

THE COMMITTEE OF 24: ITS ROLE
IN THE PROCESS OF DECOLONIZATION

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TABLE OF CONTENTS

SECTION:

I	INTRODUCTION.....	1
II	HISTORICAL BACKGROUND AGAINST WHICH THE COMMITTEE WAS FORMED.....	2
III	THE DECLARATION ON DECOLONISATION AND ITS SIGNIFICANCE.....	8
IV	ESTABLISHMENT OF THE COMMITTEE.....	13
V	THE LIST OF TERRITORIES WITH WHICH THE SPECIAL COMMITTEE HAS BEEN CONCERNED.....	18
VI	PROCEDURES AND METHOD OF WORK OF THE COMMITTEE.....	24
VII	FIRST DECADE OF THE DECLARATION: THE COMMITTEE'S ROLE IN THE 1960'S.....	31
VIII	THE COMMITTEE'S ROLE IN THE EARLY 1970'S.....	39
	The Current Colonial Situation in General	39
	Territories under Portuguese Domination.....	43
	Southern Rhodesia.....	50
	Namibia	54
	Obstacles to Decolonisation.....	57
IX	DEVELOPMENTS IN THE COMMITTEE ITSELF.....	61
X	RECENT ACHIEVEMENTS IN THE FIELD OF DECOLONISATION.....	72

II

Visit to the Liberated Areas of Guinea Bissau	73
Observer Status to the Liberation Movements in Africa.....	81
Involvement of the Specialised Agencies.....	83
Mobilisation of International Public Opinion	87
Visiting Mission to Niue.....	89
 XI CONCLUSION.....	 97
XII ANNEXES:	
 I - 1963 PRELIMINARY LIST OF TERRITORIES TO WHICH THE DECLARATION APPLIES.....	 102
II - LIST OF TERRITORIES CONSIDERED BY THE SPECIAL COMMITTEE IN 1973.....	 105
 XIII BIBLIOGRAPHY.....	 106

THE COMMITTEE OF 24: ITS ROLE
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By Salim Ahmed Salim

INTRODUCTION:

In this paper, we shall be examining the role of the Committee of 24 - otherwise referred to as the Special Committee on
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Decolonization - in the decolonization process. To be able to properly assess and evaluate the role of the Committee, we shall study its structure, functions and terms of reference as well as the role of the different regional groups represented in it. We shall also assess the Committee's achievements and shortcomings. In doing so we shall make use not only of some of the available literature and abundant U.N. documentation, but also of the practical first hand experience of the author of the paper.

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- *. The writer of the paper has followed and participated in the work of the Committee continuously from 1970. He was Chairman of the Committee for 1972 and reelected to the position in 1973.
1. Though these two nomenclatures are frequently used the official title of the Committee is: The Special Committee on the situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples.

II

HISTORICAL BACKGROUND AGAINST WHICH THE
COMMITTEE WAS FORMED.

Prior to the Second World War, one third of the population and land area of the World was under some form of colonial rule. There were over eighty separate colonial jurisdictions in the form of colonies, protectorates^{and} mandated territories. These were scattered all over Africa, Asia (including the Middle East), Oceania and the Western Hemisphere. They comprised a population of more than 700 million people and they were under some form of domination by the principal colonial powers, namely, the United Kingdom, the Netherlands, France, Portugal, Italy and Spain.

In the wake of the Second World War followed a dramatic alteration of the political map of the world. As the tide of liberation engulfed the world, particularly the continents of Africa and Asia which had been the greatest victims of colonial domination, colonial empires began to crumble. Statesmen like Churchill, who, during the heyday of British Imperialism, when it used to be boasted in London that "the sun never sets on the British Empire", had categorically asserted that he "was not elected to preside over the disintegration of the British Empire,"

lived to see that very disintegration. A number of factors were however responsible for this emancipation process. In a paper of this nature, it is impossible to make an analysis of all these factors or even review them however briefly. We shall however mention some of the salient elements, if only to demonstrate the evolution of the struggle for colonial freedom and human dignity and the many forces that interacted to make this evolution not only possible but more rapid.

The formation of the United Nations in 1945 marked a new era in international relations and signified new hopes for mankind. The significance of the United Nations lay not only in the fact that the signatories of the Charter in San Francisco underscored their "... determination to save succeeding generations
1
from the scourge of war" but also because the principles and purposes of the organization represented the highest aspirations of mankind towards a new and better world order. To the millions of dependent people who had known no peace and who had been subjected to degradation and humiliation under colonial rule, the United Nations gave them a new hope. For, among the questions discussed by the United Nations Conference on International Organization at San Francisco, was that of colonial territories. And although there were only 51 states that signed the Charter at

1. Preamble of the Charter

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San Francisco, with a mere 13 from Africa and Asia, the opposit-
ion to colonial subjugation by the majority of the international
community was clearly reflected in the Charter provisions.

*debate
of the
formation
of the
Charter
-- "a civilized
mission"*

Thus Article 1 (2) stipulates the principle of self-determination of peoples, while Article 1 (3) calls for respect for human rights and the enjoyment of fundamental freedoms without distinction as to race, sex, language or religion. Furthermore, the San Francisco Charter established two ways of dealing with the problem of colonial territories. Chapter XI contains provisions dealing with all non-self-governing territories whereas Chapters XII and XIII provide for the establishment of an international trusteeship system to operate under the Trusteeship Council of the United Nations. Two points need to be emphasized here: first, the fact of recognition of the right of peoples to self-determination and second, the assumption by the international community of some responsibility for ensuring that that right was put into practice - *which at that time was comprised largely of European powers* - in other words, the moral and legal involvement of the World Community on behalf of and in support of the dependent peoples. This therefore implicitly denied the colonial powers their claims to "rights" in the perpetuation of colonial form of *"correct term"* slavery.

oppression perhaps

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1. Only three African states were present at San Francisco, These were Ethiopia, Egypt and Liberia. South Africa also signed the San Francisco Charter but in African political terms, that country is not considered an independent African state.

Clearly, therefore, the clarion call of the colonial peoples to self-determination and independence was considerably augmented by the collective will and support - at least through the declared principles and purposes of the Charter - of the international community. This is no way to suggest that the San Francisco^{Charter}/per se met all the true expectations of the colonial peoples. The very composition of the conference as well as the environmental and other circumstances of that period simply precluded that. As an illustration, we can refer to the fact that the Charter did not explicitly come out in favour of total liberation of all colonial territories.

The issue whether or not independence was the ultimate objective for all the colonies was a very controversial one. Records show that there was division among the would-be permanent members of the Security Council (the then big Five). While China and the Soviet Union insisted upon "independence" as the ultimate goal for all dependent territories, the United States, the United Kingdom and France opposed such wording and preferred such terms as "self-government" or "political institutions." The resultant compromise was for "independence" to be made the goal of the colonial territories under the trusteeship system which was then being established, while that objective was not clearly laid down as the goal for other non-self-governing territories.

* key point

This ambiguity was to be eliminated in 1960 with the proclamation by the General Assembly of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Yet notwithstanding the aforementioned compromises and resultant shortcomings, the principles enunciated in the Charter and the commitment of the international community to the issues of self-determination and racial equality did provide a tremendous

inspiration and impetus for the determination of peoples to free themselves from colonial bondage. *The activities of other inter-governmental organizations should also be mentioned, e.g., UNESCO's 1948 statement on race.*

Many other factors which are not completely unrelated to the existence of the United Nations itself were responsible for the acceleration of the decolonization process and for leading the international community to play a more involved and at times crucial role in overcoming those forces that were determined to still the raging storm of liberation.

The Conference of Independent African and Asian States held in Bandung in 1955 was particularly significant. In their final communique the Heads of State and Government of 24 African-Asian States, while declaring "that colonialism in all its forms and manifestations is an evil which should speedily be brought to an end," affirmed their support of the cause of freedom and independence of all dependent peoples and called "upon the powers

concerned to grant freedom and independence to all such peoples¹."

