

ARBITRATION UNDER ANNEX VII OF THE 1982 UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA

REPUBLIC OF MAURITIUS

v.

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**



REPLY OF THE REPUBLIC OF MAURITIUS

VOLUME II

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18 November 2013

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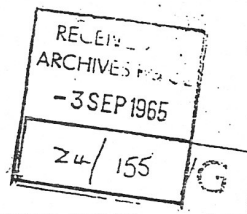
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Brief submitted by G.G. Arthur, UK Foreign Office for Secretary of State for use at D.O.P. Meeting held on 31 August 1965, FO 371/184527

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SECRET



DEFENCE FACILITIES IN THE INDIAN OCEAN

I submit a brief for the Secretary of State to use at the D.O.P. meeting on Tuesday, 31 August. It has been cleared with United Nations Department.

[has been - d/r]

(G.G. Arthur)
27 August, 1965.

Mr. Peck

GP
27/8

Copy to:-

Sir B. Burrows
Mr. Greenhill
Mr. Cable
Mr. Wade-Gery

P.V.S.

Private Secretary.
This brief will not be
wholly useless to you politically.
The securing of these islands
should have been done earlier
& quicker - now we are
likely to have criticism from
some, like the Indians, who will
be awkwardly keeping that for
reasons of their interests we
shall

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shall go ahead -

I think there is no doubt
 that, if we do not take
 positive action, ^{without ability}
 to take security ^{and peace}
 keeping action in the Indian
 Ocean will in the end lapse,
 with extremely damaging results -
 I think therefore that we have
 to go ahead on a matter on
 which it is worth remembering
 our ten scrupulous competitors
 do not hesitate for 5 minutes
 - such are the by-products
 of the "double standard" in
 international affairs -

McDonough
 - 27/18

Secy of State.

SEEN BY SECRETARY OF STATE.

27/18

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BRIEF For the Secretary of State at the
D.O.P. Meeting on Tuesday, 31 August:
DEFENCE FACILITIES IN THE INDIAN OCEAN

Flag A

The attached joint Foreign Office/Ministry of Defence paper was approved by Lord Walston in the absence of the Secretary of State. It is to be discussed at the Defence Overseas Policy Committee next Tuesday immediately after the paper on Singapore with which it has a logical connection.

Flag B

2. The Secretary of State will be familiar with the background to this proposal which has now been under negotiation for 18 months. The back history, a description of the islands concerned, and a map are included in the earlier joint paper (OPD 65/68 of 7 April).

3. The Mauritius conference, which opens in London on 7 September, may be our last chance to achieve a satisfactory outcome. Even if Mauritius does not opt for full independence at this conference - and it seems unlikely that she will do so - it is unlikely that we shall be able to keep consultations with Mauritius confidential for much longer. Widespread public discussion of the proposal before agreement had been reached would make the achievement of a successful conclusion much more difficult. A decision on how to proceed is therefore required urgently.

Flag A

4. The new joint paper marks an important step forward. The Foreign Office have long urged the importance of the islands project for Anglo/American relations. The

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Ministry of Defence (including the Chiefs of Staff who discussed and approved it in draft) have gone further with a statement (paragraph 4 of the paper) of the extreme importance for our own strategic purposes of detaching the islands now. In the light of this statement the paper recommends that if Mauritius Ministers refuse our offers, they should be told that in that case Her Majesty's Government will have to consider any proposals for the future status of Mauritius without the Chagos Archipelago, and will exercise their right to transfer Chagos to permanent British sovereignty under order-in-council, financial compensation being paid to the Mauritius Government in accordance with our offer. There should be no need for such pressure in connection with the islands belonging to Seychelles, provided a satisfactory bargain can be struck on the amount of compensation to be paid.

5. It is difficult to assess precisely reactions in the United Nations. Even if the islands are detached with the consent of the Seychelles and Mauritius Ministers there will be criticism at the United Nations both from those who wish on strategic grounds to exclude British influence from the Indian Ocean area and from those who have a doctrinaire or emotional hostility to "foreign bases". We must also expect the argument that adjustments of territorial boundaries cannot be recognised unless they are freely agreed by the representatives of the people concerned after independence.

Flag C New Delhi telegram 2815 of 16 August foreshadows this line from the Indians.

6. Although there is nothing in the Charter of the /United

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United Nations which forbids the adjustment of the boundaries of colonial territories, subject to observance of the principle in Article 73 (which we ourselves have frequently invoked) that the interests of the inhabitants are paramount, there are a number of United Nations resolutions which would undoubtedly be quoted against us. The most important is Resolution 1514 (the "Declaration on Colonialism"), operative paragraph 6 of which states that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations". Although this resolution does not in law have the force of a Charter amendment, it is regarded as such in practice by the Afro-Asian and Communist members.

