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UN/SA COLLECTION WORK OF THE GENERAL ASSEMBLY (1988) 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 (1988)

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I. INTRODUCTION

At its forty-third (1988) 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. The Assembly considered, at its plenary meetings, the general aspects of the decolonization issues as a whole.

In so doing, the General 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/} namely, Western Sahara, Gibraltar, New Caledonia, Anguilla, Pitcairn, Montserrat, the British Virgin Islands, the Turks and Caicos Islands, Tokelau, the Cayman Islands, St. Helena, Bermuda, Guam, American Samoa, the United States Virgin Islands and the Trust Territory of the Pacific Islands. In addition, the Assembly referred the following items to the Fourth Committee for its consideration:

- 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.

As in previous sessions, the General Assembly decided to take up the question of the Falkland Islands (Malvinas) directly in its plenary session, 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 its plenary meetings, and that the hearings of the organizations concerned would be held in the Fourth Committee.

The General Assembly decided, as it did at six previous sessions, not to include the question of East Timor in the agenda of its 1988 session. The question was therefore not considered during the session. In his 1988 progress report to the General Assembly, on the basis of which this decision was taken by the Assembly, the Secretary-General gave an account of the action taken in exercise of his good offices under the terms of Assembly resolution 37/30 of 23 November 1982 and, among other things, assured both Indonesia and Portugal that his good offices remained available; that he would continue to do whatever he could to facilitate the process of dialogue and the search for a comprehensive and internationally acceptable settlement; and that he would also continue to follow the humanitarian situation closely. 2/

An account of the work of the 1988 session of the General Assembly relating to the Fourth Committee is described in section II below.

The General Assembly once again renewed the mandate of the Special Committee by its resolution 43/45 of 22 November 1988, 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-fourth session".

Activities undertaken by the Special Committee in 1988 in pursuance of the above resolutions are described in section III. The texts of the Special Committee's resolutions and decisions, as well as its recommendations to the 1988 session of the General Assembly, are contained in the Committee's report. 1/

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

A. Issues considered by the Fourth Committee

1. General

At the outset of the session, the Fourth Committee elected by acclamation the following officers for its 1988 session: 3/

Chairman: Mr. Jonathan C. Peters, Permanent Representative of Saint Vincent and the Grenadines to the United Nations;

Vice-Chairmen: Mr. Denis Dangué-Rewaka, Permanent Representative of Gabon to the United Nations, and Mr. Sverre J. Bergh Johansen, Counsellor, Permanent Mission of Norway to the United Nations;

Rapporteur: Mr. Emmanuel Douma, Second Secretary, Permanent Mission of the People's Republic of the Congo to the United Nations.

By approving the suggestions put forward by its Chairman on organization of work for the session, the Fourth Committee decided to follow the practice established at its previous sessions, namely, to hold two general debates: one relating to the item "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. In conjunction with the item on foreign economic activities, the Committee considered the item "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". The Committee 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 15 meetings, heard 107 statements in the general debates and also heard 17 petitioners. Following its consideration of all the items referred to it by the General Assembly, the Committee submitted to the Assembly eight reports: one each on hearings respectively on the questions of Namibia and the Falkland Islands (Malvinas), and six containing its recommendations on specific Territories and other related items. Eighteen of the 21 sets of recommendations contained in those reports were prepared by the Special Committee, in keeping with paragraph 31 of General Assembly decision 34/401 of 29 November 1979; 15 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 mentioned previously the Fourth Committee considered the above-mentioned items at the same time on the recommendation of the Special Committee.

Thirty-five delegations participated in the general debate and made their statements between 5 and 10 October. ^{5/} The Committee also heard a statement by a petitioner, Mr. J. A. González-González. ^{6/}

During the debate, the majority of the representatives condemned the activities of foreign economic and other interests in colonial Territories and considered them to be a serious impediment to the implementation of the Declaration. They reaffirmed that administering Powers were creating new forms of colonial dependence and domination in Non-Self-Governing Territories through concessions to foreign corporations. Many speakers declared that it was the responsibility of the administering Powers to protect the natural resources of the colonial Territories, to permit the peoples of the Territories to exercise their legitimate rights over those natural resources and to develop their economies in line with their will and choice.