The powerful support for the colonial peoples was further strengthened by an equal and indeed more vehement commitment of the First Conference of Independent African States, held in Accra in 1958, the first All African Peoples Conference, convened in Accra in the same year, and the Second Conference of African Independent States, held in Addis Ababa in June, 1960. All these conferences were more specific in demanding an immediate end to colonialism in the African continent. Mention must also be made here of two events which had far reaching consequences for the decolonization process in Sub-Sahara Africa: the independence of Ghana in ¹⁹⁵⁷1956 under the leadership of Kwame Nkrumah, with his passionate and uncompromising stand on decolonization; and the decisive 'No' given by the peoples of Guinea under Sekou Toure in a referendum held by the French Government in 1958, thereby rejecting the so-called autonomy within a new French community, which led to its becoming the first French colonial territory to

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1. Final Communique of the Asian-African Conference held at Bandung, Indonesia from 18th - 24th April, 1955, Section D. Problems of Dependent Peoples. Reproduced in Leo Martes, Non-Alignment Theory and Current Policy, p. 375.

achieve freedom, thanks to the spirit of the Guinea leader, who¹
opted for "poverty in freedom" rather than servitude in plenty.

III

THE DECLARATION ON DECOLONIZATION AND ITS SIGNIFICANCE.

In 1960, sixteen African states attained their independence and became members of the United Nations. The significance of this event cannot be over-emphasized. This influx of the new states from the African continent was bound to have some effect on the balance of power in the United Nations, as it certainly did have some influence in the transformation of international relations in the world at large on such issues as the race question with particular reference to the plight of the Africans in the diaspora. The impact of this newly emergent force was put into full focus that very year when the United Nations General Assembly pursuant to the initiative of the Soviet Union, adopted the historic Declaration on the Granting of Independence to Colonial

1. Motto proclaimed by President Sekou Toure prior to the Referendum of 28 September 1958. See Ronald Segal, AFRICAN PROFILES, "Sekou Toure and the Guinean Experiment", p. 312.

¹
Countries and Peoples .

Significantly, the Declaration was adopted without opposition. Embodied in resolution 1514 (XV), the Declaration received 89 votes in favour, none against, with 9 abstentions (Australia, Belgium, Dominican Republic, France, Portugal, Spain, South Africa, United Kingdom and United States) ² .

The adoption of the Declaration on Decolonization marked a new and crucial period in the efforts of the international community to put an end to the outmoded system of classical colonization. In the words of the former Under-Secretary General for Trusteeship and Non-Self-Governing Territories, the Declaration "marked the beginning of a new and more urgent approach to the problem of decolonization" ³ .

⁴
Through the Declaration , the General Assembly solemnly

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- Khrushchev*
1. Addressing the Fifteenth Session of the General Assembly of the UN on September 23, 1960, the Chairman of the Council of Ministers of the USSR, Nikita Khrushchev proposed for inclusion in the Agenda a new item entitled "Declaration on the Granting of Independence to Colonial Countries and Peoples." In an explanatory memorandum accompanying the proposal, the USSR called for "complete and final liberation of peoples languishing in colonial bondage" and exhorted the UN, categorically to pronounce itself in favour of the "immediate and complete elimination of the colonial system in all its forms and manifestations." See YEAR BOOK OF THE UN, 1960, p. 44.
 2. YEAR BOOK OF THE UNITED NATIONS, 1960, p. 48 & 49.
 3. Djermakoye I.S. The United Nations and Decolonization, pamphlet published by the UN Office of Public Information, April, 1970, p.5.
 4. General Assembly Resolution 1514 (XV) of 14 December 1960.

proclaimed the necessity of bringing to a speedy and unconditional end, colonialism in all its forms and manifestations. While expressing the belief that the process of liberation is irresistible and irrevocable, the Declaration affirmed that an end must be put to colonialism and all practices of segregation and discrimination. It called for immediate steps to be taken in trust and non-self governing territories or in other territories which had not yet attained independence, to transfer all powers to the peoples of these territories, without any conditions and in accordance with their freely expressed desire in order to¹ enable them to enjoy complete independence and freedom .

The Declaration also asserted that all people had the right to self-determination and that inadequacy of political, economic, social or educational preparedness should never serve as a pretext² for delaying their independence (emphasis added). This provision was particularly relevant and timely since the common, often heard excuses from the colonial authorities for delaying the independence of the colonial peoples was that the "natives" were ill-prepared to assume the heavy responsibilities of nationhood. Such cynical and irrelevant expressions as "how can you be free when you cannot even manufacture a match box or a needle? " were commonplace.

1. Ibid, Operative paragraph 2.

2. Ibid, Operative paragraph 3.

Two principles in the Declaration merit special highlighting in view of the attitude taken by the colonial powers heretofore vis a vis their dependencies. Whereas Article 1 (2) and Article 55 of the Charter referred to the question of self-determination of peoples, there was still some ambiguity as neither of the article gives a precise interpretation of self-determination. This ambiguity was clearly removed in the second operative paragraph of the Declaration embodied in Resolution 1514 (XV) where, as already mentioned, the concept of self-determination is given a precise definition.

The second principle concerns the relations between dependent peoples and the administering (Colonial) Powers. Prior to the adoption of the Declaration, the colonial powers considered that this relationship was their exclusive responsibility. Thus they acted in their attitude towards their colonial territories as if they were their exclusive preserves to plunder and exploit, harass and intimidate, oppress and repress at will! The Declaration put an end to this monopoly! It stipulated that relations between the colonized (dependent) peoples and the colonial (administering) Powers were international and not domestic. Hence, the international community could not remain indifferent to the violation of such a key principle of the Charter as the equality

avoid polemics; understatement is generally more effective.
As a normative force only, the Declaration had yet to be implemented.

of rights and self-determination of peoples. In this connection, the Declaration asserted that in the event of such violation, the international community had the right to take all necessary steps to bring an end to the violation in accordance with the charter of the United Nations.

The Declaration on Decolonization has been described as a milestone in the efforts of the international community to speed up the liberation process of the colonial peoples. Different representatives who addressed the Assembly after its adoption hailed it as a monumental contribution to the struggle of peoples for self-determination and independence. References were made to the Declaration as being an "epoch making document" whose¹ significance was "far reaching" and that it would "inspire" and "give hope and faith" to millions who were still languishing under colonial domination². Above all it has been repeatedly asserted that the Declaration stripped the colonial system of whatever appearance of legitimacy it still had and provided a legal interpretation of the Charter provisions with respect to decolonization. Edward Hambro of Norway, President of the 25th Session of the United Nations General Assembly and a renown

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1. Statement by the Representative of Cyprus.
 2. Statement by the Representative of India.

where?
"

Citations
should be
more
specific.

international lawyer, characterized the Declaration as having an impact on international life "comparable only to that of the charter itself and the Universal Declaration of Human Rights ..."¹

While Christians look to the Bible for inspiration and spiritual guidance, Moslems refer to the Holy Koran, and followers of the other great religions of the world such as Judaism, Hinduism and Buddhism refer to their respective Holy scriptures, it is no exaggeration to say that anti-colonialist forces both within and without the United Nations constantly make reference to the Declaration on the Granting of Independence to Colonial Countries and Peoples.

IV

ESTABLISHMENT OF THE COMMITTEE OF 24

The United Nations Special Committee on Decolonization is currently the primary body of the Organization dealing with "the progress of peoples in dependent territories towards independence".²

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1. Official Records of the Twenty-Fifth Session of the UN General Assembly, 1866th Plenary Meeting, October 14, 1970, p. 16. para 173.
 2. The Special Committee of 24, What it is, What it does, How it works; Published by the UN Office of Public Information New York, April 1969, p. 3.

The Committee came into being in 1962 pursuant to the decision of the sixteenth Session of the United Nations General Assembly contained in resolution 1654 (XVI).