7. If the islands are detached against the expressed wishes of the inhabitants, or without their consent, then our opponents will have more plausible arguments to hand and many of our friends may hesitate to defend us. In these circumstances the Charter, as well as United Nations resolutions will be invoked against us.

8. We should in reply be able to point to the remoteness of the islands concerned from the main islands, with which they have been united solely for the administrative convenience of the colonial power, and not because of any historic, geographic or ethnic affinity; and to the fact that the inhabitants concerned are few and nearly all contract labourers neither permanently living on, nor indigenous to, the islands they work on. We should have to argue that their detachment does not conflict with the interests of the inhabitants of Mauritius

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and Seychelles as a whole.

9. We shall have to meet criticism whether or not the consent of the representatives of the inhabitants has been secured. But without it our opponents' arguments will gain a more sympathetic hearing. We must, therefore, accept the fact that we shall be subject to continuing attacks in the United Nations. These will tend, at any rate temporarily, to obscure the positive aspects of our record of decolonisation, create suspicion about our progress with other of our remaining dependencies, and complicate our relations with the Organisation as a whole, thereby making it more difficult for us to fulfil our declared aim of sustaining and strengthening it. These attacks, however, although damaging at times, will not be unmanageable. The recommendation that we should proceed with this proposal, if necessary even without local consent, is made after full consideration of these difficulties. It is becoming clear from the Defence Review that if we wish to maintain a credible military presence east of Suez, to co-operate with the Americans in the Indian Ocean area, and to keep our lines of communication open to Australia, we must have these islands. In five years time we may well have lost our bases in Aden and Singapore. The new agreement with the Maldives covering our facilities at Gan, achieved after long and difficult negotiations, does not provide for the use of these facilities by our allies. If we insisted on our allies using them the independent Maldivian Government might go back on the agreement; and in any case our enjoyment of these facilities cannot

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be guaranteed, the Maldives being independent, in the long term.

10. Once our Singapore base has gone, we shall depend increasingly on American (as well as Australian) logistic support and co-operation. At present the Americans are in no position to help us in the Indian Ocean area, since they have no bases, facilities or forces permanently deployed, between the Mediterranean and the Philippines. Unless we secure the islands now we cannot expect them to have either the means or the inclination to help us, either with forces or logistics, in the future.

11. If we are to rely on deploying forces in the Indian Ocean area without Singapore and Aden, we must clearly have facilities on sovereign territory between Australia and Suez. The islands which we propose to detach from Mauritius and Seychelles are well situated for peace-keeping operations East of Suez, and particularly in East, Central and Southern Africa, where our participation in United Nations operations would be essential. If we do not detach these islands now, we shall find it very difficult to maintain our rôle East of Suez in the long term.

12. It is recommended that the Secretary of State should speak on the above lines at the Defence Oversea Policy Committee.

Permanent Under-Secretary's
Department.

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Annex 41

Extract from Minutes of 37th Meeting of Defence and Oversea Policy Committee held on 31 August 1965

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OPD (65) 37th Meeting

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CABINET

Defence and Oversea Policy Committee

*MINUTES of a Meeting held at 10 Downing Street, S.W.1, on
Tuesday, 31st August, 1965, at 11 a.m.*

Present:

The Right Hon. HAROLD WILSON, M.P., Prime Minister

The Right Hon. MICHAEL STEWART, M.P.,
Secretary of State for Foreign Affairs

The Right Hon. ARTHUR BOTTOMLEY,
M.P., Secretary of State for Common-
wealth Relations

The Right Hon. ANTHONY GREENWOOD,
M.P., Secretary of State for the Colonies

The following were also present:

The Right Hon. THE EARL OF
LONGFORD, Lord Privy Seal

The Right Hon. BARBARA CASTLE, M.P.,
Minister of Overseas Development
(Items 1-3)

The Right Hon. FREDERICK MULLEY,
M.P., Deputy Secretary of State for
Defence and Minister of Defence for
the Army

The Right Hon. GEORGE WIGG, M.P.,
Paymaster General

The Right Hon. JOHN DIAMOND, M.P.,
Chief Secretary, Treasury

Field-Marshal Sir RICHARD HULL, Chief
of the Defence Staff

Admiral Sir DAVID LUCE, Chief of
Naval Staff and First Sea Lord

General Sir JAMES CASSELS, Chief of the
General Staff

Air Marshal Sir BRIAN BURNETT,
Representing Chief of Air Staff

Secretariat:

Sir BURKE TREND

Mr. P. ROGERS

Mr. M. J. MORIARTY

Air Vice-Marshal J. H. LAPSLEY

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The Prime Minister, summing up the discussion, said that the Committee gave general approval to OPD (65) 123 as guidance for our officials at the forthcoming discussions with our Allies, but it must be made clear that what was said about the future level of our forces in the area was subject to the conclusions of the Defence Review. Questions of the size and cost of our future defence contribution in the area should not be raised in the paper to be prepared for circulation to our allies, which should take the form primarily of an analysis of the situation arising from the secession of Singapore and the difficulties with which we were confronted as a consequence. If our Allies raised during the discussions questions about the future level of our forces, we should make it clear that until the Defence Review was more advanced, we were not in a position to discuss the issues in more detail. We should, however, indicate orally that we looked to a sharing of the cost, and any new facilities to be established, on a co-operative basis. The official discussions could be only exploratory; opportunities for further discussion with Ministers of our Allies would be afforded by the forthcoming visits of the Foreign Secretary and of the Secretary of State for Defence to the United States and to Australia and New Zealand respectively. Meanwhile we should not invite Lee Kuan Yew to visit the United Kingdom but we should not discourage him from doing so.

The Committee—

Approved OPD (65) 123 subject to the points indicated in the Prime Minister's summing up, as the basis of guidance for our representatives at the forthcoming official discussions with officials from Australia, New Zealand and the United States.

2. Defence facilities in the Indian Ocean

(Previous Reference: OPD (65) 21st Meeting, Item 6)

The Committee considered a memorandum by the Deputy Secretary of State for Defence and the Parliamentary Under-Secretary of State for Foreign Affairs (OPD (65) 124) on Defence Facilities in the Indian Ocean.

The Deputy Secretary of State for Defence said that it was urgent to obtain further decisions on the proposed detachment of certain islands from Mauritius and Seychelles for the military purposes of the United States and ourselves, both because of their strategic position in the Indian Ocean and because the establishment of facilities on them was important to our relations with the United States. The agreement of the Mauritius Ministers to the transfer should be obtained if possible but in any event the decision to detach the islands should be taken before the end of the Mauritius Constitutional Conference which was about to open in London. The United States had now agreed to pay half the estimated cost of detachment of approximately £10 million. In response to the request

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of Mauritius Ministers we might accept responsibility for the external defence of Mauritius, but there was strong objection to our similarly accepting a continued responsibility for internal security after Mauritius became independent, since this might embroil us with opposing racial groups in the island. If agreement on the detachment of the Chagos group could not be obtained, we should nevertheless transfer them to direct United Kingdom sovereignty by Order in Council.

The Foreign Secretary said that if both the Seychelles and the Mauritius Governments agreed to our proposals, there would be no international criticism of our actions. Nevertheless, if the latter did not agree the strategic importance of the islands was sufficient to justify our passing the necessary Order in Council. Our legal right to do so was unquestioned. Moreover, the Chagos Archipelago was 1,800 miles from Mauritius and they had been grouped together some time ago only for administrative convenience: there were no ethnic or historic connections between the islands and Mauritius.

The Colonial Secretary said he was not in agreement with these proposals. The Mauritius Constitutional Conference would in any case be difficult. When the Committee had last discussed detaching the islands, they had agreed that the proposed compensation should be increased and that the agreement of the Mauritius Government was essential. Their Ministers would be very disappointed at our not agreeing to accept a 99-year lease and also if the United States did not accept their proposals on sugar. The offer to accept responsibility for their external defence would be useful in negotiations. However, our acceptance of responsibility for internal security would be the main issue. Minority guarantees would be a most important part of the conference and could probably only be satisfactorily resolved by an assurance that we would provide forces for internal security at the request of the Mauritius Government. At least we should therefore agree that a request from the Mauritius Government after independence for assistance in internal security would be sympathetically considered. Mauritius Ministers would, on this basis, probably accept the detachment of the islands but to threaten to go ahead with this by Order in Council regardless of their agreement would undoubtedly wreck the conference.

In discussion the following points were made:

(a) In the negotiations, aid in training the Mauritian Police and Security Forces should be offered in an attempt to obtain their agreement, without formally taking on the responsibility to provide United Kingdom forces for internal security.

(b) The compensation payments could not be met from the provision which had been made for overseas aid; and there were substantial grounds for suggesting that, since they would in effect represent the price paid for the acquisition of a defence asset, they should be charged to Defence Votes, although the Ministry of Overseas Development might well be responsible for the control of the payments if these were for aid purposes. On the other hand it would be unfortunate to impose on Defence Votes any avoidable

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additional burden at a time when we were seeking to secure the maximum economy in defence expenditure. The question of which Departmental Vote should bear these costs should therefore be further considered by the Treasury.

