

UNST
PSCA
(05)
D3
No. 32
ENG
C07.1

DECOLONIZATION



A publication
of the United Nations Department of Special
Political Questions, Regional Co-operation,
Decolonization and Trusteeship

UN LIBRARY

1987-1

UNEP COLLECTION

No. 32
September 1987

WORK OF THE GENERAL ASSEMBLY (1986) AND THE SPECIAL COMMITTEE
ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE
DECLARATION ON THE GRANTING OF INDEPENDENCE
TO COLONIAL COUNTRIES AND PEOPLES (1987)

CONTENTS

	Page
I. INTRODUCTION	4 - 5
II. ACTION BY THE GENERAL ASSEMBLY AT ITS FORTY-FIRST SESSION	
A. Issues considered by the Fourth Committee	5 - 15
1. General	5 - 6
2. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, <u>apartheid</u> and racial discrimination and Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	6 - 8
3. Specific Territories and other related questions	8 - 14
4. Hearings concerning the Falkland Islands (Malvinas) and Namibia	14 - 15

	Page
B. Issues considered in plenary meeting	16 - 19
1. Question of the Falkland Islands (Malvinas).....	16 - 17
2. Question of Namibia	17
3. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	17 - 19
III. SPECIAL COMMITTEE'S WORK IN 1987	19 - 30
A. Organization of work	19 - 20
B. Question of Namibia	20 - 22
C. Other Territories	22 - 28
1. Falkland Islands (Malvinas), Western Sahara, East Timor, Gibraltar and New Caledonia	23 - 27
2. Anguilla, Montserrat, British Virgin Islands, Turks and Caicos Islands, Tokelau, Cayman Islands, Bermuda, Guam, American Samoa, United States Virgin Islands, Trust Territory of the Pacific Islands, Pitcairn and St. Helena	27 - 28
D. Sending of visiting missions to Territories	28
E. Question of the list of Territories to which the Declaration is applicable	29
F. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, <u>apartheid</u> and racial discrimination	29 - 30

G. Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.....	30 - 31
H. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	31 - 32
I. Information from Non-Self-Governing Territories transmitted under Article 73 <u>e</u> of the Charter of the United Nations	32
J. Other matters	33

I. INTRODUCTION

At its forty-first (1986) session, the General Assembly, in the disposition of the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", allocated to the Fourth Committee for its consideration specific aspects of the question and considered, in plenary meeting, the general aspect of the decolonization issues as a whole. In so doing, the Assembly referred to the Fourth Committee all the chapters of the 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 relating to specific Territories ^{1/}, as well as the agenda items relating to:

- Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations;
- Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa;
- Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations;
- United Nations Educational and Training Programme for Southern Africa;
- Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories.

With regard to the question of the Falkland Islands (Malvinas), the General Assembly decided to take it up directly in plenary meeting, on the understanding that the hearings of bodies and individuals having an interest in the question would be held in the Fourth Committee.

The General Assembly also decided that the question of Namibia should be considered directly in plenary meeting, on the understanding that the hearings of the organizations concerned would be held in the Fourth Committee.

As at its four previous sessions, the General Assembly did not consider the question of East Timor during the 1986 session.

An account of the work of the 1986 session of the General Assembly is described in section II below. 2/

The General Assembly once again renewed the mandate of the Special Committee in its resolution 41/41 B and requested the Committee "to continue to seek suitable means for the immediate and full implementation of General Assembly resolution 1514 (XV) in all Territories that have not yet attained independence ... to formulate specific proposals for the elimination of the remaining manifestations of colonialism and to report thereon to the General Assembly at its forty-second session".

Activities undertaken by the Special Committee in 1987 in pursuance of the above resolutions, are described in section III. The text of the Special Committee's resolutions and decisions, as well as its recommendations to the 1987 session of the General Assembly is contained in the Committee's report. 1/

II. ACTION BY THE GENERAL ASSEMBLY AT ITS FORTY-FIRST SESSION

A. Issues considered by the Fourth Committee

1. General

The Fourth Committee elected by acclamation the following officers for its 1986 session: 3/

Chairman: Ambassador James Victor Gbeho, Permanent Representative of Ghana to the United Nations;

Vice-Chairmen: Mr. Ahmad Farouk Arnouss, First Secretary of the Permanent Mission of the Syrian Arab Republic to the United Nations and Mrs. Margaret King-Rousseau, Second Secretary of the Permanent Mission of Trinidad and Tobago to the United Nations.

Rapporteur: Mr. Nihat Akyol, Counsellor of the Permanent Mission of Turkey to the United Nations.

In organizing its work for the session, the Fourth Committee, following the practice established at its previous sessions, decided to hold two general debates: one relating to "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa", and the second on all other items. The Committee also agreed that draft resolutions and/or proposals would be considered separately.