By this resolution which was adopted by a vote of 97 in favour, none against with 4 abstentions (France, South Africa, Spain and the United Kingdom), the President of the Assembly was to nominate 17 members to serve on the Committee. The President, Tunisia's Foreign Minister Mr. Mongi Slim, after consultation with all the geographical regional groupings, announced the following membership: Australia, Cambodia, Ethiopia, India, Italy, Madagascar, Mali, Poland, Syria, the United Republic of Tanzania (then Tanganyika), Tunisia, the USSR, the United Kingdom, the United States, Uruguay, Venezuela and Yugoslavia. ¹ *An important consideration - its composition which reflected the broad membership of the GA, not the equal balance between administering & non-administering powers on the Trusteeship Council.*

The Committee was charged with the responsibilities of examining the application of the Declaration and making suggestions ² and recommendations on the progress and extent of its application.

Both the scope and the size of the Special Committee were expanded during the Seventeenth Ordinary Session of the General

1. YEAR BOOK OF THE UNITED NATIONS, 1961, p. 51

2. General Assembly Resolution 1654 (XVI) of 27 November, 1961, paragraph 4.

Assembly. In a resolution adopted by the Assembly¹, the Committee's membership was expanded to 24 by the addition of seven new members, namely, Bulgaria, Chile, Denmark, Iran, Iraq, the Ivory Coast and Sierra Leone. The Committee, besides seeking the most suitable ways for the speedy and total application of the Declaration to all territories which had not yet attained independence, was entrusted with the tasks of proposing specific measures for the complete application of the Declaration, submitting to the General Assembly a report with recommendations on each territory, and informing the Security Council of any developments in the dependent territories which might threaten international peace and security. The Committee also took over the responsibilities formerly assigned to the² Special Committee on Territories under Portuguese Administration and the Special Committee on South West Africa,³ as well as the⁴ Committee on Information from Non-Self Governing Territories. With the establishment of the Committee of 24, these three subsidiary organs of the General Assembly became eventually redundant

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1. General Assembly Resolution 1810 (XVII) of 17 December 1962.
 2. Established under General Assembly Resolution 1699 (XVI) of 19th December, 1961.
 3. Established pursuant to General Assembly Resolution 1702 (XVI) of 19/12/1961.
 4. Established under General Assembly Resolution 332 (IV) of 2/12/1949.

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and were therefore dissolved . The Committee's terms of reference included receiving and hearing of petitions from non-self governing territories. It was also authorized to travel to any area in order to undertake its work of speeding up the decolonization process.

In its first decade, the Special Committee held a series of meetings away from Headquarters including in Tangier, Addis Ababa and Dar es Salaam (1962); in Addis Ababa, Dar es Salaam and Lusaka (1965); in Addis Ababa, Algiers, Cairo, Dar es Salaam and Mogadishu (1966), and in Kinshasa, Lusaka and Dar es Salaam in 1967 and in 1969; and in Conakry, Lusaka and Addis Ababa in 1972.

The Committee also dispatched a series of smaller missions to various territories at the invitation of and with the co-operation of the administering powers. Among those were two Missions to Equatorial Guinea in 1966 and 1968 respectively (the latter for the purpose of supervising the elections) and one to Aden in 1968.

In nominating the membership of the Special Committee the President of the General Assembly had, as pointed out earlier,

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1. The Special Committee on Territories under Portuguese Administration as well as the Special Committee for South West Africa were dissolved by the Seventeenth Session of the General Assembly in 1962 whereas the Eighteenth Session of the General Assembly (1963) dissolved the Committee on Information from Non-Self-Governing Territories.

taken into account regional interests. Furthermore, the composition of the Committee had both Administering Powers (Australia, the United Kingdom and the United States) and newly liberated states (like Tanzania and Madagascar). The membership of the Committee has over the years undergone minor changes (^{inelegant} here and there.) It was however in 1971, that a major change took place when both the United States and the United Kingdom decided to quit the Committee. This event, which Professor Mittle^eman characterises as one of the most important (negative) international events in Africa prior to the coup in Uganda¹, will be discussed later in the paper when the role of the Western countries in the Special Committee is considered. The departure of these two powerful Western powers left the Committee with a membership of 22. The Afro-Asian Group preferred not to find immediate replacement. This was done partly to serve as a constant reminder of the abandonment by these powers who claim "to be champions of human rights and self-determination"², of their responsibilities, and partly for the purpose of searching for a new member or members ~~from the~~

1. Mittleman, James H., "The Uganda Coup and the Internationalization of Political Violence, " Mungana Africana Library Notes, September 1972, p. 26.

2. Ibid, p. 26.

from the Western countries. The Committee for two years, while being termed the Committee of 24 functioned with a membership of 22. In 1973, however, this position was rectified when Australia, which had earlier on withdrawn from the Committee (in 1969), decided to return and an Afro-Asian member filled the 24th¹ Seat.

V

THE LIST OF TERRITORIES WITH WHICH THE
SPECIAL COMMITTEE HAS BEEN CONCERNED.

With the dissolution of the Special Committee on territories under Portuguese Administration, the Special Committee for South West Africa and the Committee on Information from Non-Self-Governing Territories, the Committee of 24 became, with one exception, the only U.N. organ dealing exclusively with questions relating to dependent territories. The exception was the Trusteeship Council. But the Committee also dealt with the territories which were under the mandate of the Trusteeship Council. For the Committee became responsible for "Trust and non-self governing

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1. Present Membership of the Committee is as follows: Afghanistan, Australia, Bulgaria, China, Chile, Congo, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran, Iraq, Ivory Coast, Mali, Sierra Leone, Sweden, Syria, Tunisia, Trinidad and Tobago, USSR, United Republic of Tanzania, Venezuela and Yugoslavia.

It would be interesting to comment on the type of delegates (in terms of education, background, prior experience, etc.) who attend the committee. Another aspect which merits attention is leadership within the committee.

territories or all other territories which have not yet attained¹ independence" as described in the Declaration of 14 December 1960 .

Interestingly enough, in spite of this clear definition of the territories with which the Special Committee was to deal, there has never been an officially agreed comprehensive list of the territories to which the Declaration is applicable. *explain the reason*

²
In 1963, the Committee instructed its Working Group to prepare a preliminary list of territories about which the Committee would be dealing. The Working Group's preliminary list approved by the Committee included (i) Trust Territories, e.g. New Guinea and Nauru (ii) South West Africa (iii) all the non-self governing territories on which Administering Powers had been transmitting³ information under article 73e of the Charter e.g. Aden, American

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1. YEAR BOOK OF THE UN, 1960 pp.49-50.
 2. Composed of officers of the Committee (Chairman, 2 Vice Chairmen and Rapporteur) and four other members, see Year Book of the UN, p. 443.
 3. Article 73e of the Charter requires the Administering powers to: transmit regularly to the Secretary General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Samoa and Zanzibar and (iv) territories declared by the General Assembly as non-self governing territories within the meaning of the Charter, but on which information was not transmitted under Article 73e of the Charter by the Administering Powers concerned. The Portuguese dominated territories of Angola, Mozambique, Guinea Bissau and Cape Verde, Sao Tome and Principe and their dependencies, fall under the last category. For the Government of Portugal has persistently refused to acknowledge the fact that these territories were colonial or non-self governing territories, contending that they were part of the Portuguese nation. Similarly, Southern Rhodesia also belonged to the last category when the United Kingdom refused to transmit information, maintaining that the territory was self-governing. This position was however changed the settler community in Southern Rhodesia declared their U.D.I. (Unilateral Declaration of Independence) in 1965 and the United Kingdom began to acknowledge the colonial nature of the territory and assumed its responsibilities. ? ok

This change of attitude by the United Kingdom was officially manifested in 1969 when in its letter addressed to the Secretary General of the United Nations dated August 12, 1969, the Delegation of the United Kingdom transmitted a report on Southern Rhodesia for the year 1968. In the same letter, it was explained that the

United Kingdom accepted that, in the present circumstances, Southern Rhodesia was a non-self governing territory within the scope of Chapter XI of the United Nations Charter.