The Prime Minister, summing up the discussion, said that at the forthcoming conference we might if necessary agree to "consider sympathetically" the provision of United Kingdom forces for purposes of internal security at the request of the Mauritius Government after independence if it proved that agreement could not be reached on the basis of our providing assistance in training and by the secondment of trained personnel for the Mauritius Police and Security Forces. A decision on whether or not we should detach the islands in question by Order in Council if the agreement of Mauritius Ministers could not be obtained to this course need not be taken at this stage, and until we could see how the forthcoming conference progressed. It was, however, essential that our position on the detachment of the islands should in no way be prejudiced during its course and the Colonial Secretary should bring the matter back to the Committee in good time for a decision to be reached on this issue before the conference reached any conclusion.

The Committee—

(1) Invited the Colonial Secretary:

- (a) to be guided by the Prime Minister's summing up in the course of the forthcoming constitutional conference.
- (b) to bring the matter before them again before the conference reached any conclusion.

(2) Invited the Chief Secretary, Treasury, in consultation with the Deputy Secretary of State for Defence, the Colonial Secretary and the Minister of Overseas Development to give further consideration to the departmental responsibility for the expenditure involved.

3. Southern Rhodesia

The Commonwealth Secretary said that on his recent tour of a number of Commonwealth countries in West Africa he had been under strong pressure from political leaders there to seek an early agreement in Southern Rhodesia. They were conscious of our difficulties and while a solution on the basis of the five principles which we had laid down might not be publicly welcomed, they recognised the necessity for compromise if agreement were to be obtained. In Southern Rhodesia itself the recent conference of the Rhodesia Front Party appeared to have led to a hardening of attitudes and it was possible that the Prime Minister, Mr. Smith, might now intend to make a unilateral declaration of independence (u.d.i). In

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Annex 42

Minute dated 3 September 1965 from E.H. Peck to Mr. Graham, FO 371/184527

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INDIAN OCEAN ISLANDS

We have heard both from the American Embassy and from our Embassy at Washington that Messrs. Kitchen and Myers will be in Europe about 23/24 September and would like to call in London in order to talk about ways and means of setting the American share of compensation payments to Mauritius and the Seychelles against R. & D. charges owed by H.M.G. to the U.S. Government. They will be bringing with them Captain Coward of the U.S. Navy attached to the Politico-Military Department of the State Department and three other experts. They would obviously be glad to talk generally to us about the project and about any progress that may have been made at the Mauritian Constitutional Conference, but the main purpose of the visit is to discuss finances. I have spoken to Mr. Moberly, who has confirmed that the dates proposed would be convenient to the Ministry of Defence, but that any date would be unlikely to produce a satisfactory discussion unless the Americans had been able to let us have an outline of their ideas in writing in advance. I have passed this to Mr. Barringer of the American Embassy, who said that Captain Coward had told him that it was the intention to let us have a piece of paper.

2. I do not think that it would be necessary for Mr. Peck to attend the discussions between Mr. Kitchen's team and the Ministry of Defence, but I am sure that Mr. Kitchen would hope to have a meeting with him at some time to discuss the project in general terms. Would the dates proposed be convenient?

3. Mr. Trench's letter of 26 August, at paragraph 4, asks whether it is intended to bring the Americans in on talks about the Islands with the Mauritians in the course of the forthcoming Constitutional Conference, and if not, what the reasons for this decision are. I have not put this suggestion to the Colonial Office. I do not think that it comes from the Americans, since it has all along been agreed that the negotiations for the detachment of the Islands must be our responsibility. It would be inappropriate, and I am sure that the Colonial Office would resist it, if we were to suggest that the Americans should attend the Constitutional Conference at any stage. I submit a draft letter from Mr. Arthur.

This is affected by the DOP discussion on 31 August, minutes of which have been sent to Mr. Peck.

(J.A.N. Graham)
2 September 1965.

Mr. Arthur
Mr. Peck

I shall be away at the time of the Kitchen/Myers proposal visit, but everyone else in PWD will be here, and Mr. Graham could perhaps attend the discussions.

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Before

Before seeing this minute, I had had a telephone call from Mr. Trafford Smith of the Colonial Office who wished to inform me of the discussion he had had with the Colonial Secretary and the Governor of Mauritius regarding the tactics for the constitutional conference and how to introduce the subject of "support facilities".

2. The plan is to have the talks on the "support facilities" proceeding in parallel (and in a smaller group) with the constitutional talks, the object being to link both up in a possible package deal at the end. The smaller group would be chaired by the Colonial Secretary and would comprise the Governor and his advisers, Rangoolam, and three Mauritius party leaders, also Ministers in the Coalition, probably the leader of the Parti Mauritiennne, a Muslim and a Hindu.