In considering these items, the Fourth Committee took into account the related chapters of the report of the Special Committee and various reports of the Secretary-General, as well as a number of related communications. 4/

The Fourth Committee held a total of 19 meetings, heard 112 statements in the general debates and also heard 26 petitioners. Following its consideration of all the items referred to it by the General Assembly, the Fourth Committee submitted to the Assembly eight reports, two on hearings, concerning, respectively, Namibia and the Falkland Islands (Malvinas), and six containing its recommendations on specific Territories and other related items. Sixteen of the 20 sets of recommendations contained in these reports were prepared by the Special Committee, in keeping with paragraph 31 of General Assembly decision 34/401 of 29 November 1979; 14 recommendations were adopted by the Fourth Committee by consensus.

2. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa
and
Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

As in previous sessions, on the recommendation of the Special Committee, the Fourth Committee considered the chapters of the report of the Committee relating to military activities in conjunction with the item on foreign economic and other interests. Between 24 September and 7 October 1986, 5 the Fourth Committee heard statements of 49 delegations participating in the general debate.

During the debate, the majority of the speakers condemned the activities of foreign economic and other interests in colonial Territories and considered them to be one of the main obstacles to the implementation of the Declaration, particularly in southern Africa and Namibia. The systematic plundering of the natural resources of colonial Territories was described as a major obstacle to political independence and racial equality. In the view of the speakers, it was the responsibility of the administering Powers to protect the natural resources of the colonial Territories and to permit the people of the Territories to exercise their legitimate rights over those natural resources.

Those speakers noted that the relevant decisions of the United Nations were being disregarded and urged the adoption by all concerned of more decisive measures to put an end to foreign investments detrimental to the peoples of colonial Territories, particularly in Namibia. Some speakers called for the adoption of effective sanctions against South Africa. They considered that the withdrawal of foreign capital from Namibia, the cessation of new investments in and the end to economic co-operation with South Africa would be steps in that direction.

A number of delegations considered that South Africa's collusion with certain Western and other countries in the nuclear field was a threat to peace in the region. Some delegations stressed the need to differentiate between the effects of foreign economic interests in Namibia and those in other colonial Territories, while others condemned the nefarious effects of the activities of foreign economic interests and of transnational corporations in all colonial Territories.

Several members held South Africa and all foreign economic interests operating in Namibia liable for the payment of damages to the future lawful Government of an independent Namibia. They called for strict compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia. ^{6/} Many delegations called for the exclusion of Namibian uranium from the Treaty of Almelo, ^{7/} which regulated the activities of Urenco.

As regards military activities and arrangements by colonial Powers, the majority of speakers denounced the military activities in South Africa and in and around Namibia as one of the major impediments to the independence of the Territory and as a serious threat to peace in the region. They condemned also the escalating militarization of Namibia, in particular the use of the Territory as a springboard for aggression against independent neighbouring States. Many members considered that, in view of the nuclear ambitions of South Africa, its free access to Namibian uranium was a cause for real concern. A number of delegations denounced military activities by colonial Powers in Trust and Non-Self-Governing Territories, especially small island Territories, and called for the dismantlement of all military bases and installations in those Territories.

On 7 October 1986, the Fourth Committee approved the text of the recommendations prepared by the Special Committee on the two questions. The General Assembly in turn adopted the recommendations of the Fourth Committee on those questions, at its 52nd plenary meeting, on 31 October, as follows:

By its resolution 41/14, the General Assembly condemned the activities of foreign economic and other interests in the colonial Territories impeding the implementation of the Declaration on decolonization. It also condemned the collaboration of "certain Western and other countries" with the racist minority régime of South Africa in the nuclear field and called on those and other Governments to refrain from supplying that régime with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment. The Assembly further called on all States to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa. The vote was 125 in favour to 11 against (Belgium, Costa Rica, France, Federal Republic of Germany, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America), with 15 abstentions.

In its decision on military activities and arrangements by colonial Powers in Territories under their administration, the Assembly reiterated its condemnation of such activities that were detrimental to the rights and interests of the peoples concerned and deplored the fact that the colonial Powers concerned had taken no steps to implement the repeated requests of the Assembly to withdraw their military bases and installations from colonial Territories immediately and unconditionally and to refrain from establishing new ones.

The General Assembly condemned South Africa for its military build-up in Namibia, particularly its persistent acts of aggression and subversion against Angola and Mozambique and its use of mercenaries to reinforce its illegal occupation of Namibia and to participate in attacks against independent African States. It demanded the urgent dismantling of all military bases in Namibia and called for the immediate cessation of the war of oppression waged by the racist minority régime. The text was approved by a vote of 124 in favour to 13 against (Belgium, Costa Rica, El Salvador, France, Federal Republic of Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, United Kingdom, United States), with 15 abstentions.