The representatives referred specifically to Namibia, where transnational corporations were receiving special concessions, thereby enabling them to exploit the Territory's natural resources and its labour force. Those corporations were abetting South Africa in perpetuating its illegal and racist repression of the people and its denial of political independence to the Territory. Speakers called upon the Security Council to adopt comprehensive and mandatory sanctions against that régime, under Chapter VII of the Charter, and asked Member States to impose voluntary sanctions, as had already been done by some Members. They called for decisive measures that would terminate foreign investments in the Territory, recognizing that some individual countries had already divested themselves of investments in South Africa. The representatives called for strict compliance with Decree No. 1 for the Protection of the Natural Resources of Namibia, ^{7/} enacted by the United Nations Council for Namibia and expressed their continuing support for the Council and its work.

With regard to the item on military activities of colonial Territories, representatives denounced South Africa for its escalating militarization of Namibia and its use of the Territory as a staging ground to commit acts of aggression against neighbouring States. Such activities were a major threat to peace and security in the region. Other speakers denounced the military and nuclear collaboration of some countries with South Africa. Yet others condemned the emplacement by colonial Powers of military bases and installations in Trust and Non-Self-Governing Territories. They called for their immediate dismantlement.

A number of representatives denounced the military activities in which colonial Powers in Trust and Non-Self-Governing Territories were engaged, especially small island Territories, and demanded co-operation with the General Assembly in its call for the dismantlement of all military bases and installations in those Territories.

On 10 October 1988, the Fourth Committee approved the text of the recommendations prepared by the Special Committee on the two questions and submitted it to the General Assembly for adoption. The Assembly in turn adopted the recommendations of the Fourth Committee on those questions at its 59th plenary meeting, on 22 November.

By its resolution 43/29 of 22 November 1988, the General Assembly condemned the activities of foreign economic and other interests in the colonial Territories, which impeded the implementation of the Declaration on decolonization; the policies of Governments that continued to support, or collaborate with, those foreign economic and other interests engaged in exploiting the human and natural resources of the Territories; and the collaboration of certain Western and other countries with the racist minority régime of South Africa, in the nuclear field. The Assembly called upon those and all other Governments concerned to refrain from supplying that régime, directly or indirectly, with installations, equipment or material that might enable it to produce uranium, plutonium and other nuclear materials, reactors or military equipment; and to take urgent, effective measures to terminate all collaboration with the racist régime of South Africa.

By its decision 43/410 of 22 November 1988 on military activities and arrangements by colonial Powers in Territories under their administration, the General Assembly deplored that, despite its repeated requests for them to withdraw immediately and unconditionally their existing installations and to refrain from establishing new ones, the colonial Powers with military installations in Territories under their administration had taken no steps to do so. It reaffirmed that it was the responsibility of those Powers to ensure that their military presence did not hinder the populations of the Territories from exercising their right to self-determination and independence.

The General Assembly condemned South Africa for its military buildup in Namibia, its persistent acts of aggression and subversion against neighbouring African States, and its use of mercenaries to suppress the Namibian people and carry out its attacks against independent African States. It demanded the urgent dismantlement 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 the Territory.

3. Specific Territories and other related questions

The Fourth Committee considered all the remaining items between 7 and 14 October 1988. 8/ During the general debate, the Committee heard statements by 72 delegations. The Committee also heard 6 petitioners, as indicated below: 9/

<u>Petitioner</u>	<u>Organization represented</u>
<u>Trust Territory of the Pacific Islands</u>	
Mr. Glenn Alcalay	National Committee for Radiation Victims
Mr. J. A. González-González	
<u>Western Sahara</u>	
Mohamed Sidaty	On behalf of the Frente Popular para la Liberación de Saquia el Hamra y de Río de Oro (Frente POLISARIO)
Deborah A. Jackson	American Association of Jurists
<u>New Caledonia</u>	
Mr. Glenn Alcalay	National Committee for Radiation Victims
<u>United States Virgin Islands</u>	
Miss Judith L. Bourne	Save Long Bay Coalition, Inc.