3. Mr. Trafford Smith wondered whether someone from the Foreign Office and/or someone from the Ministry of Defence might at a suitable stage in the support facilities talks attend to give some statement on the general importance of the facilities we need in the context of global defence and Anglo-American interest. I said that though I for my part would be willing to do this if it were thought desirable, my inclination was that the less we stressed the American interest the better.

4. Mr. Trafford Smith then went on to say that in the course of the talks the Colonial Office anticipated that the Mauritians would put forward their demands for an increased sugar quota and increased immigration facilities. These would have to be answered in a pretty negative manner by the British officials, but it would be difficult for the latter to talk convincingly of the American difficulties. The Colonial Office wondered whether it would not be tactically a good thing to ask American experts to talk to the Mauritian leaders exclusively on the two points of sugar quota and immigration so that the Mauritians did not feel that they had been fobbed off with second-hand views. I replied to Mr. Trafford Smith that the Americans were extremely keen to keep out of all the negotiations for support facilities which they considered to be our affair and that I would be very reluctant to bring them into the talks, if only for the very good reason that this would raise the price. However on the understanding that all they required were members of the American Embassy with expert briefs on these two specific subjects, I undertook without commitment to sound out the American Embassy accordingly. I shall tackle Mr. George Newman on the subject this afternoon if opportunity arises. I understand that this eruption into the talks would be wanted towards the end of next week or the beginning of the week starting on 13 September.

5. Perhaps some of this minute could be worked into the letter to Mr. Trench, though I do not think we need ask Washington to produce the sugar and immigration experts.

(E.H. Peck)

3 September, 1965

Mr. Graham

Dft to issue as amended 2/9

Annex 43

Minute dated 15 September 1965 from E.H. Peck, UK Foreign Office to Secretary of State

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Secretary of State's Private Discussion with the
 Secretary of State for Defence on 15 September

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 ARC
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Indian Ocean Islands

The Colonial Secretary is due to report to his colleagues at the O.P.D. tomorrow on the progress made at the Mauritius Constitutional Talks regarding obtaining the acquiescence of Mauritian leaders in the detachment of Diego Garcia (and certain other islands) for defence purposes. I learn from the Colonial Office that the defence facilities question is being treated in a small group consisting of the Colonial Secretary, the Governor and four of the principal Mauritian political leaders. Though the question has been mentioned in general terms, I understand that it has not been grasped and various side issues such as an increased U.S. sugar and immigration quotas are being explored. It seems likely that the detachment of the islands may have to be arranged in a package deal at the conclusion of the Constitutional Talks.

2. The Foreign and Defence Secretaries may like to stress to Mr. Greenwood at the O.P.D. tomorrow the great importance they attach to obtaining, in the first place, Diego Garcia and later, certain other islands for joint defence facilities developed in conjunction with the Americans and that this strategic concept has assumed even greater importance since the Quadripartite talks on Far East defence. The Americans would take it very much amiss if we were, through lack of determination, to fail to secure these islands at this moment. If Mauritian acquiescence cannot be obtained, then the course recommended by the joint Foreign Office/Ministry of Defence paper, i.e. forcible detachment and compensation paid into a fund, seems essential.

E.P. Peck

(E.P. Peck)

15 September, 1965

Secretary of State

Annex 44

Points for the Secretary of State at D.O.P. meeting, 9.30 a.m. Thursday, September 16th, Pacific and Indian Ocean Department, 15 September 1965, CO 1036/1146

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Points for the Secretary of State at D.O.P. meeting
9.30 a.m. Thursday, September 16th

The Mauritius Conference - progress so far

In plenary sessions, the four main Mauritius parties and the two leading Independents (Mr. Paturau and Mr. Ah Chuen, on behalf of the Chinese) have set out their opening positions. All the parties except Parti Mauricien have circulated papers to the Conference summarising their views, and the Parti Mauricien will shortly table their paper.

2. On the basis of these papers (we have had the Parti Mauricien paper, privately, in draft for some days) separate negotiations have been held individually with each party and with the two Independents. Parallel with these meetings, a Committee of the whole Conference under the chairmanship of Lord Taylor has been studying the franchise and the electoral system, one of the most difficult technical problems to be settled in a multi-racial community like Mauritius. Tomorrow, the intention is to start in plenary session the process of going through the detailed provisions of the constitution in broad outline to determine the extent to which general agreement can be reached on isolated points of difference.

