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QUESTION OF TERRITORIES UNDER PORTUGUESE ADMINISTRATION

Letter dated 12 July 1973 from the Chargé d'affaires a.i. of the
Permanent Mission of Portugal to the United Nations addressed to
the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you, below, the text of a letter addressed to the Chairman of the Governing Body of the International Labour Organisation by the Chief Government Delegate of Portugal to the 58th session of the International Labour Conference, in Geneva:

"I have the honour to refer to the decision taken by the Governing Body at its extraordinary sitting of 20 June 1973 to invite the representatives of certain political movements to attend sessions of the International Labour Conference and the African Regional Conference.

"The Portuguese Government rejects that decision outright as utterly contrary to international law and to the principles and objectives of the International Labour Organisation.

"The decision is unlawful on several grounds. There can be no doubt whatsoever that the international representation of Angola, Mozambique and Portuguese Guinea is a matter within the competence of the Portuguese Government: that is the direct consequence of the Constitution of Portugal and has been recognized as such by the community of nations and by international organizations, including the ILO.

"Since the international representation of Angola, Mozambique and Portuguese Guinea falls within the exclusive jurisdiction of the Portuguese Government, it follows that the Government is alone competent to appoint delegates to represent those territories and their inhabitants at international conferences. Moreover, that fundamental principle affords

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the legal basis for document GB.188/3/2 (Geneva, 14-17 November 1972), which, with regard to the procedure to be followed for inviting the territories to be represented at ILO meetings, states that 'such invitations have always been transmitted through the government responsible at the time for the international relations of the territories concerned' (paragraph 51).

"Neither the Organization of African Unity nor the tripartite delegation of the Governing Body may assert the right to determine the persons or bodies which shall represent the territories and their inhabitants at ILO conferences and other meetings. The history of international relations affords no precedent for the appointment of representatives of a territory by foreign institutions or interests. Such a procedure is quite clearly illogical, unlawful, contrary even to common sense and likely to produce the most arbitrary results.

"According to its own Constitution the ILO is an international organization in which each member State is represented at meetings by Government, employer and worker delegates. No provision is made in the Constitution or in the Organisation itself for the representation of 'political movements', and any attempts which certain States may make to secure the admission of such 'movements' to the ILO are quite pointless.

"Whether or not this situation is regarded as satisfactory, it is clearly the one that exists in the ILO. Thus paragraph 51 of document GB.188/3/2 expressly states: 'The Constitution makes no provision for the participation in ILO meetings, which consist of representatives of governments and of employers' and workers' organisations, of persons representing political movements'. It follows that the Governing Body's invitation to the representatives of certain movements is contrary to the ILO's Constitution and is bound to undermine the ILO because of its very incompatibility with the Organisation's character and structure.

"As regards the more specific question of participation in the Conference, in my letter of 19 June 1973 I drew attention to the provisions of article 2, paragraph 3, of the Standing Orders of the Conference, which does not entitle the persons invited by the Governing Body to participate in the work of the Conference since they are not included in the list of 'the only persons permitted to enter the body of the hall', apart from delegates and advisers.

"The Governing Body's invitation is based on purely political motives, and we are therefore witnessing the manipulation of the ILO for purposes wholly alien to its objectives.

"The whole purpose of the ILO is to protect the workers, and by taking such monstrous decisions it is disregarding its true aims inasmuch as it is no longer protecting Portuguese workers in the European and overseas provinces, including the Portuguese provinces in Africa.

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"The movements invited by the Governing Body clearly do not represent any group of workers whatsoever. By a tragic irony those movements call themselves 'liberation' movements, but in fact they are using murderous modern weapons to carry out cruel and ruthless assaults on the peaceful inhabitants of Portuguese Guinea, Angola and Mozambique. Their adherents are trained abroad, obey leaders financed and supported by foreign interests and make their terrorist attacks from bases in foreign countries.

"Most, if not all, of the leaders of the self-styled 'liberation' movements are quite unknown to the people they are so anxious to 'liberate' and have never had any contact with them.

"A huge international revolutionary organization is plotting against Portugal, welcoming any enemy of Portugal, subsidizing the activities of bands of mercenaries and terrorists, supplying them with equipment, weapons and instructors, and spreading throughout the world propaganda against Portugal which is eagerly repeated in certain international organizations with no constitutional restrictions on such abuses.

"For several years such use has been made of the rostrum at ILO conferences and other meetings.

"It is high time such flagrant abuses were stopped.

"The Governing Body's recent decision infringes the rights of Portugal in two respects: as a sovereign State and as a member of the International Labour Organisation. In practice, however, it is the ILO itself which will suffer the worst consequences of that decision, which was adopted in disregard of the ILO's Constitution and sacrifices its interests to the demagogic pursuit of political aims.

"For these reasons, in particular, the Portuguese Government categorically rejects the decision which the Governing Body saw fit to adopt on 20 June 1973.

"I should be grateful if you would be kind enough to distribute the text of this letter to the members of the Governing Body.

"I have the honour to be, Sir,

Yours, etc.

Fernando de ALCAMBAR PEREIRA
Chief Government Delegate of Portugal
to the 58th session of the International
Labour Conference."

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The Portuguese Government requests that this letter be circulated as an official document of the twenty-eighth session of the General Assembly, under the item entitled "Question of Territories under Portuguese administration".

(Signed) Rui MEIRA-FERREIRA
Chargé d'affaires a.i. of Portugal
to the United Nations