On the question of Western Sahara, speakers were of the opinion that Organization of African Unity (OAU) resolution AHG/Res.104 (XIX) 10/ embodied a plan that would resolve the problem. The resolution was adopted by the Assembly of Heads of State and Government of OAU and endorsed by the General Assembly in its resolution 38/40 of 7 December 1983 as well as by the Movement of Non-Aligned Countries. 11/ Several speakers welcomed the acceptance by Morocco and the Frente Popular para la Liberación de Saquia el Hamra y de Río de Oro (Frente POLISARIO) of

the Secretary-General's Peace Proposals of 30 August 1988; expressed satisfaction over the nomination of the Secretary-General's Special Representative; and supported the good offices of the Secretary-General and the Chairman of OAU. They expressed the view that direct negotiations between Morocco and the Frente POLISARIO were essential in bringing about a settlement to the conflict. 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 people of Western Sahara could decide for themselves their own future status. The speakers established that a cease-fire was a prerequisite for the holding of such a referendum.

During the discussion on New Caledonia, some members of the South Pacific Forum urged that the draft resolution concerning New Caledonia be adopted by consensus, as the substance of it had fully been endorsed by the summit of the South Pacific Forum at Tonga. ^{12/} The representative of France, in reiterating the position of his Government that New Caledonia remained an internal matter, informed the Committee of the particulars of the agreement reached by the two political parties in the Territory under the auspices of the Prime Minister of France. If supported in a national referendum, scheduled for 6 November 1988, it would become law.

In the course of the general debate, many delegations expressed the conviction that neither the size of a Territory or of its population, nor its geographical location or a lack of resources should be used as a pretext for delaying the process of self-determination of small island countries. They urged the administering Powers, whose primary responsibility it 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 emphasized the importance of diversifying the economies of those Territories and called for intensified international economic and social assistance to the Territories concerned. They called upon the administering Powers to face up to their responsibilities and to co-operate more closely with the United Nations, notably by permitting United Nations missions to visit the Territories under their administration. They believed that the dispatch of such visiting missions was the best method of securing first-hand information on Territories and ascertaining the true aspirations of the peoples concerning their future status. Several members welcomed the developments concerning Namibia, New Caledonia and Western Sahara.

A number of representatives 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. A number of speakers regretted that the International Monetary Fund and the World Bank still maintained financial and other relations with South Africa, and called for the discontinuance of all such relations with that country.

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. They 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.

With regard to the obligation of the administering Powers under Article 73 e of the Charter, many delegations called upon them to co-operate closely with the United Nations by transmitting all the information at their disposal on time. They appealed to the United Kingdom of Great Britain and Northern Ireland to resume its participation in the Special Committee's work.

On 22 November, 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>
43/28	Information from Non-Self-Governing Territories transmitted under Article 73 <u>e</u> of the Charter of the United Nations	154-0-2
43/29	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	133-9-14
43/30	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	124-4-27

<u>Resolution</u>	<u>Item</u>	<u>Voting</u>
43/31	United Nations Educational and Training Programme for Southern Africa	Without objection
43/32	Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories	Without objection
43/33	Western Sahara	86-0-53
43/34	New Caledonia	Without objection
43/35	Tokelau	Without objection
43/36	Anquilla	Without objection
43/37	Cayman Islands	Without objection
43/38	Montserrat	Without objection
43/39	Bermuda	Without objection
43/40	Turks and Caicos Islands	Without objection
43/41	British Virgin Islands	Without objection
43/42	Guam	Without objection
43/43	American Samoa	Without objection
43/44	United States Virgin Islands	Without objection

<u>Decision</u>	<u>Item</u>	<u>Voting</u>
43/410	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	128-12-15
43/411	Gibraltar	Without objection
43/412	Pitcairn	Without objection
43/413	St. Helena	123-2-30

As at its seven previous sessions, the Fourth Committee, on the basis of the consultations held by its Chairman, decided not to take action at that stage on a draft resolution submitted by the Special Committee concerning the Trust Territory of the Pacific Islands.

