

<u>Petitioner</u>	<u>Meeting</u>
<u>New Caledonia (continued)</u>	
Mr. Michel Robert, International League for the Rights and Liberation of Peoples	1328th
Miss Jeanne Woods, Afro-Asian Peoples' Solidarity Organization (AAPSO)	1328th
Dr. Arthur Lewis	1328th

The views expressed by these petitioners are reproduced in the record of the Committee meetings (A/AC.109/PV.1313 and 1325-1328).

During the debate on the Falkland Islands (Malvinas), the representative of Argentina reiterated his country's claims to the Territory, which had been occupied by force, and called for its return to his country. His Government had repeatedly reiterated its readiness to resume talks with the United Kingdom, but to date the British Government had not heeded the appeal of the international community. The British declaration on fishing in the south-west Atlantic had not contributed to detente in the area. Only an agreement between the two Governments would ensure a stable and prosperous future for the Islands.

The Special Committee adopted, by a vote of 20 to none, with 4 abstentions, a resolution on the Falkland Islands (Malvinas), urging Argentina and the United Kingdom to resume negotiations in order to find a peaceful solution to the sovereignty dispute and reiterating its firm support for the renewed mission of good offices undertaken by the Secretary-General in order to assist the parties in initiating negotiations.

The delegation of the United Kingdom, the administering Power concerned, did not participate in the Special Committee's consideration of the item.

On the question of Western Sahara, members welcomed the good offices exercised by the Secretary-General in the implementation of the relevant resolutions of the General Assembly and OAU. After hearing a statement by the representative of Frente POLISARIO, the Special Committee decided to transmit all relevant documentation on Western Sahara to the General Assembly to facilitate the latter's consideration of the question and to continue its examination of the situation in the Territory at its 1988 session.

In opposing any discussion of the question of East Timor, Indonesia reiterated its position that East Timor was a province of Indonesia. A decade ago, the overwhelming majority of East Timorese had chosen "independence through integration" with the Republic of Indonesia. After hearing the petitioners, the Special Committee decided to continue consideration of the question at its 1988 session.

After taking into account the continuing discussions between the parties concerned on Gibraltar, the Special Committee decided to continue consideration of the question at its 1988 session.

At its 1987 session, the Special Committee considered for the first time the question of New Caledonia as requested by the General Assembly in its resolution 41/41 A of 2 December 1986.

At the request of the seven members of the South Pacific Forum, also States Members of the United Nations (Australia, Fiji, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Vanuatu) (A/AC.109/888), the Committee considered the question in two stages: at the outset of its 1987 session and at its August session.

During the first stage, in March, the Special Committee had before it a report by the Acting Chairman, containing information on action taken by him following the adoption of General Assembly resolution 41/41 A, as well as a working paper prepared by the Secretariat on the item (A/AC.109/892 and Add.1).

Following the hearing of representatives of the Front de libération nationale Kanak socialiste (FLNKS), the Special Committee adopted a statement by the Acting Chairman prepared by him on the basis of consultations with members (A/AC.109/PV.1313). In that statement, the Committee, in recalling General Assembly resolution 41/41 A which affirmed the inalienable right of the people of New Caledonia to self-determination and independence in accordance with the Declaration, urged the Government of France, in consultation with the people of New Caledonia, and in co-operation with the Committee, to prepare the Territory for a free and genuine act of self-determination in accordance with United Nations principles and practices, and requested the Government of France to inform the Committee in detail of any actions which it proposed to take in that regard. Bearing in mind the need to secure first-hand information on the situation obtaining in the Territory, the Special Committee requested the Chairman to hold consultations with the administering Power at an early date on this and other issues relating to New Caledonia and to report thereon to the Committee.

The Special Committee considered the item at the second stage of its meetings, in August, with the participation of the South Pacific Forum members of the United Nations. The Committee had before it a report of the Acting Chairman (A/AC.109/921) on his consultations with the administering Power in pursuance of the related provisions of the statement of the Acting Chairman adopted by the Committee (see above), and a further addendum to the working paper (A/AC.109/892/Add.2), as well as a letter from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations, submitting background information, prepared by FLNKS, relating to the Territory (A/AC.109/896 and Add.1 and 2). The Committee also had before it a draft resolution submitted by Fiji. In his report, the Acting Chairman stated that he had transmitted the text of the Chairman's statement to the Permanent

Representative of France to the United Nations for the attention of his Government but that no response had been received. After hearing the statements of 10 petitioners, the Committee adopted the resolution on New Caledonia by 18 votes to one, with 5 abstentions. 24/

In that resolution, the Special Committee regretted that the Government of France had not responded to the call to submit information on New Caledonia under Article 73 e of the Charter and requested it to do so. The Committee considered that the peaceful transition of New Caledonia to self-determination and independence should be undertaken in a manner which guaranteed the rights and interests of the people. The Committee declared that progress towards a long-term political solution in New Caledonia required a free and genuine act of self-determination consistent with United Nations principles and practices of self-determination and independence and emphasized that such an act of self-determination, in which all options should be made available, should be preceded by a comprehensive programme of political education, in which all options were impartially presented and the consequences fully explained.

