CHAIRMAN pointed out that the Norwegian delegation had requested that draft resolution A/C.4/L.884 should be put to the vote first and that the Spanish delegation had objected to that procedure.

44. Mr. KANNANGARA (Ceylon) supported the Norwegian delegation's request that the Committee should vote first on draft resolution A/C.4/L.884 and asked

that the Committee should begin by taking a decision on that proposal concerning precedence.

45. He was afraid that if one or other of the two extreme draft resolutions was adopted, it would delay the negotiations which the Committee unanimously wished to see resumed and would prejudge the issue; it would be wiser, in his opinion, first to take a decision on the compromise text which had been submitted in document A/C.4/L.884 and which reproduced General Assembly resolution 2231 (XXI).

46. Mr. MALECELA (United Republic of Tanzania) pointed out that draft resolution A/C.4/L.876/Rev.1 also advocated the resumption of negotiations and there was nothing in that text which was controversial or which justified its being considered second.

47. Mr. ALWAN (Iraq) formally proposed that the Committee should first vote on draft resolution A/C.4/L.876/Rev.1, which had been submitted first; his request was made under rule 132 of the rules of procedure of the General Assembly according to which, if the Committee had two or more proposals before it, it should vote on them in the order in which they had been submitted.

48. Mr. KANNANGARA (Ceylon) said that it was not a question of an ordinary proposal within the meaning of rule 132, but of a proposal on precedence, which should be dealt with first.

49. With regard to the comments made by the representative of the United Republic of Tanzania, he pointed out that, in the negotiations provided for in draft resolution A/C.4/L.876/Rev.1, the interests of the inhabitants would not have to be given prior consideration.

50. He asked that the Committee should first take a decision on the proposal on precedence.

51. The CHAIRMAN pointed out that, under rule 132, the Committee should vote on the proposals in the order in which they had been submitted "unless it decides otherwise". He therefore invited the Committee to vote first on the proposal on precedence made by Norway.

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

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

In favour: Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Australia, Barbados, Belgium, Botswana, Canada, Ceylon, Congo (Democratic Republic of), Denmark, Ethiopia, Finland, Gambia, Ghana, Guyana, Iceland, Jamaica, Kenya, Lesotho, Luxembourg, Madagascar, Malawi, Malaysia, Maldives Islands, Malta, New Zealand, Norway, Sierra Leone, Singapore, Sweden.

Against: Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Algeria, Argentina, Bolivia, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Cuba, Czechoslovakia, Dominican

Republic, Ecuador, El Salvador, Gabon, Guatemala, Guinea, Haiti, Honduras, Hungary, Iran, Iraq, Ireland, Italy, Ivory Coast, Jordan, Lebanon, Libya, Mali, Mauritania, Mongolia, Morocco, Nicaragua, Panama, Paraguay, Peru, Philippines, Poland, Romania, Rwanda, Saudi Arabia, Somalia, Southern Yemen, Spain, Sudan, Syria.

Abstaining: Thailand, Turkey, Uganda, United States of America, Afghanistan, Austria, Burma, Central African Republic, Chad, Cyprus, France, Greece, India, Indonesia, Israel, Japan, Liberia, Mexico, Nepal, Netherlands, Niger, Pakistan, Portugal, Senegal.

The proposal on precedence made by the Norwegian delegation was rejected by 62 votes to 30, with 24 abstentions.

52. The CHAIRMAN invited the Committee to vote on draft resolution A/C.4/L.876/Rev.1.

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

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

In favour: Czechoslovakia, Dominican Republic, Ecuador, El Salvador, Gabon, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Indonesia, Iran, Iraq, Ireland, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mauritania, Mongolia, Morocco, Nicaragua, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Somalia, Southern Yemen, Spain, Sudan, Syria, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Argentina, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cambodia, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Cuba.

Against: Denmark, Gambia, Guyana, Jamaica, Lesotho, Luxembourg, Malawi, Malaysia, Maldives Islands, Malta, New Zealand, Norway, Sierra Leone, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Australia, Barbados, Botswana, Canada, Ceylon.