By its resolution 43/33, 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. ^{10/} It called upon Morocco and Frente POLISARIO 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 Assembly welcomed the agreement in principle given on 30 August 1988 by Morocco and Frente POLISARIO to the joint proposals of the Secretary-General of the United Nations and the Chairman of OAU with a view to the holding of a referendum for self-determination of the people of Western Sahara. It invited the heads of the two organizations to continue exerting every effort to persuade Morocco and Frente POLISARIO to negotiate the terms of a cease-fire and the modalities for organizing the referendum, in the shortest possible time and in conformity with the OAU plan and General Assembly resolutions 40/50 of 2 December 1985 and 43/33.

With respect to New Caledonia, by its resolution 43/34, the General Assembly took note of the dialogue initiated under the auspices of the French authorities on the status of the Territory. It observed that they were taking positive measures to promote political, economic and social development in New Caledonia to provide a framework for the peaceful progress of the Territory to self-determination, and encouraged them to continue doing so. It also urged all the parties involved to do the same and, in the interest of all the people of New Caledonia, to continue their dialogue and refrain from acts of violence.

By adopting recommendations submitted by the Fourth Committee 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. It reiterated the view that such factors as territorial size, geographical location, population size and limited natural resources should not impede those peoples' speedy exercise of their right.

The General Assembly stated that ultimately the peoples of the Territories themselves should be able to determine freely their future political status. In that regard, it 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, in accordance with the relevant provisions of the Charter and of the Declaration.

Administering Powers, the General Assembly maintained, were responsible for promoting the economic and social development of the respective Territories. It therefore urged them to safeguard the inalienable prerogative 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.

With 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 constitute a major obstacle to the implementation of the Declaration and that the administering Powers concerned were responsible for ensuring that the existence of such bases and installations did not hinder the populations of the Territories from exercising their right to self-determination and independence. The Assembly urged those Powers 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, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements.

By its consensus on Gibraltar (decision 43/411 of 22 November 1988), the General Assembly took note that the Ministers for Foreign Affairs of the Governments of Spain and the United Kingdom had met in Madrid on 5 and 6 December 1985, in London on 13 and 14 January 1987, in Madrid on 27 and 28 November 1987 and in London on 2 December 1987. The meetings were part of the negotiating process provided for in the Brussels declaration. The Assembly urged the parties to continue those negotiations with the object of reaching a definitive solution to the problem of Gibraltar.

The full texts of the resolutions and decisions which the General Assembly adopted are contained in an official record of the Assembly. 13/

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

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

Hearings concerning Namibia

The hearings in the Fourth Committee on Namibia took place between 12 and 18 October 1988, as follows:

<u>Petitioner</u>	<u>Organization represented</u>
Ms. Beatrice Von Roemer	International Confederation of Free Trade Unions
Mr. Ralston H. Deffenbaugh, Jr.	Lutheran World Federation
Ms. Monica Moorehead	U.S. out of Southern Africa Network
Mr. Alun R. Roberts	Namibia Support Committee
Mr. Halisi Price, Chairman	SWAPO Support Committee
Mr. Alton Louis Amsterdam	President and Publisher, U.S. World Journal

The summary records of the 7th and 8th meetings of the Fourth Committee contain an account of these hearings. 14/

Hearings concerning the Falkland Islands (Malvinas)

On 11 November, the Fourth Committee heard the following persons concerning the Falkland Islands (Malvinas): Mr. C. D. Keenleyside and Mr. J. E. Cheek, Mrs. Coutts de Maciello and Mrs. Minto de Pennissi. An account of the hearings is contained in the summary record of that meeting. 15/

B. Issues considered in plenary meetings

1. Question of Namibia

At the outset of the general debate on the item, the presiding officers of the Special Committee and the United Nations Council for Namibia introduced the reports of those two bodies, 16/ and made statements. The observer of the South West Africa People's Organization (SWAPO) also made a statement, as well as 85 delegations participating in the general debate.