3. Specific Territories and other related questions

The Fourth Committee considered all the remaining items between 8 and 22 October 1986.^{8/} During the general debate, the Committee heard statements by 63 delegations. The Committee also heard 10 petitioners, as follows:

<u>Petitioner</u>	<u>Summary record</u>
<u>Trust Territory of the Pacific Islands</u>	
Ms. Anne E. Simon, Center for Constitutional Rights	A/C.4/41/SR.9
Ms. Elizabeth Bounds, Micronesia Coalition	A/C.4/41/SR.10
Ms. Ingrid Kircher, on behalf of the Minority Rights Group	A/C.4/41/SR.10
<u>Western Sahara</u>	
Mr. William Felice, International League for the Rights and Liberation of Peoples	A/C.4/41/SR.11
Mr. R. David Addams, National Conference of Black Lawyers	A/C.4/41/SR.11

Petitioner

Summary record

Western Sahara (continued)

Mr. James Knight, on behalf of the
Western Sahara Campaign for Human
Rights and Humanitarian Relief,
U.S.A.

A/C.4/41/SR.12

Mr. Omar Mansour, on behalf of the
Frente Popular para la Liberación
de Saguia el Hamra y de Río de
Oro (Frente POLISARIO)

A/C.4/41/SR.15

Guam

Ms. Rosa S. Palomo, on behalf of the
Organization of People for
Indigenous Rights

A/C.4/41/SR.10

Turks and Caicos Islands

Mr. Daniel Malcolm, on behalf of
Mr. Nathaniel Francis

A/C.4/41/SR.13

Specialized agencies

Mr. Jim Morrell, on behalf of
the Center for International Policy

A/C.4/41/SR.9

In the course of the general debate, many delegations underlined their conviction that such factors as territorial size, geographical location, size of population or a lack of resources should not delay the process of self-determination of small island countries. They urged the administering Powers, whose primary responsibility was to promote the political, economic and social progress of the inhabitants of the Non-Self-Governing Territories, to protect their cultural and national heritage and to intensify political education in those Territories, particularly in relation to the options available for the future of their countries.

Many members stressed the importance of diversifying the economies of those Territories, away from their dependence on the single-crop type of economy, and called for intensified international assistance in the economic and social fields to the Territories concerned. Several members emphasized that the dispatch of visiting missions was an indispensable means of securing first-hand information on Territories and ascertaining the true aspirations of the peoples concerning their future status. In that regard they noted with

satisfaction the constructive results of the 1986 United Nations Visiting Mission to Tokelau, under the administration of New Zealand ^{9/}; and called for the continued co-operation of all the administering Powers to review such missions to the Territories under their respective administration.

On the question of Western Sahara, speakers considered that the solution to the question lay in the implementation of resolution AHG/Res.104 (XIX), adopted by the Assembly of Heads of State and Government of the Organization of African Unity (OAU), which had been endorsed by the General Assembly in its resolution 38/40 and by the Movement of Non-Aligned Countries. ^{10/} They called upon the parties to the conflict to agree to the holding of a referendum on self-determination under the auspices of OAU and the United Nations, at which the Saharan people could decide for themselves their own future status; they also called for a cease-fire as a prerequisite for the establishment of such a referendum. Many delegations urged Morocco and the Frente Popular para la Liberación de Saguia el Hamra y Río de Oro (Frente POLISARIO) to overcome their differences and reach an understanding. They expressed support for the joint good offices of the Secretary-General and the Chairman of OAU. Morocco did not participate in the debate on this question. A representative of Frente POLISARIO considered that the OAU peace plan and General Assembly resolution 40/50 constituted a whole, whose essential elements - direct negotiation, cease-fire and a peaceful and fair referendum - could not be separated from one another.

A number of delegations stressed the importance of the role played by the specialized agencies and the international institutions associated with the United Nations in the struggle against colonialism and apartheid. Although the specialized agencies had made a significant contribution to the process of decolonization by providing assistance to colonial peoples and their national liberation movements as well as to refugees, much more remained to be done, especially with regard to Namibia. They called upon those specialized agencies which had not yet done so to include in the agenda of the regular sessions of their governing bodies an item dealing specifically with a review of the implementation of the Declaration. A number of speakers condemned the International Monetary Fund (IMF) and the World Bank for defying the will of the international community by maintaining financial and other relations with South Africa, and called for decisive action totally to isolate the South African régime.

Speakers appealed to all States, institutions, organizations and individuals to pledge increased financial support for the United Nations Educational and Training Programme for Southern Africa and requested Member States to provide or continue to provide the inhabitants of colonial Territories with financial assistance and scholarships, as well as training facilities for both secondary and post-secondary education.

On 31 October, on the recommendation of the Fourth Committee, the General Assembly adopted the following resolutions and decisions on these items:

<u>Resolution</u>	<u>Item</u>	<u>Voting</u>
41/13	Information from Non-Self-Governing Territories transmitted under Article 73 <u>e</u> of the Charter	149-0-3
41/14	Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, <u>apartheid</u> and racial discrimination in southern Africa	125-11-15
41/15	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations	123-4-27
41/16	Western Sahara	98-0-44
41/17	Anguilla	Without objection
41/18	Bermuda	Without objection
41/19	British Virgin Islands	Without objection
41/20	Cayman Islands	Without objection
41/21	Montserrat	Without objection

<u>Resolution</u>	<u>Item</u>	<u>Voting</u>
41/22	Turks and Caicos Islands	Without objection
41/23	American Samoa	Without objection
41/24	United States Virgin Islands	Without objection
41/25	Guam	Without objection
41/26	Tokelau	Without objection
41/27	United Nations Educational and Training Programme for Southern Africa	Without objection
41/28	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories	Without objection

<u>Decision</u>	<u>Item</u>	<u>Voting</u>
41/405	Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples	124-13-15
41/406	Pitcairn	Without objection
41/407	Gibraltar	Without objection
41/408	St. Helena	125-2-26

As at its five previous session, the Fourth Committee did not take action on a draft resolution submitted by the Special Committee concerning the Trust Territory of the Pacific Islands.

