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IMPORTANCE OF THE UNIVERSAL REALIZATION OF THE RIGHT
OF PEOPLES TO SELF-DETERMINATION AND OF THE SPEEDY
GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND
PEOPLES FOR THE EFFECTIVE GUARANTEE AND OBSERVANCE
OF HUMAN RIGHTS

Report of the Third Committee

Rapporteur: Mr. Dietrich von KYAW (Federal Republic of Germany)

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I. INTRODUCTION

1. The General Assembly, at its 2237th plenary meeting on 21 September 1974, allocated to the Third Committee agenda item 55, entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights".
2. The Committee considered the item at its 2081st to 2090th meetings, from 4 November to 14 November. The summary records of these meetings (A/C.3/SR.2081-2090) contain the views of representatives of Member States.
3. The Committee had before it:
 - (a) A report of the Secretary-General, prepared in accordance with paragraph 10 (a) of General Assembly resolution 3118 (XXVIII) of 12 December 1973, which contained information on the action taken in the implementation of the relevant resolutions of the United Nations by the specialized agencies and international institutions associated with the United Nations (A/9638 and Add.1, Add.1/Corr.1 and Add.2-5).
 - (b) A report of the Secretary-General, prepared in accordance with General Assembly resolution 3070 (XXVIII) of 30 November 1973, which contained information received from States on action taken in compliance with the resolution (A/9667 and Add.1).
4. At the 2081st meeting, on 4 November, the Director of the Division of Human Rights made an introductory statement on the item.

II. CONSIDERATION OF THE DRAFT RESOLUTION

5. At the 2087th meeting, on 11 November, the representative of the United Republic of Tanzania introduced a draft resolution (A/C.3/L.2128) entitled "Importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights", sponsored by Afghanistan, Algeria, Burundi, Cuba, Democratic Yemen, Egypt, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Jordan, Kenya, Kuwait, the Libyan Arab Republic, Madagascar, Mauritania, Morocco, the Niger, Nigeria, Rwanda, Sierra Leone, Somalia, the Sudan, the Syrian Arab Republic, Uganda, the United Republic of Cameroon, the United Republic of Tanzania, Yemen, Yugoslavia and Zaire. Subsequently Bahrain, Chad, Dahomey, Gabon, the German Democratic Republic, Grenada, Lebanon, Malaysia, Mali, Qatar, Senegal, Togo, Trinidad and Tobago, the United Arab Emirates, the Upper Volta and Zambia joined in sponsoring the draft resolution.

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5. At the 2090th meeting, on 14 November, the Committee had before it a revised draft resolution (A/C.3/L.2128/Rev.1) submitted by the same sponsors, subsequently joined by Bangladesh, the Congo and Liberia. The text was as follows:

"The General Assembly,

"Reaffirming its faith in resolution 1514 (XV) of 14 December 1960, which contains the Declaration on the Granting of Independence to Colonial Countries and Peoples and in the programme of action for the full implementation of that Declaration, contained in resolution 2621 (XXV) of 12 October 1970,

"Recalling, inter alia, its resolutions 2588 B (XXIV) of 15 December 1969, 2787 (XXVI) of 6 December 1971, 2955 (XXVII) of 13 December 1972, 2963 E (XXVII) of 13 December 1972, 3059 (XXVIII) and 3070 (XXVIII) of 30 November 1973, and other relevant resolutions of the Security Council,

"Noting with appreciation the Secretary-General's reports A/9638 and A/9667,

"Noting with satisfaction the assurances given by the Government of Portugal to fulfil its obligations under the United Nations Charter and to comply with United Nations resolutions relevant to the right of the peoples under Portuguese administration to self-determination and independence,

"Indignant at the continued repression and the inhuman and degrading treatment inflicted on peoples still under colonial and foreign domination and alien subjugation, especially on individuals detained or imprisoned as a result of the struggle for self-determination and independence,

"Reaffirming that the independence of Southern Rhodesia should not be negotiated with the illegal régime but with the authentic and recognized representative of the Rhodesian people,

"Mindful of its responsibility to evolve all possible measures which will enable oppressed peoples to attain independence and self-determination and, in this regard, deploring the obstructive attitude of certain Member States,

"Recognizing the imperative need to put an early end to colonial rule, foreign domination and alien subjugation,

"1. Reaffirms the inalienable right of all peoples under colonial and foreign domination and alien subjugation to self-determination, freedom and independence in conformity with resolution 1514 (XV) and other relevant resolutions of the United Nations;

"2. Renews its call to all States to recognize the right to self-determination and independence of all peoples subject to colonial and foreign domination and alien subjugation and to offer them moral, material

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and other forms of assistance in their struggle to exercise fully their inalienable right to self-determination and independence;

"3. Reaffirms the legitimacy of the peoples' struggle for liberation from colonial and foreign domination and alien subjugation by all available means, including armed struggle;

"4. Demands full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence and strict respect for article 5 of the Universal Declaration of Human Rights under which no one shall be subjected to torture, or to cruel inhuman or degrading treatment, and their immediate release;

"5. Welcomes the recognition by the Government of Portugal of the right of all the peoples under its colonial administration to self-determination and independence and for the initiatives already taken in this regard;

"6. Urges the Government of Portugal to ensure that the process which will enable peoples still under its colonial administration to achieve self-determination and independence be accomplished without undue delay;

"7. Strongly condemns all Governments which do not recognize the right to self-determination and independence of peoples under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;

"8. Further strongly condemns the policies of those members of the North Atlantic Treaty Organization and those countries whose military, economic, sporting or political relations with the racist régimes of southern African and elsewhere encourage these régimes to persist in their suppression of the aspirations of peoples for self-determination and independence;

"9. Calls upon these countries to reconsider their policies and to sever all links with the racist régimes of South Africa and Southern Rhodesia;

"10. Renews its appreciation to Governments, United Nations agencies, intergovernmental and non-governmental organizations for their efforts in extending various forms of assistance to peoples in dependent Territories and appeals to them to increase such assistance;

"11. Requests the Secretary-General to continue to assist the specialized agencies and other organizations within the United Nations system in working out measures for the provision of increased international assistance to the peoples of colonial Territories;

"12. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its thirtieth session."