Speakers expressed regret that more than 10 years had elapsed since the Security Council had adopted its resolution 435 (1978) of 29 September 1978 embodying, together with resolution 385 (1976) of 30 January 1976, the United Nations plan for Namibia. They rejected the issue of "linkage", which South Africa introduced to delay the independence of Namibia, as extraneous to the implementation of resolution 435 (1978). Some delegations welcomed, and were encouraged by, the many rounds of quadripartite talks, with a view to seeking ways of ending the conflict in the area and securing independence for Namibia in accordance with Security Council resolution 435 (1978). They expressed the hope that the talks would come to a successful conclusion. Many speakers stated that they remained firmly committed to Namibia's independence in accordance with the United Nations settlement plan. They also stated that the international community must not let down its guard; rather, it should keep open the option of possible recourse to comprehensive and mandatory sanctions against South Africa should the current talks fail. They re-emphasized that the question of Namibia was one of decolonization and not one of East-West confrontation.

On 17 November, the General Assembly, by approving the draft recommendations submitted by the United Nations Council for Namibia, adopted the following five resolutions on the item:

<u>Resolution</u>	<u>Item</u>	<u>Voting</u>
43/26 A	Situation in Namibia resulting from the illegal occupation of the Territory by South Africa	130-0-23
43/26 B	Implementation of Security Council resolution 435 (1978)	140-0-13
43/26 C	Programme of work of the United Nations Council for Namibia	147-0-6
43/26 D	Dissemination of information and mobilization of international public opinion in support of the immediate independence of Namibia	129-0-23
43/26 E	United Nations Fund for Namibia	148-0-5

In addition, by its decision 43/311 of 17 November 1988, the General Assembly extended the appointment of the United Nations Commissioner for Namibia for a one-year term beginning on 1 January 1989. 17/

2. Question of the Falkland Islands (Malvinas)

Eighteen delegations took part in the general debate on the item. The representative of Argentina stated that no progress had been made on the question since the British Government did not agree to resume the negotiations with Argentina as had been repeatedly called for by the General Assembly. That refusal coincided with the United Kingdom's insistence on setting pre-conditions to any dialogue with Argentina, which amounted to refraining from putting forth the question of sovereignty. That pre-condition was unacceptable to Argentina because the Territory belonged to the Argentine Republic. In effect, the question of sovereignty was the heart of Argentine-British relations. Comprehensive bilateral negotiations would normalize those relations and resolve the pending problems, including all aspects of the future of the Territory. Argentina did not intend, however, to prejudge in any way the final outcome of the dialogue.

Several delegations associated themselves with the position taken by Argentina, and expressed support for a draft resolution (A/43/L.27 and Add.1) sponsored by Bolivia, Brazil, Colombia, Cuba, the Dominican Republic, Ghana, Honduras, India, Mexico, Peru, Uruguay, Venezuela, Yugoslavia and Zimbabwe. Speakers appealed to both parties to resume dialogue and negotiations without pre-conditions.

The representative of the United Kingdom stated that his Government continued, and would continue, to uphold the right of the islanders to self-determination. That was why his Government was not prepared to accede to calls for talks and sovereignty. The draft resolution emphasized the one issue of irreconcilable difference between Britain and Argentina: that of sovereignty. His Government was not ready to enter into negotiations on "all aspects on the future of the Falkland Islands". That meant the beginning of negotiations which would represent the method by which Argentina would "recover" its sovereignty over the Islands. Since the United Kingdom had sovereignty over the Islands and the islanders wished to remain under it, the issue of sovereignty was not negotiable. He urged members to refrain from giving support to that misleading draft resolution but rather to allow the United Kingdom and Argentina to try to resolve the practical problems between them in a practical way.

On 17 November 1988, the General Assembly adopted the draft resolution on the question. By resolution 43/25, the Assembly requested the Governments of Argentina and the United Kingdom to initiate negotiations in order to find the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on 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 on the matter to the Assembly at its forty-fourth session.

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

The General Assembly devoted three meetings, on 21 and 22 November 1988, to the consideration of this item.