In resolution 41/16, the General Assembly reaffirmed that the question of Western Sahara was one of decolonization, and that its solution lay in the implementation of the plan approved in 1983 by OAU. The two parties to the conflict - Morocco and the Frente POLISARIO - were asked to undertake direct negotiations, in the shortest possible time, with a view to bringing about a cease-fire to create the necessary conditions for a peaceful and fair referendum for self-determination of

the people of Western Sahara, a referendum without any administrative or military constraints, under the auspices of OAU and the United Nations. The Chairman of OAU and the Secretary-General of the United Nations were invited to continue to exert every effort to persuade Morocco and Frente POLISARIO to negotiate, in the shortest possible time and in conformity with the OAU plan and General Assembly resolutions 40/50 and 41/16, the terms of a cease-fire and the modalities for organizing the referendum.

By adopting texts on 13 small dependent Territories, the General Assembly reaffirmed the inalienable right of the peoples of those Territories to self-determination and independence in conformity with the Declaration and reiterated the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by those peoples of their right to self-determination and independence.

The General Assembly stated that it was ultimately for the peoples of the Territories themselves to determine freely their future political status and reaffirmed the importance of fostering an awareness among those peoples of the possibilities open to them in the exercise of their right to self-determination and independence.

It also reaffirmed the responsibility of the administering Powers to promote the economic and social development of the respective Territories and urged them to safeguard the inalienable right of the peoples of the Territories to the enjoyment of their natural resources by taking effective measures to ensure their right to own and dispose of those natural resources and to establish and maintain control of their future development.

The General Assembly called on the administering Powers to intensify their efforts to broaden the base of the economies and urged specialized agencies and other United Nations bodies to intensify measures to accelerate the social and economic progress of these Territories.

In regard to Bermuda, Guam and St. Helena, the General Assembly reaffirmed its strong conviction that the presence of military bases and installations in those Territories could be a major obstacle to the implementation of the Declaration and that it was the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations did not hinder the population of the Territories from exercising their right to self-determination and independence. The Assembly urged the administering Powers concerned to continue to take all necessary measures not to involve these Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter of the United Nations, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements.

By its consensus on Gibraltar, the General Assembly welcomed the fact that, on 5 February 1985, in Geneva, the Governments of the United Kingdom and Spain had initiated the negotiating process provided for in the Brussels statement, 11/ and urged them to continue the negotiations with the object of reaching a lasting solution to the problem of Gibraltar. In regard to St. Helena, the Assembly noted with concern the dependency of the Territory on South Africa for trade and transportation, as well as the continued presence of military facilities on the dependency of Ascension Island.

The General Assembly approved the report of the 1986 United Nations Visiting Mission to Tokelau and endorsed its observations, conclusions and recommendations. 9/ The Assembly noted that the people of Tokelau had expressed their desire to maintain their present status and relationship with the administering Power, New Zealand. The Assembly urged the administering Power, in co-operation with the Tokelau Public Service, to expand and intensify its programme of political education in the Territory so as to improve the awareness of the people of the options available to them in the exercise of their right to self-determination and independence.

4. Hearings concerning the Falkland Islands
(Malvinas) and Namibia

Although the General Assembly decided to consider the questions of the Falkland Islands (Malvinas) and Namibia in plenary meeting, it requested the Fourth Committee to hold hearings on these questions.

(a) Hearings concerning the Falkland Islands (Malvinas)

On 24 November, the Fourth Committee heard the following persons concerning the Falkland Islands (Malvinas): Mr. D.L. Clifton and Mr. J.E. Cheek, elected members of the Falkland Islands Council; Mrs. Susan Coutts Maciello and Mr. Alexander Jacob Betts. An account of the hearing is contained in the summary record of that meeting. 12/

(b) Hearings concerning Namibia

The hearing in the Fourth Committee on Namibia took place between 29 September and 22 October 1986, as follows:

<u>Petitioner</u>	<u>Summary record</u>
Mr. Ralston H. Deffenbaugh, Jr. Lutheran World Federation	A/C.4/41/SR.3
Mr. James Campbell, on behalf of the National Lawyers Guild	A/C.4/41/SR.9
Mr. Joseph Jordan, Southern African Support Project	A/C.4/41/SR.9