3. The main issue to be decided at the Conference is the future status of Mauritius - independence with safeguards for minorities, or some form of association. It is already becoming clear at the separate discussions with individual parties that, while the leaders have shown a certain degree of flexibility and to some extent moved a little closer towards one another's positions, the likelihood of getting support from a substantial majority of the Conference for an agreed outcome is small. Though the Mauritius Labour Party led by Sir Seewoosagur Ramgoolam, the largest single party, is pressing for independence and maintains that it has the support of the majority of the inhabitants of Mauritius, solid evidence for this support has so far not been produced, and the Parti Mauricien have

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put forward a strong case for believing that there might ^{not} ~~in fact~~ be a ~~small~~ ^{for} majority ~~against~~ independence if the point were put impartially to the test. For this reason, the Parti Mauricien insists that a referendum must be an essential prerequisite for acceptance of any final solution, while the Labour Party is against a referendum and prefers an election ^{AFTER FACT OF INDEPENDENCE} as a means of consulting the people. The Muslim Party is pressing for separate communal representation, and it looks as though the Mauritius Labour Party have promised them that as the price of their support for independence. It is possible however that the Muslim Party might throw their lot in with the Parti Mauricien in certain circumstances. Because of the general objections to communalism, and the undue importance which any acceptance of it gives to the Muslim Party in Mauritius, an early move at the Conference may be to rule out communal electorates as being unacceptable to H.M.G. and to propose that the problem of adequate representation of minorities should be solved by other electoral means.

4. In this situation, and on the form at present shown by the various groups at the Conference, it seems that the strength of feeling against independence may make it impossible for the Conference to accept a programme by which Mauritius would proceed straightforwardly to independence. It may be necessary to decide on a form of association under which at any time in the future, if a sufficient majority of the people desired it, the territory could go on to independence. or if support for such a solution is inadequate, to finish the Conference with two alternative constitutional schemes, one for an independent Mauritius, the other for a form of association with Britain, the choice being put to the people by referendum. A referendum may in any case be necessary as the balance of opinion at the Conference may be so close as to make it impossible for H.M.G. to impose a solution in favour of either independence or association. It may yet turn out that a decision for independence could be made acceptable to an adequate
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majority in Mauritius with adequate minority safeguards which might involve some commitment by Britain to assist in the maintenance of internal security in some circumstances, as well as to look after external defence. So far, neither the possibility of a defence treaty covering external defence, nor of internal security, have been discussed but the intention is to open up this question, which is one of the key elements in reaching a settlement, in discussions with individual groups.

SEE RESUMÉ

(R. see P.S. at end of note)

DEFENCE
INT. SECURITY
NB L.P. attitude

Defence facilities in the Indian Ocean - discussions with Mauritius Ministers

5. This subject is, of course, not on the agenda of the Mauritius Conference: but the possible requirement as part of the Mauritius constitutional settlement for a treaty covering external defence and some arrangement for British assistance in the maintenance of internal security establishes a link between the two sets of negotiations and it may be that in the end, it will be necessary to reach a settlement on both questions at the same time. On September 13th the Secretary of State met the principal Mauritius Ministers concerned (the four Party Leaders and Mr. Paturau, an Independent) for a first run over the ground. The general proposal for the detachment of the islands had already been put to the Mauritius Council of Ministers by the Governor before the delegations had left Mauritius, and Mauritius Ministers had shown themselves favourably disposed in principle, but had made various suggestions for special compensation from the Americans. They wanted a U.S. sugar quota of 300,000 tons, special facilities for immigrants from Mauritius, provisions for the use of Mauritius labour and materials in any construction work on the islands in question, the safeguarding of fishing and mineral rights etc.; above all, they proposed a lease of the islands rather than detachment.

6. They hoped it might be possible to arrange tripartite negotiation with the Americans in London in which these suggestions could be pursued.

/7.

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*Se. use
Sugar
Immigration* } USA

7. At the meeting on Monday, the Mauritius Ministers were informed of our reaction and that of the Americans to this proposal. Because of the basic Anglo-American agreement under which the British provided the sites while the Americans did the construction, tripartite negotiations were out of the question. The fact that American sugar quotas were a matter for Congress made it difficult to negotiate a special arrangement for Mauritius, and our expert advice is that it would be against both Mauritius and Commonwealth interests to attempt to do so. There were similar objections as regards special arrangements for Mauritius immigration into the U.S. The Mauritius Ministers showed some reluctance to accept these points, and arrangements were made for them to see the Economic Minister at the American Embassy on September 15th. Sir Seewoosagar Ramgoolam told the Americans that the Mauritius Government was on the side of the free world but had to do everything possible to prevent a fall in the standard of living with the rising population - hence his concern for a maximum return from Mauritius exports and the maximum emigration. The Americans explained their difficulties as regards sugar and immigration, but the Economic Minister said that he had taken note of the case made by the Mauritius Ministers and would report back to Washington.