Following an introductory statement by the Chairman of the Special Committee concerning the work of the Committee for the year, representatives of 23 delegations made statements in the general debate on the item. In their statements, the representatives pointed out that the Declaration contained in General Assembly resolution 1514 (XV) of 14 December 1960 had helped to change the fate of many colonial countries. It lent moral and political support to the struggle of colonial peoples for freedom and independence and had become an important instrument in the efforts towards the elimination of colonialism. A great deal remained to be done before colonialism, racism and apartheid were completely eliminated, however. Many delegations believed that, 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.

Representatives pointed out that the failure to achieve independence for Namibia through the United Nations plan for Namibia, contained in Security Council resolution 435 (1978), was due mainly to the intransigent attitude of South Africa, which continued its illegal occupation of Namibia and the exploitation of its human and natural resources. Speakers rejected the extraneous issues which were being used by Pretoria as a pre-condition for Namibia's independence.

Representatives 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. They considered it imperative that the peoples of those Territories be well informed so that they could determine freely and without hindrance what was in their own best interest, particularly with regard to their future political status.

Several members stated that one impediment to the decolonization process was the use by colonial Powers of the small Territories for military purposes. They noted that, despite repeated calls by the international community, the colonial Powers had not withdrawn their military presence from those Territories. The members renewed their demand for such action without any further delay. Many speakers considered 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.

On 22 November, the General Assembly, by 147 votes to 2 with 7 abstentions, adopted a 34-Power draft resolution dealing with the general aspects of decolonization. By resolution 43/45, the Assembly renewed the mandate of the Special Committee to continue seeking the full implementation of the Declaration with respect to the remaining colonial Territories.

On the same day, the General Assembly adopted, by 149 votes to 2 with 5 abstentions, a 35-Power draft resolution (resolution 43/46), calling for a series of action-oriented publicity programmes.

The General Assembly also adopted on the same day by 135 votes to 1, with 20 abstentions, an 80-Power draft resolution (resolution 43/47), by which it declared the years 1990 to 2000 the International Decade for the Eradication of Colonialism. It requested that the Secretary-General submit a report to the Assembly at its forty-fourth session in order to enable it to consider and adopt an action plan aimed at ushering in, in the twenty-first century, a world free from colonialism.

III. SPECIAL COMMITTEE'S WORK IN 1988

A. Organization of work

At its organizational meeting on 2 February 1988, the Special Committee decided to maintain its three subsidiary bodies: the Working Group, the Sub-Committee on Petitions, Information and Assistance and the 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, and the Congo, Fiji and Iran (Islamic Republic of)

Sub-Committee on Petitions, Information and Assistance: Afghanistan, Bulgaria, Congo, Cuba, Czechoslovakia, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Sierra Leone, Syrian Arab Republic, Tunisia and 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, Norway, Mali, Trinidad and Tobago, Tunisia, 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. Sverre J. Bergh Johansen (Norway) and Miss Tatiana Brosnakova (Czechoslovak Socialist Republic), Vice-Chairmen; and Mr. Ahmad Farouk Arnouss (Syrian Arab Republic), Rapporteur.

Miss Brosnakova was elected Chairman of the Sub-Committee on Petitions, Information and Assistance. Mr. Ammar Amari (Tunisia) was elected as the Chairman of the Sub-Committee on Small Territories, and Mr. Dag Mjaaland (Norway) as the Rapporteur of that Sub-Committee.

During its 1988 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. 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

At its organizational meeting, on 2 February 1988, the Special Committee decided to consider the question of Namibia at its plenary session. It did so at its plenary meetings held between 3 and 8 August. In its consideration of the item, the Committee had before it the documentation on Namibia prepared by the United Nations Council for Namibia. 18/ The Committee took into account the resolutions and

decisions of the International Conference for the Immediate Independence of Namibia, held at Vienna from 7 to 11 July 1986, 19/ the Luanda Declaration and Programme of Action adopted by the United Nations Council for Namibia at Luanda on 22 May 1987, 20/ and the Final Communiqué of the Ministerial Meeting of the United Nations Council for Namibia, held in New York on 2 October 1987, 21/ and stressed the urgent need for their implementation.