¹
The List as approved by the Committee in 1963 was not complete. In 1965, French Somaliland and Aden were included in the list. And in 1972, after more than six years of deliberations,
²
the Special Committee recommended and the General Assembly approved,
³
the inclusion of the Comoro Archipelago in the list of territories to which the Declaration is applicable, and thus paving^{ed} the way for the Committee's consideration of the territory.

Currently, the Committee deals with a preliminary list of thirty nine territories as shown in Annex II of this paper. There are, however, a number of other territories which ~~considered~~, in the strict interpretation of the Declaration, should be considered as dependent and should therefore be dealt with by the Committee. Such territories as Reunion, Tahiti, Guadeloupe, New

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1. A/5446/Rev.1, Chapter I, G. pp. 5-6, para 27, Annex I
See also Annex I of the paper for this List of Territories the Committee was seized with in 1963.
 2. A/AC.109/L.833, 23 August 1973, Sixty-Seventh Report of the Working Group, paras 14, 15&16 and Verbatim Record of the Eight Hundred and Eighty-Seventh Meeting of the Special Committee, August 25, 1973, (A/AC.109/P.V.887) pp. 12, 13-15.
 3. General Assembly Resolution 2908 (XXVII) of 1972.

Pointe à Pitre?
Caledonia, and Martinique, to mention a few, should properly be considered by the Committee. But France would certainly resist such an interpretation since in the past she has refused to send information on these territories alleging various grounds for action including the fact that some of these territories were Overseas Departments of France. The answer to their possible eventual consideration by the Special Committee would depend largely upon whether or not members of the Special Committee or any other Member States would be willing and prepared to force a confrontation with France on these territories.

It is pertinent to note in this connection that France's continuation of nuclear testings in the South Pacific notwithstanding international opposition and in particular the indignation and opposition of the countries of the Pacific, has already brought the issue of the French territories in the Pacific into question. Speaking in the Special Committee, the representative of Fiji declared:

"Since France has chosen to totally ignore protests about its atmospheric nuclear testing in the Pacific and the justification for its carrying out its testing is that Murora Atoll is a part of France, and since France stopped its testing in Algeria when Algeria became independent, it appears to my delegation that the best thing for the Pacific in this regard would be for all the French Territories of the region (Pacific) to be considered by this Committee for inclusion in

its list of dependent territories. For example, our Committee would then have on its Agenda, in addition to New Hebrides, New Caledonia, Tahiti and French Polynesia. As we ask Portugal to free its African territories, we should also ask France to free its Pacific Territories¹." (emphasis added)

As has been demonstrated in the case of the Comoro Archipelago, it is quite conceivable that some territories which have heretofore never been included in the list, may subsequently be considered by the Special Committee.

There is another interesting element regarding the list which needs to be mentioned. This relates to the tendency of some of the Administering Powers to decide unilaterally to cease transmitting information on a given territory by asserting that ~~that~~ territory has attained the status of self government. This has led to prolonged discussion in the Committee. The Special Committee has taken the view that unless the United Nations has satisfied itself in that regard, the contention by the Administering Powers that a given territory has attained self-government within the meaning of Chapter XI of the Charter, is unacceptable. This situation has arisen with regard to the so-called 'Associated States' of the Caribbean (St. Vincent, St. Kitts-Nevis-Anguilla,

1. A/AC.109/P.V. 930 of 2 August 1973, p. 34-35.

Grenada, St. Lucia, Antigua and Dominica), with the Special Committee and the General Assembly urging the United Kingdom to transmit information and the latter asking the United Nations adopt a "hands off" attitude towards those territories since according to the position of the United Kingdom they have attained self-government.

VI

PROCEDURES AND METHODS OF WORK OF THE COMMITTEE

In discharging its functions, the Special Committee adopts its own method of work, follows its own procedure and decides on its own priorities. These have been followed from the very inception of the Committee and have been approved by the General Assembly. And whereas the procedures and methods of work have undergone some changes, these have been essentially of style and emphasis rather than form and content as such. The procedures and modalities adopted by the Committee can be briefly summarized as follows.

The Committee meets throughout the year to examine questions relating to the implementation of the Declaration and is expected to submit a report on its work just before the commencement of the General Assembly. After electing its bureau (comprising of Chair-

man, two Vice-Chairmen and a Rapporteur) the Committee appoints its Working Group which serves more or less as an Executive Board of the Committee. The latter's responsibilities include making recommendations on such questions as the order of priorities for the Committee in consideration of the various territories or issues related to the Declaration, appointment of subsidiary bodies of the Committee, programme of meetings and list of territories to which the Declaration is applicable.

Following the recommendations of the Working Group, the Committee appoints a number of subsidiary organs which are given mandate to study specific territories or issues. These subsequently submit their reports and recommendations to the Special Committee in plenary meetings. In assigning a territory/territories or an issue, to a special Sub-Committee, the Committee facilitates a more in-depth study of a given subject. The formation of the Sub-Committees as well as their terms of reference are reviewed annually.

For 1973, pursuant to the recommendations of the Working
1 Group, the Special Committee had the following subsidiary bodies

(a) Sub-Committee I -- dealing principally with economic

1. A/AC.108/L.841 of 16 February 1973, Sixty-Eighth Report of the Working Group.

and military activities which impede the implementation of the Declaration on Decolonization.

- (b) Sub-Committee II - dealing with a list of territories in the Pacific, e.g. American Samoa and Guam, Papua New Guinea, and those in the Caribbean, e.g. Bermuda, Montserrat and U.S. Virgin Islands.
- (c) Sub-Committee on Petitions and Information
- (d) Working Group - to follow the implementation by the Specialized Agencies and the institutions associated with the United Nations of the Declaration on Decolonization and other related resolutions of the General Assembly.

The United Nations Secretariat, ^{which departments primarily? Trusteeship, Human Rights, Unit on Apartheid...} prepares working papers to assist the Committee in its consideration and various territories. These papers give descriptions of recent political and constitutional developments as well as current social and economic conditions. Administering powers are also requested to cooperate with the Committee by appearing before it and by submitting written information as well as by allowing the Committee's access to the territory through the dispatch of visiting missions or groups.

This last request by the Committee has not always been positively responded to. In fact, besides Portugal which does not even 'recognize the competence of the Committee' to consider the territories under Portuguese administration, and France which by and large has given the Committee a cold shoulder, the attitude

of other administering powers has left a lot to be desired.

The non-cooperation has been particularly manifested on the question of sending visiting missions. Thus for example, in its report to the General Assembly's seventeenth Session, the Special Committee emphasized the need for securing the cooperation¹ of the Administering powers concerned. And in its report to the Eighteenth Session of the Assembly, in 1963, the Special Committee related to the various difficulties which it confronted in trying to gain access to the territories. The Committee stated that "by refusing access to a visiting group of the Special Committee to a territory coming within the scope of its work, the administering power is denying it one of the most effective means of² carrying out its work."

This lack of cooperation on the part of the administering Powers has been one of the most serious problems facing the Committee. We must however, point out that in some cases the non-cooperation has not been total, and indeed in others cooperation has been forthcoming. Spain showed exemplary co-operation with the Committee in the 1960's by inviting and subsequently receiving missions of the Special Committee to Equatorial Guinea. Australia,

1. A/5238, Chapter I, D. p. 18.

2. A/5446/Rev. 1, Chapter I, J. para. 55, p. 9.

which in the 1960's was hostile to the idea of allowing access by the Committee to its territories, has in the 1970's demonstrated a high degree of cooperation with the Committee.

In 1972, at the invitation of the Government of Australia, a joint visiting mission of the Trusteeship Council and the Special Committee visited Papua New Guinea and observed the General Elections which were taking place in the territory. And in June 1972, at the invitation of the Government of New Zealand, a visiting mission of the United Nations led by the Chairman of the Special Committee visited Niue¹. Wellington has furthermore invited the Special Committee to witness the act of Self-determination by the people of Niue scheduled to take place in 1974 besides inviting the Committee to send a visiting mission² to the Tokelau Islands.