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

The Special Committee adopted without a vote reports on the situation in the above-mentioned 13 dependent Territories, all of them islands or groups of islands, dealing with the political, economic and social development of the Territories and measures for enabling their peoples to achieve self-determination. Most are located in the Atlantic Ocean or the Caribbean Sea. Four - Tokelau, Guam, American Samoa and the Trust Territory of the Pacific Islands (Micronesia) - are in the Pacific Ocean.

In approving those reports, the Special Committee reaffirmed the inalienable right of the peoples of the Territories to self-determination and independence and stated that it was ultimately for those peoples themselves to determine their future political status. With respect to most Territories, the Committee 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 the peoples of their right to self-determination and independence. The Committee reaffirmed the importance of fostering an awareness among the peoples of Territories of the possibilities open to them in the exercise of that right.

In most reports, the Special Committee reiterated that it was the obligation of the administering Powers to create such conditions in the Territories under their administration as would enable their peoples to exercise freely and without interference their right to self-determination and independence. The administering Powers were also urged to promote the economic and social development of the Territories and to safeguard the inalienable right of their peoples to the enjoyment of their natural resources.

With respect to Bermuda, Guam, St. Helena and the Trust Territory of the Pacific Islands, the Special Committee 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 urged the administering Powers to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States.

In regard to St. Helena, the Special Committee further 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.

With respect to its report on the Trust Territory of the Pacific Islands, the Special Committee noted with satisfaction the assurances given by the Administering Authority that it would continue to fulfil its responsibilities under the Charter and the Trusteeship Agreement. <sup>25/</sup> The Committee invited the attention of the relevant organs of the United Nations to Article 83 of the Charter, under which the Security Council shall exercise all functions of the United Nations relating to strategic areas, including the termination of the Trusteeship Agreements and their alteration and amendment. The Committee noted with regret that there was no co-operation between the Trusteeship Council and the Special Committee in relation to the Trust Territory, despite the readiness of the Committee to engage in such co-operation.

#### D. Sending of visiting missions to Territories

In July 1986, the Special Committee, at the invitation of the Government of New Zealand, the administering Power, and of the General Fono (Council) of Tokelau, dispatched a visiting mission to the Territory for the purpose of making a further first-hand assessment of the situation in Tokelau and to ascertain the wishes of the people regarding their future. The Visiting Mission was composed of the delegations of Fiji, Trinidad and Tobago and Tunisia (Chairman). An account of the mission and the follow-up consideration by the Special Committee is contained in an earlier issue of the Decolonization. <sup>9/</sup>

In a resolution adopted by consensus on 6 August, the Special Committee stressed the need to dispatch periodic visiting missions to colonial Territories in order to facilitate the full, speedy and effective implementation of the Declaration, and called upon the administering Powers concerned to continue to co-operate with the United Nations by permitting the access of visiting missions to the Territories under their administration.

The Special Committee also urged the United Kingdom to reconsider its decision not to participate in the work of the Committee and urged it to permit the access of visiting missions to the Territories under its administration.

E. Question of the list of Territories to which the Declaration is applicable

In reviewing once again the list of Territories to which the Declaration is applicable, the Special Committee, within the context of the question, considered a decision of 14 August 1986 concerning Puerto Rico. The Committee had before it the report of its Rapporteur (A/AC.109/L.1633) containing a communication received by him from the Permanent Representative of the United States to the United Nations. In that connection, the Permanent Representative reiterated the position of the United States Government that so far as the United Nations was concerned, the decolonization of Puerto Rico was completed when the General Assembly adopted resolution 748 (VIII) on 27 November 1953, by which it noted that the Territory had now attained commonwealth status with the United States.

Having heard the statements of representatives of a number of organizations and by adopting a resolution on the question submitted by Cuba, by 9 votes to one, with 10 abstentions, the Special Committee reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the full applicability of the fundamental principles of that resolution with respect to Puerto Rico. The Committee expressed the hope and that of the international community, that the people of Puerto Rico might exercise, without hindrance their right to self-determination, with the express recognition of the people's sovereignty and full political equality, in conformity with paragraph 5 of General Assembly resolution 1514 (XV). The Committee requested the Rapporteur to prepare a report on the implementation of its resolutions concerning Puerto Rico and decided to keep the question of Puerto Rico under continuing review.