<u>Petitioner</u>	<u>Summary record</u>
Mr. Alun R. Roberts, Namibia Support Committee	A/C.4/41/SR.9
Ms. Lisa Crooms, on behalf of the American Committee on Africa and The Africa Fund	A/C.4/41/SR.10
Mr. A.W. Singham, Brooklyn College	A/C.4/41/SR.10
Ms. Leila McDowell-Head, Namibia Information Service	A/C.4/41/SR.11
Ms. Zita Allen, on behalf of the Drug, Hospital and Health Care Employees Union	A/C.4/41/SR.11
Ms. Leora Mosston, on behalf of the International Association of Democratic Lawyers	A/C.4/41/SR.12
Ms. Gay J. McDougall, Lawyers' Committee for Civil Rights under Law	A/C.4/41/SR.14
Ms. Jeanne M. Woods, Afro-Asian Peoples' Solidarity Organization (AAPSO)	A/C.4/41/SR.18
Ms. Helena Kazombaue, on behalf of the National Council of the Churches of Christ in the USA	A/C.4/41/SR.18

B. Issues considered in plenary meeting

1. Question of the Falkland Islands (Malvinas)

Twenty delegations took part in the general debate on the item. Opening the general debate on this question, the Minister for Foreign Affairs of Argentina stated that the situation in the area had worsened as a result of the failure of the United Kingdom to comply with last year's General Assembly resolution and of the publication, on 29 October 1986, of the "Declaration on south-west Atlantic fisheries" by the United Kingdom Government, under the pretext of "conservation".

The Minister for Foreign Affairs further stated that Argentina had, on 17 November 1986, issued a declaration in which it expressed its willingness, among other things: (a) to initiate global negotiations with the United Kingdom, in accordance with resolution 40/21 of the General Assembly of the United Nations, preceded by an open dialogue with the United Kingdom in order to create the conditions of confidence necessary for approaching the negotiations successfully and determining the timetable for them; (b) to declare at the appropriate time, the formal end of hostilities, putting an end to the so-called 150-mile military "protection zone"; and (c) to settle all problems that existed between the two parties besides the dispute over sovereignty.

Several delegations associated themselves with the position taken by Argentina and spoke in support of the draft resolution supported by Algeria, Bolivia, Brazil, Colombia, Ghana, Guatemala, India, Mexico, Peru, Uruguay and Yugoslavia, which would urge the Governments of Argentina and the United Kingdom to resume negotiations with a view to finding a peaceful solution to the sovereignty dispute over the Territory and would invite the Secretary-General to start negotiations. They also expressed concern regarding the declaration by the United Kingdom on south-west Atlantic fisheries and deplored the unilateral action of the United Kingdom Government which, in their view, generated dangerous tension and political conflict in the region and inhibited any possibility of resolving the dispute. Speakers appealed to both parties to resume dialogue and negotiations without pre-conditions.

The representative of the United Kingdom stated that sovereignty would be a difficult but not insurmountable issue, as both Governments co-operated within the framework of the Antarctic Treaty, ^{13/} notwithstanding the sovereignty dispute there. In taking action to establish a conservation and management zone for the territorial sea, his Government scrupulously observed international law. The representative of the United Kingdom stated that his Government was committed to support the right of the Falkland Islanders to self-determination and when the Assembly recognized that right of the Falkland Islanders, a useful contribution might be made towards resolving the problems between Britain and Argentina. The United Kingdom came to the declaration on fisheries basically for conservation reasons but also because the claim by Argentina to exercise authority over a 200-mile zone around the Falkland Islands had

brought the question of sovereignty into the picture. His Government was ready to discuss all the issues mentioned by Argentina, except sovereignty, the one question on which the two Governments could not agree.

On 25 November 1986, the General Assembly adopted an eleven-Power draft resolution on the question (A/41/L.19 and Add.1) by 116 votes to 4, with 34 abstentions (resolution 41/40). In that resolution, the Assembly requested the Governments of Argentina and the United Kingdom to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects of the future of the Falkland Islands (Malvinas), in accordance with the Charter; and also requested the Secretary-General to continue his renewed mission of good offices in order to assist the parties in that connection and to report thereon to the Assembly at its forty-second session.

2. Question of Namibia

The General Assembly, following the introduction of the reports of the Special Committee and the United Nations Council for Namibia and statements by the presiding officers of those two bodies, as well as by the observer of the South West Africa People's Organization (SWAPO), heard statements of 81 delegations participating in the general debate.

On 20 November 1986, the General Assembly, by approving the draft recommendations submitted by the United Nations Council for Namibia, adopted five resolutions on the item. An account of the General Assembly's consideration of this item will be dealt with in a separate issue of Decolonization.

3. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly devoted four meetings, on 1 and 2 December 1986, to the consideration of this item.

Twenty-seven delegations participated in the general debate on the item. In their statements, the delegates pointed out that the Declaration contained in General Assembly resolution 1514 (XV) had helped to change the fate of many colonial countries. The Declaration had become an important instrument in the efforts towards elimination of colonialism, but a great deal remained to be done before the complete elimination of colonialism, racism and apartheid in all its forms and manifestations. Despite the great accomplishments achieved in the decolonization process, the fact remained that some peoples and Territories were still subjected to colonial oppression and exploitation and that the full enjoyment of the right to self-determination, usually identified with political independence arising from the full exercise of sovereignty, also required the unrestricted exercise of the right to economic, social and cultural development.