Abstaining: Ethiopia, Finland, France, Ghana, Iceland, India, Israel, Kenya, Madagascar, Mexico, Nepal, Netherlands, Niger, Senegal, Singapore, Thailand, Togo, Uganda, United States of America, Austria, Belgium, Central African Republic, Chad, Congo (Democratic Republic of), Cyprus.

Draft resolution A/C.4/L.876/Rev.1 was adopted by 70 votes to 21, with 25 abstentions.

53. The CHAIRMAN announced that, in view of the results of the voting, the United Kingdom delegation would not press for a vote on draft resolution A/C.4/L.877.

54. He asked whether the Norwegian delegation wished draft resolution A/C.4/L.884 to be put to the vote.

55. Mr. RAVNE (Norway) said that his delegation would not press for a vote on the draft resolution

which it had introduced. He thanked the delegations which had supported that proposal.

56. He would not have been able to vote in favour of draft resolution A/C.4/L.877 if it had been put to the vote.

57. Lord CARADON (United Kingdom), speaking in explanation of his delegation's vote on draft resolution A/C.4/L.876/Rev.1, said he wished to repeat briefly what he had previously said in the Committee.

58. A territorial claim should be adjudicated by normal judicial process and not by a vote in the Fourth Committee or any other committee. The people of Gibraltar had a right to express their wishes regarding their future and had done so in an overwhelming vote. The United Kingdom Government would not allow their rights or their freely declared aspirations to be trampled upon. To hand over that small and united community of free men against their will to a régime which had done so much to harm it would be an intolerable injustice. The United Kingdom Government would not be guilty of such a betrayal.

59. His delegation had voted against the draft resolution because of its partiality and because it was contrary to the principles of the Charter. It should not be necessary to remind the Fourth Committee that, under Article 73 of the Charter, Members of the United Nations which assumed responsibilities for the administration of Non-Self-Governing Territories should recognize the principle that the interests of the inhabitants of those Territories were paramount, and should pledge themselves to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions.

60. There had not been a single case in the history of the United Nations in which a call had been made for the decolonization of a Territory in defiance of the freely expressed wishes of the overwhelming majority of its people. Approval of such a form of decolonization could only be greeted with astonishment by world opinion and with dismay by the peoples of those Territories. The decision taken was not only contrary to the principles clearly laid down by the Charter, but was also contrary to the principles which had consistently guided his Government's policy.

61. Successive United Kingdom Governments had regarded their obligations to dependent Territories as a solemn trust, and their first, and indeed their only, duty in administering them was that of watching over the well-being of their people. No resolution adopted by the Fourth Committee would cause his Government to abandon that trust or that obligation.

62. His delegation had voted against the draft resolution for three main reasons.

63. First, by singling out the principle of territorial integrity and by referring to the disruption of national unity, the draft resolution would be interpreted by some as an endorsement of the Spanish claim to Gibraltar. It was for the International Court of Justice to settle that question, not the Fourth Committee, whose task was to deal with the political problems of decolonization.

64. Secondly, the draft resolution was dangerously defective in asserting that the Gibraltar referendum contravened General Assembly resolution 2231 (XXI). The referendum had provided an opportunity for the people of Gibraltar to indicate their views on their own interests, which resolution 2231 (XXI) itself required to be taken into account. It must have been the first time that the Fourth Committee had condemned a free consultation of the wishes of a colonial people.

65. Thirdly, in requiring that the interests of the people of Gibraltar should be safeguarded only after their colonial status had been terminated, the draft resolution flouted the provisions of Chapter XI of the Charter. It would be scandalous if the fate of the people of Gibraltar were to be settled over their heads, contrary to their declared wishes and without their interests being taken into account.

66. He paid a tribute to all those delegations which had tried to take an objective approach to the problem. He regretted that many delegations, though recognizing the importance of the principles involved, had hesitated to defend them.

67. Finally, he deplored the fact that many delegations had allowed their votes to be determined, not by the merits of the case, the paramount concern for the interests and wishes of the people, or the principles of the Charter, but by considerations unconnected with the problem of Gibraltar.