The United States while so far declining to accept a visiting mission to any of its territories, has co-operated with the Committee by providing written information and by direct participation in the work of the Committee or its subsidiary bodies

1. For a report of the Mission see Official Records of the General Assembly, Twenty-Seventh Session, Supplement No. 23 (A/8723/Rev.1), Chapter XVI, Annex I.

2. Special Committee resolution, 9 August, 1973, A/9023/Add. 5.

United Nations to ascertain the wishes and aspirations of the peoples of the territories concerning their future status with a view to assisting them in the attainment of the goals set forth in the Declaration on Decolonization (Resolution 1514 (XV)) and the Charter of the United Nations.

It can be surmised that the insistence on the part of the Special Committee on dispatching visiting groups stems from the belief that it would be wrong to reposit complete confidence in the administering powers with regard to their activities not only in promoting the welfare of the people under their domination but also in leading them to the achievement of the goals of self determination and independence.

In the fulfilment of its responsibilities, the Special Committee adopts a series of recommendations. These take the form of either resolutions usually adopted by a vote, or consensus prepared by the Committee Chairman. Through these recommendations, the Committee calls concrete measures to be taken by the administering power and/or by the international community to facilitate the decolonisation of a given territory. Every year the General Assembly considers the report prepared by the Special Committee. This report which includes separate chapters on the situation prevailing in each dependent territory

or in a group of dependent territories, enables the General Assembly to address itself to the specific as well as the general problems of decolonisation within the context of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

VII

FIRST DECADE OF THE DECLARATION: The Committee's Role in the 1960s

By the time the United Nations commemorated its silver jubilee on October 24, 1970, the celebration of which was held simultaneously with the observance of the Tenth Anniversary of the Declaration on Decolonization, no less than thirty former dependent territories had achieved their independence. And while at best it would be presumptuous and at worst fallacious to claim that the liberation of these territories was primarily due to the efforts of the Special Committee or for that matter the international community at large, the important role of this Decolonisation organ should not be underrated. The Committee played an important catalytic role for the anti-colonial forces, though the assertion by the former Under Secretary General for Trusteeship and Non-Self Governing Territories that "the United Nations can rightfully claim that the peaceful transition from colonial status to independence in many former dependent territories

has been largely due to its constructive intervention " ¹ appears to be rather exaggerated since it implies a secondary role being given to the struggle of the colonial peoples themselves.

Yes One can look at the Committee as an accuser.

In undertaking an evaluation of the Committee's role in the process of decolonization, it is important to properly comprehend that body's limitations. Like the principal organ to which the Committee is responsible namely the General Assembly, the Special Committee can only make recommendations. It can expose the negative role of the administering powers. It can appeal to them and can rally international public opinion and support. But it has no power to force its recommendations on the administering powers. This point is so obvious that one may be tempted to question the utility of its affirmation in this paper. Yet there have been a number of criticisms in the past directed against the Committee because of the failure of the critics to appreciate this obvious truism. Thus at times representatives of national liberation movements have taken the Committee to task for failure to evolve concrete measures geared towards the decolonization of their territories. Paradoxically, due to this misunderstanding, there have been times particularly in the 1960s

1. Djermakoye I.S. op. cit., p. 3.

good discussion
when the Committee had to face the indignation of the Western countries who considered its actions too extreme and unrealistic while being bombarded with criticisms from its logical allies - the national liberation movements - who scorned it as impotent!

With all its limitations, however, the Committee has been an important international organ in support of the efforts of colonial peoples to self determination and independence. The operative word here is support. For the Committee's role can only be subordinate to the ~~gigantic~~ efforts made by dependent peoples themselves. Once this role is understood, we can objectively evaluate the achievements of the Committee in this regard.

Throughout the first decade of the Declaration, the Special Committee was active in supplementing the efforts of the colonial people to self-determination and independence.

The Committee and through its recommendations, the General Assembly, put persistent pressure - both in the form of appeals and where necessary, maximum harassment and ^{pressure} ~~embarrassment~~ - on the administering powers, urging them to expedite the process of decolonization. And since some of the administering powers, e.g. the United Kingdom, Australia and the United States, were also members of the Committee, a continuous dialogue - at times

bitter and recriminatory - transpired in the Committee. The debate, as well as the decisions taken by the Committee, had a triple effect. Firstly, it put ~~some~~ positive pressure on the administering powers. Secondly, it provided a tremendous booster to the morale of the nationalist forces in the colonial territories who could claim, with justification, that their struggle had the support of the international community. Thirdly, it served as a forum for arousing and mobilising world public opinion in favour of the liquidation of colonial rule. This in turn had its own impact in several Western European metropolitan countries.

A normative force; sets a standard for permissible behavior.

*must be
demanded
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The Committee, both through its meetings in New York and away from Headquarters, gave a platform to representatives of the ^{liberation} nationalist movements to plead their case and thereby solicit world wide attention, at times to the chagrin of the administering powers. It is a reflection of the Committee's success that several of the contemporary leaders of the newly independent countries did present petitions before the Committee in the early sixties leading the Committee to make concrete recommendations with respect to their territories. We can mention the examples of the appearance before the Committee of such prominent third world leaders as President Kaunda of Zambia and Prime Minister Forbes Burnham of Guyana. During its meetings in 1962, Kenneth Kaunda,

as President of Zambia's nationalist movement, the United National Independence Party, addressed the Committee as a petitioner¹. As a leader of the Peoples National Congress of Guyana, Mr. Burnham appeared before the Special Committee as a petitioner² in 1963.

In 1965, the General Assembly, pursuant to the recommendations of the Special Committee, recognized the legitimacy³ of the struggle of the colonial peoples. This legitimization by the United Nations of wars of national liberation waged by the liberation movements in Africa "means the recognition by various United Nations bodies that the struggle against colonialism and apartheid in Southern Africa is a legitimate endeavour as far as the purposes and the principles of the United Nations Charter and other United Nations declarations are concerned⁴."

This declaration by the Assembly was of far reaching importance to the decolonization efforts. This decision was followed in 1966 by a series of resolutions by the Special Committee

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1. Year Book of the United Nations, 1962, p. 60.
 2. Year Book of the United Nations, 1963, p. 44
 3. General Assembly Resolutions 2022 (XX) and 2107 (XX)
 4. EL-AYOUTY, YASSIN, "Legitimization of national liberation: The United Nations and Southern Africa" ISSUE, Published by the African Studies Association, Volume, II, No. 4. Winter, 1972, p. 36.

containing appeals or requests addressed to international institutions, including the specialized agencies. These appeals and requests on the one hand called on the specialized agencies and international organizations to refrain from giving Portugal, financial, economic or technical assistance for as long as that Government failed to implement the Declaration. On the other hand, the resolutions called on these international institutions to provide assistance to the colonial peoples who are suffering under colonial domination ¹.

The Special Committee has played an extremely useful role in mobilizing support by the specialized agencies for the liberation movements, as will^{be}/seen when we discuss the role of the Special Committee in the 1970's. For the logical corollary of the legitimisation of the struggle of the colonial people has been the growing assistance given by the United Nations to the national liberation movements. Professor El-Ayouty makes this point forcefully when, in underlining the importance of legitimisation of Africa's wars of national liberation by the international system, he points out that the legitimisation has opened

1. General Assembly Resolutions 2311 (XXII), 2426 (XXIII), 2555 (XXIV), 2704 (XXV), 2874 (XXVI) and 2980 (XXVII).

for the "freedom fighters paths to communication with several states and in the national and non-governmental organizations for all kinds of material and moral assistance ¹."

The Declaration on Decolonization was of universal importance since colonial territories were to be found in different parts of the world. Yet it is in Africa that colonialism had its greatest stronghold, with the largest numbers of colonial territories and the most complex colonial and racist consolidation. Thus the Committee from the very beginning of its work in 1962 gave priority to the African colonial territories. It is symptomatic of the grave nature of the colonial questions in Africa that the Special Committee today still accords top priority to the African questions.