Many delegations underlined the fact that one of the most intractable problems still facing the international community was that of Namibia, which again had been debated extensively during 1986 at conferences in Paris and Vienna, various seminars and symposia and at the fourteenth special session of the General Assembly. Speakers pointed out that the failure to achieve independence for Namibia through the United Nations Plan for Namibia, contained in Security Council resolution 435 (1978) of 29 September 1978, was due mainly to the intransigent attitude of South Africa, which continued its illegal occupation of Namibia and the exploitation of its people and their natural and human resources. Speakers rejected the extraneous issues which were being used by Pretoria as a pre-condition for Namibia's independence.

Speakers paid tribute to the Special Committee for its dedicated endeavours to promote the interests of the peoples of Trust and Non-Self-Governing Territories and to uphold their inalienable right to self-determination and independence. Several members stated that some of the small Territories were being used by colonial Powers for military purposes, thus posing a direct threat to international peace and security. They noted that, despite repeated calls by the international community, the colonial Powers had not withdrawn their military presence from those Territories and renewed their demand for such action without any further delay. Many speakers consider that the merciless exploitation and depletion by the administering Powers and foreign transnational corporations of the human and natural resources of the colonial Territories had further hampered the decolonization process in those Territories.

During the debate, several delegations placed emphasis on the applicability of the Declaration on decolonization to New Caledonia. The delegation of Fiji, speaking on behalf of the seven countries of the South Pacific Forum that were members of the United Nations (Australia, Fiji, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Vanuatu), stated that the South Pacific Heads of Government, realizing that the change in French policy towards New Caledonia since March 1986 had been a significant step backwards, had decided unanimously that New Caledonia should be placed on the agenda of the United Nations as a Non-Self-Governing Territory. He pointed out that New Caledonia had been on the 1946 list of Non-Self-Governing Territories; the Assembly had never removed it from the list. He maintained that New Caledonia was a Non-Self-Governing Territory and that France should honour its commitment under the Charter by transmitting information to the Secretary-General on developments in New Caledonia, as well as co-operating with the international community in ensuring that the principles of the Declaration on decolonization were faithfully observed.

Several delegations associated themselves with the position taken by the South Pacific Forum members of the United Nations.

The representative of France held that the assertions by the representative of Fiji, on behalf of the South Pacific Forum members, were inaccurate; New Caledonia in no way could be considered a Non-Self-Governing Territory; its citizens were French, regardless of their origin and they enjoyed fully the rights and freedoms attached to that status: participation in all elections and the same representation

in Parliament as all citizens of France. According to him, New Caledonia was therefore fully integrated in the unity of France, with a wide degree of autonomy; if the New Caledonians no longer wished to be French, they had both the right and the possibilities so to determine, but it was for them, and them alone, to make that decision. The representative of France stated that the French Parliament had decided to organize a referendum in the summer of 1987 at the latest and that the law enacted by Parliament provided that the question asked should be a clear choice between complete independence or increased autonomy. His Government would ensure that the electoral college would be constituted in such a way that the result of the ballot would reflect the wishes of the people of New Caledonia.

In the course of his introductory statement to the Assembly on the work of the Special Committee for 1986, the Acting Chairman, Ambassador Oscar Oramas-Oliva, Permanent Representative of Cuba to the United Nations, introduced two draft resolutions, one relating to the decolonization item in general and the other concerning dissemination of information on decolonization. At a subsequent meeting, the representative of Fiji introduced a draft resolution relating to New Caledonia, which was finally sponsored by 31 delegations.

On 2 December, the General Assembly, by 89 votes to 24, with 34 abstentions, adopted the 31-Power draft resolution, by which the Assembly considered that New Caledonia was a Non-Self-Governing Territory within the meaning of the Charter (resolution 41/41 A).

On the same day, the General Assembly, by 144 votes to 3, with 9 abstentions, adopted a 34-Power draft resolution dealing with the general aspects of decolonization (resolution 41/41 B), by which the Assembly renewed the mandate of the Special Committee, to continue to seek the full implementation of the Declaration with respect to the remaining colonial Territories.

The General Assembly also adopted, by 148 votes to 2, with 7 abstentions, a 35-Power draft resolution (resolution 41/42), calling for a series of action-oriented publicity programmes.

III. SPECIAL COMMITTEE'S WORK IN 1987

A. Organization of work

At its organizational meeting on 24 February 1987, the Special Committee decided to maintain its three subsidiary bodies: Working Group, Sub-Committee on Petitions, Information and Assistance and Sub-Committee on Small Territories. The membership of the subsidiary bodies was as follows:

Working Group: the officers of the Special Committee and the sub-committees: the Congo, Fiji and Iran (Islamic Republic of).