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, apartheid, and racial discrimination

During its consideration of the item, the Special Committee had before it working papers prepared by the Secretariat containing information on economic conditions, with particular reference to foreign economic activities, relating to Anguilla, the Cayman Islands, the United States Virgin Islands and Namibia. At the conclusion of the general debate, the Committee, without a vote, adopted a resolution on the item which it recommended for adoption by the General Assembly.

The Special Committee reaffirmed that the natural resources of all Territories under colonial and racist domination were the heritage of the peoples of those Territories and that the depletive exploitation of those resources by foreign economic interests constituted a direct violation of the rights of the peoples. The Committee condemned such activities and the policies of Governments that continued to support or collaborate with those foreign economic interests illegally exploiting Namibia's mineral and sea resources. The Committee also condemned the policies of Governments that continued to support or collaborate with those foreign economic and other interests engaged in exploiting the natural and human resources of the Territories. It strongly condemned the collaboration of certain Western and other countries with the racist minority régime of South Africa in the nuclear field and called upon all States to terminate all collaboration with that régime.

The Special Committee was especially concerned about the conditions in some of the Territories where foreign economic, financial and other interests deprived the indigenous populations of their rights over the wealth of their countries and where their inhabitants continued to suffer from the loss of land ownership as a result of the failure of the administering Powers concerned to restrict the sale of land to foreigners.

The Special Committee condemned South Africa for its continued depletive exploitation and plundering of the natural resources of Namibia. It declared that all activities of foreign economic interests in Namibia were considered to be illegal under international law and that consequently South Africa and all the foreign economic interests operating in Namibia were liable to pay damages to the future lawful Government of an independent Namibia.

The Special Committee decided to continue to monitor closely the situation in the remaining colonial Territories so as to ensure that all economic activities in those Territories were aimed at strengthening and diversifying their economies in the interests of the indigenous peoples. In that connection, it requested the administering Powers concerned to ensure that the peoples of the Territories under their administration were not exploited for political, military and other purposes detrimental to their interests.

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

By adopting a consensus decision on this question, the Special Committee condemned all military activities and arrangements by colonial Powers in Territories under their administration that were detrimental to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence. It deplored the fact

that the colonial Powers concerned had taken no steps to withdraw their military bases and installations from colonial Territories and requested them to do so immediately and unconditionally.

The Special Committee 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 against the people of Namibia and their national liberation movement, SWAPO.

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

In its consideration of the item relating to the specialized agencies, the Committee reviewed the report of the Secretary-General containing information on action taken by the organizations of the United Nations system; <sup>26/</sup> the report of the Acting Chairman on his consultations with the President of the Economic and Social Council (A/AC.109/L.1620); and the report of its Sub-Committee on Petitions, Information and Assistance (A/AC/109/L.1616 and Add.1), containing an account of the consultations held by the Sub-Committee with the representatives of a number of specialized agencies and other organizations of the United Nations system. The Committee received the continued co-operation, and benefited from the active participation, of the representatives of OAU and representatives of the national liberation movements in the work.

In adopting a resolution on the item, the Special Committee was conscious of the worsening of the situation in southern Africa because of South Africa's racist policies of oppression, aggression and occupation, and condemned the continuing breach by South Africa of the obligations assumed by it under the Charter and its persistent non-compliance with the relevant resolutions and decisions of the United Nations. The Committee was deeply concerned that, although there had been progress in the extension of assistance to refugees from Namibia, the action taken hitherto by the organizations concerned in providing assistance to the people of Namibia through their national liberation movement, SWAPO, remained inadequate to meet the urgent and growing needs of the people. The Committee requested the specialized agencies and other organizations concerned to render or continue to render, as a matter of urgency, all possible moral and material assistance to the colonial peoples struggling for liberation from colonial rule.

The Special Committee regretted that the World Bank continued to maintain certain financial and technical links with the racist régime of Pretoria and expressed the view that those links should be

discontinued. It deplored the financial and other collaboration and of the International Monetary Fund (IMF) with South Africa and condemned the financial support provided by IMF to that country, and called on the Fund to put an end to such collaboration.

The Special Committee reiterated its recommendation that the specialized agencies and other organizations of the United Nations system should initiate or broaden contacts and co-operation with the colonial peoples and their national liberation movements and review and introduce greater flexibility in their procedures for the formulation and preparation of assistance programmes and projects. In addition, the Committee requested all agencies and other organizations and bodies of the United Nations system to take all necessary measures to withhold from the racist régime of South Africa any form of co-operation and assistance in the financial, economic, technical or other fields and to discontinue all support to that régime until the people of Namibia had exercised fully their inalienable right to self-determination and to refrain from taking any action that might imply recognition of, or support for, the legitimacy of the domination of the Territory by that régime.