In assessing the achievements of the Special Committee in the 1960's, we take note of the fact that the Committee took specific steps relating to a number of currently independent states. Let us take the example of the decolonization process in Africa. Here we find that the Special Committee was involved ^{Too vague} in one form or another in the process towards the liberation of a number of former

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1. El Ayouty, Yassin, "Africa's Burning Issues and United Nations Action," ISSUE, published by the African Studies Association, Volume II, No. 3, Fall, 1972, p. 45.

colonial territories. These included Basutoland (now Lesotho -
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Independence, 1966); Fernando Po; Gambia (Independence, 1965);
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Ifni , Kenya (Independence, 1963); Mauritius (Independence, 1968);
Northern Rhodesia (Now Zambia - Independence, 1964); Nyasaland
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(now Malawi - Independence, 1964); Rio Muni , Swaziland (Independence, 1968) and Zanzibar which attained its independence in 1963 and later merged with Tanganyika in 1964 to constitute the United Republic of Tanzania. In all these countries, the Special Committee campaigned and pressed vigorously and unceasingly for their earliest possible accession to independence.

In these as well as in other territories which became independent by 1970, the Committee of 24's unstinting endeavours were instrumental in effectively assisting the efforts of the colonial peoples to regain their independence. Addressing a special ceremony to commemorate the tenth anniversary of the Declaration, former United Nations Secretary General U Thant declared, "There can be no doubt that this Committee (Special Committee of 24) by its tireless efforts has played a decisive role in keeping the problem (of the implementation) of the Declaration

* Fernando Po and Rio Muni became independence Equatorial Guinea in 1968.

** Ifni was retroceded to Morocco on June 30, 1969.

in the forefront of attention and has brought about a concerted¹ approach to decolonization in the United Nations .

VIII

THE COMMITTEE'S ROLE IN THE EARLY 1970'S

On December 4, 1969, the General Assembly during its twenty-fourth Session requested the Committee of Twenty-Four to undertake an evaluation of the activities undertaken by the United Nations to promote decolonization since the adoption of the Declaration and, in the light of that evaluation, to formulate specific proposals for the elimination of the remaining manifestations of colonialism² . These proposals were to be submitted to the Assembly for the latter's approval in 1970 in connection with the tenth anniversary of the adoption of the Declaration, which was to be observed concurrently with the commemoration of the silver jubilee of the United Nations.

The Current Colonial Situation in General

In requesting the Special Committee to formulate a programme of action for the full implementation of the Declaration, the

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1. Official Records of the Twenty-fifth Session of the United Nations General Assembly, 1866th Plenary Meeting, October 14, 1970, p. 15, para. 166.
 2. General Assembly Resolution 2521 (XXIV) of December 4, 1969. See Records of the 1821st Plenary Meeting of the GA.

General Assembly took into consideration the concrete colonial situation that was still prevailing in many parts of the globe notwithstanding the Declaration. For although, by the time of the tenth anniversary of the adoption of the historic Decolonization document, many dependent territories had achieved the full state of nationhood, there were many areas where colonialism was still rampant.

Addressing the Commemorative Session of the Assembly to mark the Declaration, the Chairman of the Committee of 24 for 1970, Ambassador Davidson Nicol (of Sierra Leone), after hailing the contribution made by the United Nations in effectively assisting the liberation process of "thirty dependent territories with a population of nearly 60 million," made the following pertinent observation which in fact sums up the colonial situation today.

"At the same time, the progress thus achieved in recent years in the process of decolonization serves only to underline that 10 years after the adoption of the Declaration several million people are still subject to colonial rule and that most of them live under regimes which offer them little hope of early or peaceful emancipation. Indeed in many of the colonial territories, repressive measures including the use of armed action, continue to be taken against the inhabitants, depriving them of their prerogative to exercise freely and peacefully their 1 inalienable right to self determination and independence ."

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1. Official Records of the 25th Session of the UN General Assembly 1866th Plenary Meeting, Wednesday, Oct. 14, 1970, p. 13, para. 146.

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To reduce Ambassador Nicol's statement into specifics, we observe that today there are at least thirty nine territories which are still dependent. Of these, two are trust territories and the rest are what are described as non-self governing territories. Of the two trust territories, one is rapidly moving to full independence. The trust territory of Papua New Guinea is scheduled to be self-governing on December 1, 1973 and to move to complete independence as soon as its elected leaders so desire. Thus the Trusteeship Council would be left to deal with only the trust territory of the Pacific Islands. In so far as the other non-self governing territories are concerned these can be mainly divided into two groups.

- I. The small territories of the Pacific as well as those of Southern Africa.
- II. The burning, complex and hard core colonial problems of Southern Africa.

There are also other smaller territories like the Malvinas (Falkland Islands), the so-called Spanish Sahara, Comoro Islands etc.; but their problems are not as complex as those of group II. Indeed,

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1. Mr. Nicol is currently Executive Director of UNITAR and under his guidance, the Institute is working on a project on the UN and Decolonization. The project is likely to cover the following aspects (1) Nation Building (2) The hard core colonial questions of Southern Africa (3) The problems of the small territories/ (4) Neo-Colonialism.

as with those of group I above, it is only a matter of time when the Declaration on decolonization could be implemented. It is therefore Southern Africa ^{*} that constitutes the greatest challenge to the United Nations decolonization efforts.

The question of Southern Africa is a twin problem of colonialism and apartheid. In this paper we are only dealing with the role of the Committee of 24 whose mandate does not include the problem of apartheid South Africa. Yet it must be recognized that due to the involved nature of the South African regime in the perpetuation of colonialism in Southern Africa references to the role of apartheid South Africa is inavoidable, and increasingly, the Special Committee has had to consider the question of apartheid when considering ways and means to promote the process of decolonization in Southern Africa.

A relevant example of the role of apartheid South Africa in Southern Africa is given by Minter when he states "of all the countries on which Portugal depends for help in sustaining her colonial role in Africa, the Republic of South Africa is certainly

* The term Southern Africa here is used to include Guinea Bissau and Cape Verde since the latter has invariably been linked with the other Portuguese-dominated territories.

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of the most direct importance ."

Southern Africa is one of the conflict situations most often discussed in the United Nations. And the Special Committee has in the past devoted, and will, in the future, continue to devote, with even more vigor and determination, considerable time for the purpose of finding a solution to this problem. It is in fact no exaggeration to state the future role of the Committee is likely to be dominantly directed to this problem. A brief resume of the distinctive problems of Southern Africa would therefore appear to be necessary in order to properly understand and evaluate the role of the Special Committee and the General Assembly in dealing with this question.

The territories concerned are those under Portuguese domination (principally Angola and Mozambique), Namibia (South West Africa) and Southern Rhodesia.

In contrast with the position of all the other administering powers, the Government of Portugal has taken a completely negative

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1. Minter, William, Portuguese Africa and the West, Penguin African Library, England, 1972, p. 128.
 2. On September 24, 1973, Guinea Bissau proclaimed its independence. The consequences of this act are discussed later in the paper.

role. Briefly explained, Portugal's position is this: She refuses to accept the principle of self-determination for the peoples in her colonial territories maintaining that under her constitution, Portugal is a unitary state whose national territory is pluricontinental. Thus the Portuguese territories of Angola etc. are "overseas territories" and not colonies, and the talk of decolonizing them is nonsense. The United Nations does not accept this position and neither do the national liberation movements of the territories. The latter have taken up arms to fight for their liberation. The former has consistently called upon Portugal to decolonize the territories and, faced with the obstinacy of the Lisbon authorities, has taken measures to support the efforts of the liberation movements.

For more than ten years, wars of liberation have been raging in Angola, Mozambique and Guinea Bissau. In order to sustain its colonial wars, Portugal is spending almost half of its national budget and deploying a about 142,000 troops to combat the¹ nationalist forces. African states and their supporters maintain that Portugal is only in a position to fight these wars due to the support - economic, political and military - that she receives from

1. Gomiond, John, "Portugal's Colonies: Echoes of Another Century." The New York Times, Sunday, November 4, 1973, Section 4, The Week in Review, p. 6.

some of her allies within NATO.