In accordance with established practice, the representative of the United Nations Council for Namibia addressed the Special Committee at the outset of the Committee's meetings. The Committee heard statements by representatives of 17 delegations speaking in the general debate. The representative of the Council 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.

At the conclusion of the debate, the Special Committee adopted a consensus on the question, 22/ by which it reaffirmed the inalienable right of the Namibian people to self-determination and independence in a united Namibia. It 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, elaborated in Security Council resolutions 385 (1976) and 435 (1978), was the only internationally accepted basis for a peaceful settlement of the Namibian question. The Committee demanded immediate implementation of the plan without pre-condition or modification. It strongly rejected the policies of "constructive engagement" and "linkage", which had encouraged the racist régime of South Africa to continue its illegal occupation of Namibia, and called for their abandonment so that the resolutions and decisions of the United Nations on the question of Namibia could be implemented.

The Special Committee deplored the continuing collaboration of certain Western States and other countries with the racist régime of South Africa in the political, economic, military, nuclear, financial, cultural and other fields and called for the immediate cessation of all such collaboration.

The Special Committee strongly reaffirmed that the natural resources of Namibia, including its marine resources, were the inviolable heritage of the Namibian people. It condemned the activities of all foreign economic interests operating in Namibia and demanded that those interests should immediately withdraw from the Territory, as they constituted a major obstacle to Namibia's independence. The Committee reaffirmed that such interests would be liable to pay damages to the future legitimate Government of an independent Namibia.

The Committee strongly recommended that the Security Council should respond positively to the overwhelming demand made by the international community by immediately imposing comprehensive and mandatory sanctions against that régime under the terms of Chapter VII of the Charter.

C. Other Territories

At its organizational meeting, the Special Committee also decided that, in addition to the question of Namibia (see sect. B above), it would consider at its plenary meetings the questions of East Timor, Western Sahara, the Falkland Islands (Malvinas), Gibraltar and New Caledonia. It allocated to the Sub-Committee on Small Territories consideration of the questions of Tokelau, Anquilla, Pitcairn, Cayman Islands, Montserrat, Bermuda, Turks and Caicos Islands, British Virgin Islands, St. Helena, Guam, American Samoa, United States Virgin Islands and Trust Territory of the Pacific Islands.

In their consideration of the above Territories, the Special Committee and the Sub-Committee had before them the related working papers prepared by the Secretariat, as well as several reports of the Chairman and the Secretary-General. 23/

In their capacity as the administering Powers concerned, and in accordance with established procedures, the delegation of New Zealand which administers Tokelau, of Portugal which is responsible for East Timor and of the United States which administers 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 reiterated its appeal to the United Kingdom to reconsider its decision.

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, 21 concerning East Timor, 2 concerning New Caledonia, and 1 each concerning Guam, the Trust Territory of the Pacific Islands, the United States Virgin Islands and Namibia. They were as follows:

<u>Petitioner</u>	<u>Organization represented</u>
<u>Western Sahara</u>	
Mr. John Zindar	Center for Defense Information
Mr. Mouloud Said	Frente Popular para la Liberación de Saquia el-Hamra y de Río de Oro (POLISARIO)
<u>New Caledonia</u>	
Mr. Glenn Alcalay	National Committee for Radiation Victims
Miss Sidney Jones	Amnesty International
<u>Falkland Islands (Malvinas)</u>	
Mr. L.G. Blake	
Mr. R.M. Lee	
Mr. Alexander Jacob Betts	
<u>East Timor</u>	
Mr. Andrew Wells	Hobart East Timor Committee
Miss Diana Quick	Parliamentarians for East Timor
Mr. Alexander George	Wolfson College
Mr. Kozaburo Yamada	House of Councillors, Japanese Diet