The Special Committee once again urged the executive heads of the agencies and organizations of the United Nations system to formulate, with the active co-operation of OAU where appropriate, and to submit, as a matter of priority, to their governing bodies and legislative organs, concrete proposals for the full implementation of the relevant United Nations decisions.

I. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

In its consideration of information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter, the Special Committee reaffirmed that, in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory had attained a full measure of self-government in terms of Chapter XI of the Charter, the administering Power concerned should continue to transmit information under Article 73 e with respect to that Territory and, in that regard, requested the administering Powers concerned to continue to transmit also the fullest possible information on political and constitutional developments in the Territories concerned, within a maximum period of six months following the expiration of the administrative year in the Territory. Noting with concern that the working papers prepared by the Secretariat on Territories did not, in some instances, contain adequate, timely information, owing largely to the late transmission of information under Article 73 e, the Committee requested the Secretary-General to ensure that adequate information drawn from all available published sources was included by the Secretariat in the working papers on the Territories prepared for the Special Committee.



J. Other matters

During the year, the Special Committee maintained a close working relationship with other United Nations bodies concerned, including in particular the Special Committee against Apartheid, the United Nations Council for Namibia, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Committee on the Elimination of Racial Discrimination. The Special Committee followed closely the work of those bodies as it related to colonial issues and took into account the relevant decisions adopted by them in its consideration of the various items on its agenda. The Committee drew the attention of the Security Council to developments relating to certain Territories, such as Namibia and the Trust Territory of the Pacific Islands, as well as those concerning military activities and arrangements by colonial Powers in Territories under their administration.

The Chairman of the Special Committee represented the Committee at a number of important international conferences, seminars and symposia organized by intergovernmental and non-governmental organizations.

Notes

1/ A/42/23 (Parts I-VI). To be issued in final form as Official Records of the General Assembly, Forty-second Session, Supplement No. 23 (A/42/23).

2/ For the text of the resolutions and decisions adopted at the session, see Official Records of the General Assembly: Forty-first session, Supplement No. 53 (A/41/53).

3/ A/C.4/42/SR.1 and 2.

4/ Official Records of the General Assembly, Forty-first Session, Supplement No. 23 (A/41/53); A/41/407 and Add.1, A/41/641, A/41/662, A/41/664, A/41/673, A/41/678.

5/ A/C.4/42/SR.2-8.

6/ Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 24 (A/35/24), vol. I, annex II.

7/ United Nations, Treaty Series, vol. 795, No. 11326, p. 308.

8/ A/C.4/42/SR.9-18.

9/ For the report of the 1986 Visiting Mission, see A/AC.109/877 and Add.1. See also Decolonization, No. 30, June 1987.

10/ A/41/326-S/18049, annex III.

11/ See General Assembly decision 40/413 of 2 December 1985.

12/ Official Records of the General Assembly, Forty-first Session, Annexes, Fourth Committee, A/C.4/41/SR.19.

13/ United Nations, Treaty Series, vol. 402, No. 5778, p.72.

14/ A/42/24 (Part I), chap. VII.

15/ A/40/307-S/17184 and Corr.1, annex; see also S/14114.

16/ Report of the World Conference on Sanctions against Racist South Africa, Paris, 16-20 June 1986 (United Nations publication, Sales No. E.86.I.23), chap. IX.

17/ Report of the International Conference for the Immediate Independence of Namibia, Vienna, 7-11 July 1986 (United Nations publication, Sales No. E.86.I.18), part three. See also A/41/479-S/18234, annex.

18/ A/42/325-S/18901.

19/ A/42/23 (Part V), chap. VIII, para. 13.

20/ A/42/24 (Part III).

21/ See also Official Records of the General Assembly, Fourteenth Special Session, Supplement No. 1 (A/S-14/10).

22/ A/AC.109/889-891, 892 and Add.1 and 2, 893 and Add.1, 894 and Add.1, 895, 896 and Add.1 and 2, 897, 898 and Add.1, 899-903, 904 and Corr.1, 905-912, 913 and Add.1, 914-918 and 921; A/AC.109/L.1614, L.1620, L.1633 and L.1634.

23/ A/42/23 (Part II), chap. III, para. 10.

24/ A/42/23 (Part VI), chap. IX, para. 48.

25/ Official Records of the Trusteeship Council, Fifty-fourth Session, Supplement No. 1 (T/1906).

26/ A/42/264 and Add.1.