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7. At the same meeting, the representative of the United Republic of Tanzania, on behalf of the sponsors, orally revised operative paragraph 6 of the revised draft resolution by adding the words "continue to" before the word "ensure" and the words "of decolonization" after the word "process", and by deleting the word "undue".

8. At the same meeting, in compliance with a request by the representative of Uruguay, the Committee voted separately on operative paragraphs 3, 8, 9 and on the revised draft resolution (A/C.3/L.2128/Rev.1) as orally revised as follows:

(a) Operative paragraph 3 was retained by 73 votes to 10, with 18 abstentions;

(b) Operative paragraph 8 was retained by 73 votes to 9, with 20 abstentions;

(c) Operative paragraph 9 was retained by 76 votes to 8, with 21 abstentions;

(d) The revised draft resolution as a whole, as orally revised, was adopted by a roll-call vote of 104 to 1, with 19 abstentions (see paragraph 9 below). The voting was as follows:

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Bahrain, Bangladesh, Barbados, Bhutan, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, 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 Cameroon, United Republic of Tanzania, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: Israel.

Abstaining: Austria, Belgium, Canada, Denmark, El Salvador, Finland, France, Germany (Federal Republic of), Iceland, Ireland, Italy, Japan, Malawi, Netherlands, Norway, Swaziland, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

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III. RECOMMENDATION OF THE THIRD COMMITTEE

9. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Importance of the universal realization of the right
of peoples to self-determination and of the speedy
granting of independence to colonial countries and
peoples for the effective guarantee and observance
of human rights

The General Assembly,

Reaffirming its faith in resolution 1514 (XV) of 14 December 1960, which contains the Declaration on the Granting of Independence to Colonial Countries and Peoples, and in the programme of action for the full implementation of that Declaration, contained in resolution 2621 (XXV) of 12 October 1970,

Recalling, inter alia, its resolutions 2588 B (XXIV) of 15 December 1969, 2787 (XXVI) of 6 December 1971, 2955 (XXVII) of 12 December 1972, 2963 E (XXVII) of 13 December 1972, 3059 (XXVIII) and 3070 (XXVIII) of 30 November 1973, and the relevant resolutions of the Security Council,

Noting with appreciation the reports of the Secretary-General, 1/

Noting with satisfaction the assurances given by the Government of Portugal that it will fulfil its obligations under the Charter of the United Nations and comply with United Nations resolutions relevant to the right of the peoples under Portuguese administration to self-determination and independence,

Indignant at the continued repression and the inhuman and degrading treatment inflicted on peoples still under colonial and foreign domination and alien subjugation, especially on individuals detained or imprisoned as a result of the struggle for self-determination and independence,

Reaffirming that the independence of Southern Rhodesia should not be negotiated with the illegal régime but with the authentic and recognized representative of the Rhodesian people,

Mindful of its responsibility to evolve all possible measures which will enable oppressed peoples to attain independence and self-determination and, in this regard, deploring the obstructive attitude of certain Member States,

Recognizing the imperative need to put an early end to colonial rule, foreign domination and alien subjugation,

1/ A/9638 and Add.1, Add.1/Corr.1 and Add.2-5, A/9667 and Add.1.

1. Reaffirms the inalienable right of all peoples under colonial and foreign domination and alien subjugation to self-determination, freedom and independence in conformity with General Assembly resolution 1514 (XV) and other relevant resolutions of the United Nations;
2. Renews its call to all States to recognize the right to self-determination and independence of all peoples subject to colonial and foreign domination and alien subjugation and to offer them moral, material and other forms of assistance in their struggle to exercise fully their inalienable right to self-determination and independence;
3. Reaffirms the legitimacy of the peoples' struggle for liberation from colonial and foreign domination and alien subjugation by all available means, including armed struggle;
4. Demands full respect for the basic human rights of all individuals detained or imprisoned as a result of their struggle for self-determination and independence and strict respect for article 5 of the Universal Declaration of Human Rights under which no one shall be subjected to torture, or to cruel inhuman or degrading treatment, and their immediate release;
5. Welcomes the recognition by the Government of Portugal of the right of all the peoples under its colonial administration to self-determination and independence and for the initiatives already taken in this regard;
6. Urges the Government of Portugal to continue to ensure that the process of decolonization, which will enable peoples still under its colonial administration to achieve self-determination and independence, be accomplished without delay;
7. Strongly condemns all Governments which do not recognize the right to self-determination and independence of peoples under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people;
8. Further strongly condemns the policies of those members of the North Atlantic Treaty Organization and those countries whose military, economic, sporting or political relations with the racist régimes of southern African and elsewhere encourage these régimes to persist in their suppression of the aspirations of peoples for self-determination and independence;
9. Calls upon these countries to reconsider their policies and to sever all links with the racist régimes of South Africa and Southern Rhodesia;
10. Renews its appreciation to Governments, United Nations agencies, intergovernmental and non-governmental organizations for their efforts in extending various forms of assistance to peoples in dependent Territories and appeals to them to increase such assistance;

11. Requests the Secretary-General to continue to assist the specialized agencies and other organizations within the United Nations system in working out measures for the provision of increased international assistance to the peoples of colonial Territories;

12. Requests the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its thirtieth session.