*Sugar
Price, flow
in return*

8. The conclusion of the Monday meeting at the Colonial Office with Mauritius Ministers was that they would give further consideration to other forms of compensation than sugar and immigration. It was suggested that Britain might be able to help with economic development, and ^{we are exploring the possibility of} that a scheme of assisted land settlement might be worked out which would be financed from Britain, possibly ^{unaided by} through the Commonwealth Development Corporation. An approach is being made to Lord Howick and further meetings will shortly be held with Mauritius Ministers.

9. In view of the preoccupation of some sections of the Mauritius Conference delegation with provision for external defence and internal security, it may be necessary to keep the discussions on

/Indian

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Indian Ocean defence facilities running parallel with defence and internal security discussions at the Conference, until the moment comes for a settlement of both questions.

P.S. An important consideration is also that failure by the Mauritius Labour Party to attain independence or a firm commitment to independence might so prejudice their position that they would rapidly lose ground to ^a more extreme Hindu party without political experience and much more open to Communist penetration.

(a hint made by the Governor)

Pacific and Indian Ocean Department,
15th September, 1965

SECRET

Annex 45

Note for the Record relating to a Meeting held at No. 10 Downing Street on 20 September 1965 between the UK Prime Minister, the Colonial Secretary and the Defence Secretary

NOTE FOR THE RECORD

Mauritius

The Prime Minister held a meeting at No. 10 Downing Street at 5.30 p.m. on September 20. The Colonial Secretary, the Defence Secretary and officials were present.

The Colonial Secretary reported on the latest stage of the Constitutional Conference on Mauritius. He said that the Mauritians had opened their mouths very wide over compensation for the Detachment of Diego Garcia. It was agreed that the Prime Minister would have a private word with Sir R. Ramgoolam on the following day.

I subsequently telephoned Mr. Stacpoole (Colonial Office) to say that the Prime Minister could see

*Summing
up
4845
Jaw*

Sir R. Ramgoolam at 5.00 p.m. on September 21 and to ask for speaking notes.

Aden

*Copy on
Aden (Oral)
Pc 2*

There was also a very brief discussion on Aden telegrams Nos. 998 and 1018. It was agreed that it would be best to try to hold the position until after Mr. George Thomson had seen President Nasser and King Feisal.

Jaw

September 20, 1965.

*Copy on Mauritius
(May 65)*

Annex 46

Additional Brief for Secretary of State's visit to Washington, 10-11 October 1965

SECRET

Additional Brief

SECRETARY OF STATE'S VISIT TO WASHINGTON

10 - 11 OCTOBER, 1965

DEFENCE FACILITIES IN THE INDIAN OCEAN

26/183

Talking Points

We are grateful for the generous American contribution (a half-share of a total of up to £10m.) towards the cost to be incurred in detaching the Chagos Archipelago from Mauritius. We are pressing on with further action as a matter of urgency.

2. A decision to cancel the U.S. requirement for a communication station on Diego Garcia, the only facility immediately planned, might lead to difficulties. We hope that if it should have to be cancelled some other immediate project can be substituted for it. We ourselves have no immediate plans to build on any of the islands, although various projects are being considered.

3. We count on United States support in the United Nations and elsewhere to defend this project against criticism with which we may be faced once it becomes public. We hope to keep it confidential for the moment, at least until the agreement of the Seychelles and Mauritius Governments has been formally confirmed.

/Background Note

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Background Note

The Secretary of State will recall that at the end of the Mauritius Constitutional Conference last month Sir S. Ramgoolam and a majority of Mauritian Ministers present agreed in principle to the detachment of the Chagos Archipelago (including Diego Garcia) in exchange for £3m. compensation. It is expected that the formal agreement of the Mauritian Government will be secured shortly and that the Seychelles Executive Council will not raise serious difficulties over the detachment of Aldabra, Farquhar and Desroches (and the settlement of other outstanding problems including the long outstanding question of the terms on which a U.S. tracking station in the Seychelles should operate) in exchange for a civil air field on Mahé (the main island of the Seychelles group) at an expected cost of about £3m. Additional compensation for resettlement of the inhabitants of the islands chosen for defence facilities, for loss of coconut crops, etc., will also have to be paid in each case.