President Nyerere put this question succinctly:

"Does anyone imagine that one of the poorest states of Europe could, unaided, fight colonial wars in these territories which are together twenty-times its own size? On the contrary, its NATO membership allows it almost to disregard its domestic defence needs, and devote its armies to Africa. Its membership in EAFTA strengthens the Portuguese economy, and thus helps that country to meet an otherwise intolerable burden.¹"

There is no doubt that Portugal receives considerable assistance, both economic and military, from her allies. The Africans and Asians and the overwhelming majority of the member states of the organization argue that this assistance helps the Portuguese colonial war effort. Thus the Special Committee and General Assembly have repeatedly called on Portugal's allies to desist from providing such assistance to Portugal. But Portugal's allies and more particularly its principal collaborators, the United States, the United Kingdom, West Germany and France argue that the aid they provide to Portugal is not for the perpetuation of colonial war. Indeed, most recently, the argument was reiterated by Portugal's principal collaborator. Addressing the General Assembly's

1. Address by the President of the United Republic of Tanzania Mwalimu Julius K. Nyerere at the General Assembly on Thursday, October 15, 1970 during the Commemorative Session.

Plenary Meeting in explanation of the United States negative vote against the resolution welcoming the independence of Guinea Bissau, the representative of the United States declared:

"Any military equipment that we supply to metropolitan Portugal is to meet its legitimate requirements as a NATO ally and not for use in Africa ... Let us be quite clear on that. Portuguese membership of NATO is one thing; its colonial policies are another. We do nothing to assist Portugal in its colonial policies.¹"

This argument is strongly contested by not only the Afro-Asians and their supporters but also many outstanding personalities in Western Europe who are working against Portuguese colonialism. Thus Dr. Sietse Bosgra of Angola Committee, Amsterdam, explains in his paper presented to the Oslo Conference:

"Notwithstanding all denials by NATO member countries, NATO is positively involved in the arms deliveries to Portugal. For example, the United States and West Germany deliver arms to Portugal under bilateral military agreements concluded within the framework of NATO.

"Moreover, through the exchange of military knowhow, NATO has joint responsibility for the continued oppression in the Portuguese Colonies.²"

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1. Verbatim Record of the 2163rd meeting of the General Assembly held on November 2, 1973, Document A/P.V. 2163, p. 32.
 2. Bosgra, Dr. Sietse, "Territories under Portuguese Domination Proposals for Action", paper presented to the International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa, held in Oslo from April 9 to 14, 1973 - Reproduced in OBJECTIVE: Justice, Volume 5, No. 3 - Public Information, p. 33.

Judging by the voluminous documentation at the United Nations on the question of assistance to Portugal and taking into account the testimony of the representatives of the national liberation movements, there is no doubt that Portugal's colonial war effort is greatly assisted by the support she receives from some of her allies. Whether the allies who provide such aid intend it for the purpose utilised by the Portuguese authorities would appear to be an academic exercise since the result is the consolidation and perpetuation of colonial rule. Hence, whereas the United States administration has argued that the credit-loan to Portugal worth \$436 million in exchange for utilization of the Azores base¹ was not meant to bolster Portugal's colonial efforts, the result of such massive assistance has exactly this effect.

Similarly, the involvement of the French and West German interests in the construction of the Cabora Bassa dam in Mozambique serves also to entrench Portuguese colonialism, particularly when taking into consideration the reported plan to settle one million European immigrants within the Cabora Bassa region. Lord Gifford, Chairman of the Committee for Freedom in Mozambique, Angola and

1. The Nixon-Caetano Agreement reached at the Azores in December 1971 provided for the lease by the United States of the Azores Military Base in return for aid to Portugal amounting to \$460 million.

Guine Bissau, of the United Kingdom has characterised the purpose of the scheme as designed to enrich the minority and make it easier to control and repress the aspirations of the majority, and has pointed out that "The Cabora Bassa Project is of no more benefit to the mass of Mozambicans than have the gold mines been to the mass of South Africans ¹," it is with this understanding that the Oslo Conference declared that any collaboration with Portugal on this Project as well as the Cunene River Project should cease and ² that concrete action must be taken to abandon the projects .

The report of the Special Committee to the Twenty-Eighth Session of the United Nations General Assembly which deals with military activities and other arrangements by the colonial powers in territories under their administration makes interesting reading. Among the points made are the type of equipment and military assistance ³ provided to Portugal by the United States . Mention is

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1. Lord Gifford, Anthony, "Mozambique: Support for Liberation Movement," Paper presented to the Oslo Conference, reproduced in OBJECTIVE: JUSTICE, Volume 5, No. 3., p. 35.
 2. "PROGRAMME OF ACTION AGAINST COLONIALISM AND APARTHEID IN SOUTHERN AFRICA." adopted in Oslo on April 14, 1973, by the International Conference of Experts for the Support of Victims of Colonialism and Apartheid in Southern Africa held in Oslo from 9 to 14 April, 1973, under the auspices of the United Nations and the Organization of African Unity.
 3. A/9023, Part IV, Chapter V, Report of the Special Committee.

These points, while certainly valid, could be footnoted or even omitted

- 49 -

also made of the fact that Portuguese officers are receiving an anti-guerilla Commando course at Fort Bragg in the United States under the direction of the Green Berets. Critics of the United States support for Portugal point out that such training given to Portugal makes the denials of the United States support for Lisbon's colonial wars both hollow and ludicrous.

There are many other concrete examples of support and assistance given to Portugal by some of her allies. The point to emphasize here is that most members of the United Nations uphold the view that it is this assistance which sustains Portuguese colonialism. And this is a point which needs to be highlighted as this support constitutes one of the major, if not the decisive, obstacles to the United Nations decolonization efforts with regard to Portuguese dominated territories. Furthermore, experience both in the Special Committee and within the U.N. system generally has shown that this support is also reflected in the diplomatic and political fields. Thus the confrontation in the United Nations on the question of Portuguese colonialism invariably finds some of the Portuguese allies siding with Portugal. And in this context, the

United States has distinguished itself as being the foremost
1
champion of its ally .

Southern Rhodesia

On November 11, 1965, the white minority regime of Southern Rhodesia proclaimed a unilateral declaration of independence. This act of rebellion against the British Crown, was not confronted by the United Kingdom Government with measures used elsewhere in British colonies to quell rebellions. The declaration of independence by Mr. Smith and his fellow settlers was greeted with indignation and with opposition by the international community. The United Nations - through its Special Committee, the General Assembly and the Security Council - condemned this act and took measures aimed at isolating the regime and encouraging as well as assisting

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1. The United States has either voted against or abstained on almost all resolutions relating to the decolonization of the territories under Portuguese domination. Only once has the United States voted for an anti-Portuguese colonialism resolution. This was in 1972 when they voted together with the rest of the Security Council members on the resolution which called upon the Portugal to end her colonial presence and negotiate with the representatives of the people of the territories for the purpose of allowing those people to attain self-determination and independence. Security Council Resolution 322 (1972) of 22nd November, 1972.

the administering power - the United Kingdom - at bringing down the rebellion.

As pointed out earlier in this paper, Britain, which had earlier refused to transmit information on the territory on the grounds that it was a self-governing territory, changed its position subsequent to UDI and claimed responsibility over the territory. Britain's role in the ~~whole~~ Southern Rhodesian tragedy has been characterised as ignominious by the Special Committee and denounced more vehemently by the Afro-Asians in the United Nations. This is due to several reasons including the following:

1. She created conditions in the territory where the instruments of power were gradually handed over to the minority (200,000 whites) at the expense of the African majority (5 million). In this connection, Britain for example, transferred armed forces and aircraft belonging to the defunct Central African Federation, to the settler minority regime in spite of the warnings and protests of the African States. This decision was¹ deplored in early 1968 by the Special Committee .