Sub-Committee on Petitions, Information and Assistance: Afghanistan, Bulgaria, the Congo, Cuba, Czechoslovakia, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Sierra Leone, Sweden, the Syrian Arab Republic, Tunisia and the United Republic of Tanzania.

Sub-Committee on Small Territories: Afghanistan, Bulgaria, Chile, Côte d'Ivoire, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Trinidad and Tobago, Tunisia, the United Republic of Tanzania, Venezuela and Yugoslavia.

The following members were elected as Special Committee officers: Mr. Tesfaye Tadesse, Permanent Representative of Ethiopia to the United Nations, Chairman; Mr. Oscar Oramas-Oliva, Permanent Representative of Cuba to the United Nations, Mr. Sten Strömholm, Deputy Permanent Representative of Sweden to the United Nations, and Mr. Bronislaw Kulawiec, Deputy Permanent Representative of the Permanent Mission of the Czechoslovak Socialist Republic to the United Nations, Vice-Chairmen; and Mr. Ahmad Farouk Arnouss, First Secretary of the Permanent Mission of the Syrian Arab Republic to the United Nations, Rapporteur.

Mr. Kulawiec was elected Chairman of the Sub-Committee on Petitions, Information and Assistance and Mr. Ammar Amari (Tunisia) as Chairman of the Sub-Committee on Small Territories.

During its 1987 session, the Special Committee considered all the questions referred to it by the General Assembly; it considered the future of Namibia and reviewed the status of the other 18 Territories on the list of Territories to which the Declaration was applicable, including, for the first time, New Caledonia. The Committee followed the procedure it had adopted at its 1982 session whereby, whenever appropriate, it submitted its recommendations to the General Assembly in the form of draft decisions or draft resolutions. A brief account of those recommendations is given below.

B. Question of Namibia

During 1987, the Special Committee considered the question of Namibia between 4 and 12 August. In its consideration of the item, the Committee had before it the documentation on Namibia, 14/ prepared by the United Nations Council for Namibia. The Committee took into account the decisions and resolutions of the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of the Movement of Non-Aligned Countries on the question of Namibia, held at New Delhi, 15/ the World Conference on Sanctions against South Africa, held at Paris, 16/ the International Conference for the Immediate Independence of Namibia, held at Vienna, 17/ the Eighth Conference of Heads of State or Government of Non-Aligned Countries, held at Harare, 10/ the Assembly of Heads of State and Government of OAU at its twenty-third ordinary session, held at Addis Ababa in July 1987, and the extraordinary plenary meetings of the United Nations Council for Namibia held at Luanda. 18/

In accordance with established practice, the President of the United Nations Council for Namibia addressed the Special Committee at the outset of the Committee's meetings. The Committee heard statements of 12 delegations speaking in the general debate. The representative of the United Nations Council for Namibia participated in the proceedings.

In conformity with the provisions of the relevant General Assembly resolutions and in accordance with established practice, the representative of SWAPO participated in an observer capacity in the Special Committee's consideration of the item and made statements on behalf of SWAPO.

By adopting a consensus on the question, 19/ the Special Committee reiterated that any political solution to the Namibian situation must be based on the immediate and unconditional termination of South Africa's illegal occupation of the Territory, the withdrawal of its armed forces and the free and unfettered exercise by the Namibian people of their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV). It reaffirmed that the United Nations plan for the independence of Namibia, embodied in Security Council resolutions 385 (1976) and 435 (1978), was the only internationally accepted basis for a peaceful settlement of the Namibian question and demanded its immediate implementation without pre-condition or modification.

The Special Committee rejected and denounced all fraudulent constitutional and political schemes by which the illegal racist régime of South Africa attempted to perpetuate its colonial domination of Namibia. It condemned the continued military and nuclear intelligence collaboration between South Africa and certain Western and other countries which posed a threat to international peace and security. It strongly condemned South Africa's persistent acts of aggression and subversion against the neighbouring States.

The Special Committee demanded that those States whose transnational corporations continued to operate in Namibia comply with all pertinent United Nations resolutions by ensuring the immediate withdrawal of all investments from Namibia.

The Special Committee recommended that the Security Council should act decisively against any dilatory manoeuvres and fraudulent schemes of the illegal occupation régime aimed at frustrating the legitimate struggle of the Namibian people and should respond positively to the overwhelming demand of the international community by imposing forthwith comprehensive mandatory sanctions against that régime.

The Special Committee strongly rejected the policies of "constructive engagement" and the constant attempts made by South Africa and the United States to establish a linkage between the implementation of Security Council resolution 435 (1978) and extraneous issues, particularly the presence of Cuban forces in Angola. The Committee took note of the legal proceedings instituted by the United Nations Council for Namibia in the district court of The Hague against Urenco Nederland V.O.F. and Ultracentrifuge N.V. (UCN), as well as against the Government of the Netherlands. 20/

An account of the General Assembly's consideration of the question of Namibia at its fourteenth special session 21/ and at its forty-first session, as well as an account of the International Conference for the Immediate Independence of Namibia at Vienna, 17 and the extraordinary plenary meetings of the United Nations Council for Namibia at Luanda 18/ will be the subject of separate issues of Decolonization.