<u>Petitioner</u>	<u>Organization represented</u>
Mr. Jonathan Head	Tapol, The Indonesian Human Rights Campaign
Miss Sidney Jones	Amnesty International
Miss Kivoko Furusawa	Free East Timor, Japan Coalition
Mr. Michel Robert	Association de solidarité avec Timor-Oriental
Mr. Klemens Ludwig	Society for Threatened Peoples
Mr. Francisco Lucas Pires	Portuguese European Parliament (Portuguese member)
Mr. Carlos Encarnaçao	Portuguese Parliament, Temporary Committee for the Follow-up of the Situation in East Timor
Miss Elaine Briere	Canada-Asia Working Group
Mr. Aryeh Neier	Asia Watch
Mr. Sottomayor Cardia	Portuguese Parliament Temporary Committee for the Follow-up of the Situation in East Timor
Mr. Liem Soei-Liong	Komitee Indonesië
Mr. Antonio Eduardo Pinto Pereira	Portuguese Researcher on East Timor Issues
Mr. Roque F. Rodrigues	Frente Revolucionária de Timor-Leste
Mr. Moises Amaral	Timorese Democratic Union (UDT)
Mr. Martin Enda	Researcher on Issues
Miss Ana Maria Martins Nunes	Christian Group "Peace is possible in East Timor" (Portuguese member)
Bishop Patalisio Finau	Pacific Conference of Churches

The views expressed by these petitioners are reproduced in the records of the Committee's meetings. 24/

During the debate on the Falkland Islands (Malvinas), the representative of Argentina reiterated that his country was firmly resolved to arrive at a peaceful settlement by means of negotiation with the United Kingdom of all outstanding problems. He stated once more his country's claims to the Territory, which had been occupied by force. The British Government had not heeded the appeal of the international community nor had it responded to Argentina's request for a resumption of talks. In March 1988, the British Government had held military manoeuvres in the region, which involved the movement of a significant number of troops from the United Kingdom to the Islands. Such action was not in keeping with the positive spirit and moderation needed to restore normality to the south-western Atlantic. 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), 25/ urging Argentina and the United Kingdom to resume negotiations in order to find a peaceful solution to the sovereignty dispute. It once again expressed 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 General Assembly and OAU resolutions. 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. It also decided to continue its examination of the situation in the Territory at its 1989 session.

During the Special Committee's consideration of East Timor, the representative of Indonesia, in opposing any discussion of the question, stated that the process of decolonization of the Territory had been carried out in conformity with the provisions of the Charter and of General Assembly resolutions 1514 (XV) and 1541 (XV) of 15 December 1960. That process had terminated the colonial status of East Timor. The representative reiterated the position that East Timor was a province of Indonesia. After hearing the statements of 22 petitioners, the Special Committee decided to continue consideration of the question at its 1989 session.

After taking into account the continuing discussions between the parties concerned on Gibraltar, the Special Committee decided that it would resume consideration of the question at its 1989 session.

On the question of New Caledonia, a representative of Samoa spoke on behalf of the seven members of the South Pacific Forum (Australia, Fiji, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Vanuatu), which are also States Members of the United Nations. The representative expressed the conviction of the Forum members that the problems of the Territory must be resolved through dialogue between the various parties in the Territory and the administering Power, and that United Nations involvement could assist that process. They were encouraged that the administering Power had reopened dialogue with all the parties in New Caledonia and that it was working actively towards a long-term solution to the problems of the Territory. After hearing the statements of two petitioners, the Committee adopted a resolution on New Caledonia without objection. 26/

By that resolution, in noting with satisfaction the dialogue initiated under the auspices of the French authorities on the status of the Territory, the Special Committee urged all the parties involved, in the interest of all the people of New Caledonia, to continue their dialogue and to refrain from acts of violence. The Committee also invited the parties to continue promoting a framework for the peaceful progress of the Territory to self-determination.

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

2. Tokelau, Anquilla, Pitcairn, Cayman Islands, Montserrat, Bermuda, Turks and Caicos Islands, British Virgin Islands, St. Helena, Guam, American Samoa, United States Virgin Islands, Trust Territory of the Pacific Islands

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

The conclusions and recommendations contained in these reports were used as the basis for recommendations which were submitted to the Fourth Committee. The Committee incorporated the recommendations in its reports and presented the reports to the General Assembly for action. The Assembly adopted resolutions 43/33 to 43/44 and decisions 43/411 to 43/413 on the questions.