1. A/7200/Add.1.

2. She did almost nothing to prevent the unilateral declaration of independence by the Smith Regime. In fact through their many contradictory statements prior to the Declaration, the British Government seems to have encouraged the 1965 rebellion. As evidence of this, critics of British policy point out the statement made by the then British Prime Minister, Mr. Wilson, to the effect that in the event of UDI Britain would not use force to quell the rebellion.
3. After UDI, the British Government has not been very co-operative with the United Nations when the latter at the demand of the Afro-Asian bloc has called for effective measures under Chapter VII of the Charter. Thus, while she has initiated the moves on mandatory sanctions, and subsequently cooperated in their extension, Britain has preferred only limited sanctions. On several occasions, the United Kingdom Government has used its veto in the Security Council to block meaningful decisions.
4. Up to 1972 Britain was still trying to negotiate a solution with the Smith regime on the basis of the so-called five principles thereby either ignoring or

bypassing the important principle (en^{sp}nnounced by the United Nations General Assembly, namely, there should be no independence before majority rule (the so-called NIBMAR Principle).

The failure of sanctions to topple the regime in Southern Rhodesia is attributed to two factors. Firstly, these sanctions are not strictly adhered to by all states. Indeed, they had a crippling blow in 1971 when the United States violated them by allowing the importation of chrome from Southern Rhodesia¹. The other reason which is equally fundamental is the fact that these sanctions are not comprehensive enough and they fail to take adequate measures against the principal sanctions busters, namely² Portugal and South Africa.

Even when the so-called proposals for settlement agreed upon by the British Government and the Smith Regime were resoundingly rejected by the Africans in Southern Rhodesia as testified to by the Pearce Commission, Whitehall still seemed to be hoping for a settlement on the basis of these same proposals.

1. General Assembly Resolution 2765 (XXVI)

2. See S/10309/Rev. 1.

The current situation in Southern Rhodesia has taken a turn for the worst with the illegal minority regime embarking on more ruthless measures and the Africans resigned to the impossibility of realising any peaceful changes.

Namibia

In 1966, the General Assembly revoked the mandate of South Africa over South West Africa. The resolution revoking the mandate was adopted by 114 votes to 2 (Portugal and South Africa) with 3 abstaining, (France, Malawi, and the United Kingdom).¹ Subsequent to this resolution both the General Assembly and the Security Council have in vain, called for the withdrawal of South Africa from the international territory of Namibia. At the request of the Security Council,² the International Court of Justice considered the matter of the continued presence of South Africa in Namibia and in an advisory opinion handed down on June 21, 1971, the Court strongly affirmed the illegality of South Africa's presence and claims on the territory and ruled that it was under the obligation to withdraw immediately from Namibia. The Court also ruled that the Members of the United Nations were under the obligation to

1. General Assembly Resolution 2145 (XXI) adopted on October 27, 1966 at its 1454th Plenary Meeting.

2. Security Council resolution 284 (1970) of 29 July, 1970.

recognize the illegality of the presence of South Africa in Namibia and to abstain from having relations with South Africa¹ likely to imply any recognition of that administration .

Pursuant to this opinion by the Court, the Security Council on October 20, 1971, called upon all states to desist from taking any steps or actions that may accord support or recognition of² South Africa's claims on Namibia . Yet despite these and many other resolutions of the United Nations, South Africa continues to illegally occupy Namibia.

During the meetings of the Security Council in Africa (Addis Ababa) a new approach was attempted. This followed the initiative by the Argentina delegation. The Security Council authorised the Secretary General to initiate contacts with "all the parties concerned [that is including South Africa] with a view to establishing the necessary conditions" to enable the Namibians to exercise their right to self-determination and independence. Pursuant to this dialogue approach, the Secretary General visited South Africa; appointed a special representative who went to South Africa and

1. S/10267.

2. Security Council Resolution 301 (1971) of 20 October, 1971.

attempted negotiations with the South African authorities; and furthermore pursued several other contacts with the South Africans.

Twice the Secretary General's mandate was renewed by the Security Council ¹. And while there has been some muted talk of some concessions made by the South Africans, the apartheid regime remains firmly in the saddle in Namibia with no signs of withdrawing. This has led the OAU Summit Meeting to call for the termination of the contacts ². Earlier, the United Nations Council for Namibia ³ had made the same call ⁴. And in its consensus adopted on June 29, 1973, the Special Committee of 24 reiterated the call ⁵. Critics of the contacts have accused South Africa of bad faith. Specifically, the South African regime has been accused of carrying on the contacts to deceive world public opinion while they proceeded to entrench their rule in Namibia and bantustanise the territory thereby violating

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1. Security Council Resolution 319 (1972) of August 31, 1972 approving Secretary General's proposal to appoint a representative, And Security Council Resolution 323(1972) of December 6, 1972 authorising the Secretary General to continue his contacts.
 2. Resolutions of the Tenth ordinary Session of the Assembly of Heads of State or Government of the Organization of African Unity, May 1973.
 3. The UN Council for Namibia was created pursuant to General Assembly Resolution 2248 (S.VI) on May 19, 1967. The Council is supposed to administer the Territory prior to the independence of Namibia.
 4. A/9024.
 5. Special Committee Consensus on Namibia adopted at its 926th meeting on June 29, 1973, Document A/A.C.109/425 of July 3, 1973.

the principle of unity and territorial integrity of the territory so consistently championed by the United Nations.

These then are the hard-core colonial problems in Southern Africa which the Special Committee as well as the General Assembly and its related organs have to tackle. Given the degree of involvement of the extra-continental powers on the side of the colonial regimes, on the one hand, and the determination of the nationalist forces backed by the Organization of African Unity and generally supported by the United Nations, on the other hand, it is clear even to the uninitiated, that the problem is thorny and complex carrying the potential of serious repercussions for the peace and security of the African continent. In dealing with these problems, the Special Committee has taken these factors into consideration. It has repeatedly drawn the attention of the Security Council to the fact that the situation in Southern Africa presents a serious threat to international peace and security. It has urged both the Council and the General Assembly to take steps to ameliorate the ^{situation} ~~liberation~~ movements. And more particularly, as we shall see shortly, it has moved to support in concrete ways the liberation movements in Southern Africa.

Obstacles to Decolonisation

In the discharge of its responsibilities, the Special Com-

Committee has had to confront numerous obstacles. These obstacles which have been mainly responsible for the failure to implement the Declaration fully are many and varied. In the earlier sections of this paper, we have already identified one of the major obstacles, namely the non-cooperation and at times outright defiance of the administering Powers. We have also alluded to the largely negative role of the major western powers particularly with regard to the decolonisation process in Southern Africa. In this connection mention must be made not only of the negative policies of the governments of these countries: of no less importance has been the role of certain economic interests which have penetrated the colonial territories, exploiting their resources and bolstering the political and economic potential of the colonial powers.

The question of the role of the foreign economic interests that impede the Declaration was first introduced during the eighteenth session of the General Assembly under resolution 1899 (XVIII). Thereafter, the Special Committee has yearly considered the adverse effects of foreign economic interests in the colonial territories and has called for the cessation of such activities, since in the view of both the Special Committee and the General Assembly, the policies of such monopolies have permitted the ruthless exploitation of natural resources in colonial territories contrary to the interests of the indigenous population, not to mention

the fact that these foreign economic interests that are have been known to promote or tolerate unjust or discriminatory work systems and other malpractices.

Two other major obstacles merit highlighting. The first relates to the situation in Southern Africa while the second refers to decolonisation in general. With respect to Southern Africa, the unholy trinity of the Pretoria-Salisbury-Lisbon axis constitutes a formidable bulwark against the liberation process of the non-self governing territories in Southern Africa. This entente has been repeatedly condemned by the Special Committee, the General Assembly, and the Security Council. But condemnations have not, and will not, impair the effectiveness of the alliance. And the many resolutions which have been adopted, calculated to overcome the obstacles imposed by these colonial and racist regimes, have remained unimplemented.

This then brings us to the other major obstacle. The increasing gap between the adoption of resolutions and their implementation is a source of great concern both within and without the United Nations Organisation. The gap has been ever widening with respect to the resolutions on decolonisation.

Some critics of the Special Committee as well as the United Nations as a whole accuse the United Nations and its organs