68. Mr. CASTALDO (Italy) said that, although his delegation agreed with the provisions of draft resolution A/C.4/L.884 and fully appreciated the motives of its sponsors, it would have been unable to vote for that proposal. It had voted in favour of draft resolution A/C.4/L.876/Rev.1, which was very similar to the resolution adopted on 1 September 1967 by the Special Committee and which it had supported chiefly because of the amendments made to it.

69. His delegation's position on the question of Gibraltar had been made clear by its support of resolution 2231 (XXI). In its opinion, only negotiations between the Governments of Spain and the United Kingdom would lead to a solution of the dispute which had arisen over the application of resolution 1514 (XV) to the Territory of Gibraltar.

70. The Italian delegation's vote in favour of draft resolution A/C.4/L.876/Rev.1 should not be construed as an unqualified endorsement of a particular interpretation of resolution 1514 (XV) which had not gained universal acceptance either in the Special Committee or in the General Assembly. His delegation hoped that the question of Gibraltar would not be a source of controversy, but would rather lead to the development of co-operation among all countries in the area.

71. Mr. EILAN (Israel) said that, in listening to the debate on the question of Gibraltar, his delegation, which like many others recalled the Blue Division sent by Spain to fight shoulder to shoulder with Hitler's armies in eastern Europe, could not fail to be surprised that the Spanish representative should have seen fit to lecture the Committee on principles of freedom, democracy and social justice.

72. The preceding year, his delegation had supported the resolution adopted on Gibraltar because it had enjoyed the support of both the United Kingdom and Spain.

73. At the current session, there had been no such joint support for one draft resolution by the two parties to the dispute. His delegation had therefore had no choice but to voice its objections.

74. Gibraltar had been ceded to the United Kingdom under the Treaty of Utrecht of 1713, which had settled a number of European territorial disputes. None of the problems settled by the signatories to the Treaty of Utrecht could by the widest stretch of the imagination be termed colonial in character. Gibraltar had certainly been administered as a Crown colony. But was it always necessary to accept the formal juridical situation in order to decide whether a territorial dispute was really colonial in the accepted sense of the word? The members of the Committee had learnt to distinguish between the formal juridical nature of such disputes and their true character. His delegation considered that the dispute concerned two European Powers and a territory in Europe, populated by Europeans. It bore no resemblance whatsoever to any other territorial claim or colonial dispute in any other part of the Spanish-speaking world. The dispute could best be settled by direct negotiation between the parties in accordance with Article 33 of the Charter. If an item on Gibraltar appeared nevertheless in the agenda of the General Assembly, surely the Fourth Committee was not the Committee to discuss it. The history of the United Nations contained other examples of territorial disputes which had been placed on the agenda of the General Assembly, but they had never been allocated to the Fourth Committee.

75. In those circumstances, his delegation had had no choice but to abstain on draft resolution A/C.4/L.876/Rev.1.

76. Mr. YAMANAKA (Japan) said that, in his delegation's opinion, the question of Gibraltar should be settled through negotiations between the administering Power and Spain, taking into account the interests of the people of the Territory, in accordance with General Assembly resolution 2231 (XXI). As the two parties had agreed to resume negotiations in January 1968, the Assembly should encourage those negotiations so that they might be fruitful. His delegation regretted that certain acts had prejudiced the smooth progress of negotiations; in particular, it doubted whether the referendum of 10 September 1967 had been an appropriate means of settling the matter in an atmosphere of peace and harmony.

77. His delegation had voted in favour of draft resolution A/C.4/L.876/Rev.1, but that did not signify unreserved support of the whole text. Had separate votes been taken on each paragraph, the Japanese delegation would have abstained on the fifth preambular paragraph and on operative paragraph 2. It was necessary to avoid any precipitate action which might harden the position of either of the parties, thus making the settlement of the question more difficult.

78. He emphasized that his delegation had supported the draft resolution as a whole because it recommended a negotiated settlement. That vote did not mean that it was in favour of the principle of self-determination rather than that of territorial integrity. The legal problem raised by paragraph 6 of General Assembly resolution 1514 (XV) required further study.

79. His delegation hoped that the two parties would refrain from any act which might aggravate the situation, create obstacles or become a source of controversy and that they would resume negotiations with a view to the decolonization of Gibraltar.

The meeting rose at 1.30 p.m.