C. Other Territories

At its organizational meeting, on 24 February 1987, the Special Committee decided to allocate for consideration at its plenary meetings the questions of Namibia (see sect. B above), East Timor, Western Sahara, the Falkland Islands (Malvinas), Gibraltar and New Caledonia, and for consideration by the Sub-Committee on Small Territories the questions of Pitcairn, American Samoa, Guam, Tokelau, the Trust Territory of the Pacific Islands, the United States Virgin Islands, the British Virgin Islands, Bermuda, the Turks and Caicos Islands, the Cayman Islands, Montserrat, Anguilla and St. Helena.

In their consideration of the above Territories, the Special Committee and its Sub-Committee on Small Territories had before them the related working papers prepared by the Secretariat, as well as several reports of the Chairman and the Secretary-General. 22/

In their capacity as the administering Powers concerned, and in accordance with established procedures, the delegations of New Zealand (Tokelau), Portugal (East Timor) and the United States (American Samoa, the United States Virgin Islands and Guam), continued to participate in the work of the Committee. The United States delegation did not take part in the Committee's consideration of the Trust Territory of the Pacific Islands, as it considered that the matter fell within the purview of the Trusteeship Council and the Security Council, not the General Assembly.

The delegation of the United Kingdom did not participate in the Committee's consideration of the Territories under its administration. In that connection, the Sub-Committee on Small Territories, recalling established procedures for the participation of administering Powers and bearing in mind the relevant provisions of the resolutions of the General Assembly, particularly those inviting all States to co-operate fully with the Special Committee in the fulfilment of its mandate, expressed its regret at the non-participation of the United Kingdom and its negative impact on the Sub-Committee's work. The Sub-Committee stressed the importance of multilateral efforts within the framework of the United Nations to the solution of the remaining problems of decolonization. It appealed to the United Kingdom to reconsider its decision.

In a related context, the Special Committee, on 6 August, adopted a resolution on the question of sending visiting missions to Territories in which, in "expressing its regret at the decision of the Government of the United Kingdom of Great Britain and Northern Ireland not to take part

in the related work of the Special Committee", the Committee urged that Government to reconsider its decision and also to permit the access of visiting missions to the Territories under its administration. 23/

1. Falkland Islands (Malvinas), Western Sahara, East Timor, Gibraltar and New Caledonia

The Special Committee granted a number of requests for hearing and heard 32 petitioners: 3 concerning the Falkland Islands (Malvinas), 2 concerning Western Sahara, 12 concerning East Timor and 15 concerning New Caledonia:

<u>Petitioner</u>	<u>Meeting</u>
<u>Falkland Islands (Malvinas)</u>	
Mr. A.T. Blake, Legislative Council of the Falkland Islands	1327th
Mr. Luis Gustavo Vernet	1327th
Mrs. Yolanda Irene Bertrand de Jamieson	1327th
<u>Western Sahara</u>	
Miss Teresa K. Smith, Western Sahara Campaign for Human Rights and Humanitarian Relief, USA	1325th
Mr. Mouloud Said, Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO)	1325th
<u>East Timor</u>	
Monsignor Manuel de Silva Martins, Bishop of Setúbal	1325th
Mr. J. G. Taylor, Catholic Institute for International Relations	1326th
Mr. Eric Schwartz, Asia Watch	1326th
Sister Mary Philip Cowmeadow, Hobart East Timor Committee	1326th
Miss Sidney Jones, Amnesty International	1326th

<u>Petitioner</u>	<u>Meeting</u>
<u>East Timor (continued)</u>	
Mr. Jonathan Head, Tapol, The Indonesia Human Rights Campaign	1326th
Mr. H. J. van der Veen, Komitee Indonesia	1326th
Mr. Joao Carrascalao, Uniao Democrática Timorense	1326th
Mr. Shouhachi Iwamura	1326th
Mr. Raul Brito, elected Member of Parliament	1326th
Mr. Michel Robert, International League for the Rights and Liberation of Peoples	1326th
Mr. Abilio Araujo, Frente Revolucionária de Timor-Leste Independente	1326th

New Caledonia

Mr. Yann Celené Uregei, Front de libération nationale Kanak socialiste (FLNKS)	1313th, 1328th
Mr. Paul Neaoutyine, FLNKS	1313th
Mr. Simon Naoutchouf, FLNKS	1313th
Mr. Eymard Boanaoue, FLNKS	1313th
Mr. Jean-Marie Tjibaou, FLNKS	1313th
Miss Gail Lerner, Commission of the Churches on International Affairs of the World Council of Churches	1328th
Miss Susan Quass, United Methodist Office	1328th
Mr. Dwain Epps, National Council of the Churches of Christ in the USA, International Affairs Commission	1328th
Miss Vinie Burrows, Women's International Democratic Federation	1328th
Miss Sidney Jones, Amnesty International	1328th
Miss Angela Gilliam, International Women's Anthropology Conference	1328th