2. We were able to give this good news to a delegation of American officials led by Mr. Kitchen, Deputy Assistant Secretary of State for Politico-Military Affairs, at the end of discussions held in London on 23 and 24 September to consider the administrative, legal and financial details of the defence proposals. It was agreed at the end of these discussions that the Colonial Office would press on with securing the formal agreement of the Seychelles and Mauritius authorities and start work on the complicated administrative measures once this agreement had been obtained. Mr. Kitchen warned us during the discussions that they were about to embark on a review of their world-wide communications requirements including the proposal communications station on Diego Garcia in the Chagos Archipelago. The implication is that it

/may

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may prove cheaper to develop a satellite communications system than to rely on land stations such as that planned for Diego Garcia. Mr. Kitchen added however, that the U.S. Government were no less interested than before in the defence possibilities of the islands.

P.U.S.D.

7 October, 1965

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Annex 47

Official Records of United Nations General Assembly, Twentieth Session, Fourth Committee, 1566th Meeting, 24 November 1965, 11 a.m., UN Doc. A/C.4/SR.1566

United Nations GENERAL ASSEMBLY

TWENTIETH SESSION

Official Records



FOURTH COMMITTEE, 1566th
MEETING

Wednesday, 24 November 1965,
at 11 a.m.

NEW YORK

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Chairman: Mr. Majid RAHNEMA (Iran).

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: reports 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: A/5800/Rev.1, chapters VII, IX, X and XIII-XXVI; A/6000/Rev.1, chapters IX-XXV (continued)* (A/5959 and Corr.1; A/6084, A/6094; A/C.4/L.806/Rev.1 and Add.1; A/C.4/L.807 and Add.1 and 2)

CONSIDERATION OF DRAFT RESOLUTIONS (continued) A/C.4/L.806/REV.1 AND ADD.1, A/C.4/L.807 AND ADD.1 AND 2)

1. Mr. FOUM (United Republic of Tanzania), introducing draft resolution A/C.4/L.806/Rev.1 and Add.1 concerning the Territory of Mauritius, said that the general debate on the smaller colonial Territories had shown that members of the Committee were as seriously concerned about such Territories as they were over the larger Territories.

2. The United Kingdom Government had stated that plans were afoot to grant independence to the Territory

of Mauritius not later than 1966. Although that might be true, such plans had not yet become concrete and the situation was still nebulous. Hence, after reaffirming the inalienable right of the people of Mauritius to freedom and independence, the sponsors of the draft resolution had invited the administering Power to take effective measures with a view to the immediate and full implementation of General Assembly resolution 1514 (XV). There were the gravest misgivings about the method by which independence would be granted. Freedom was indivisible and it would be a denial of freedom to grant independence while attaching to it obligations or conditions which would result in a loss of that independence.

3. The United Kingdom Government had spoken of its vested legal rights in some of the islands of Mauritius and had mentioned divisions of administrative and other responsibilities. Operative paragraph 6 of resolution 1514 (XV) contained a clear statement on the territorial integrity of colonial Territories and it must be interpreted unequivocally, without legal quibbles. The situation in other countries had shown that the maintenance of foreign bases was one of the greatest evils that could befall an independent people. The proposed base in Mauritius would be a threat to the freedom not only of that Territory but also of the neighbouring countries of Asia and Africa. Since it would serve the strategic purposes of the administering Power and its allies, it would draw the whole area into the cold war and bring nuclear submarines and missile-carrying vehicles into the Indian Ocean, thus sacrificing the neutrality of the area. As the Second Conference of Heads of State or Government of Non-Aligned Countries, held at Cairo in October 1964, had stated in its Declaration, the maintenance or future establishment of foreign military bases and the stationing of foreign troops on the territories of other countries against the expressed will of those countries was a gross violation of the sovereignty of States and a threat to freedom and international peace, and the existence or future establishment of bases in dependent Territories which could be used for the maintenance of colonialism was particularly indefensible. To dismember the territory of Mauritius and to create a new colonial entity and establish a military base there would create a point of tension which would be detrimental to the peaceful transition of a colonial Territory and people to freedom and independence.

4. The sponsors of the draft resolution hoped that it would be considered on its merits and would receive the widest support in the Committee.

5. Mr. NATWAR SINGH (India), as a sponsor of the draft resolution, associated himself with the remarks made by the Tanzanian representative. For the first

*Resumed from the 1560th meeting.

time the Fourth Committee had before it a draft resolution on Mauritius. The question had been discussed in the spring of 1964 by Sub-Committee I 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 and in November 1964 by the Special Committee itself. Mauritius was ripe for independence and General Assembly resolution 1514 (XV) should be implemented in its regard without further delay. The steps taken by the administering Power concerning the constitutional future of the Territory had been noted. He drew particular attention to the last preambular paragraph of the draft resolution, which recalled paragraph 6 of resolution 1514 (XV). Operative paragraph 4 of the draft resolution invited the administering Power to take no action which would contravene that provision. From any point of view, military or economic, dismemberment was undesirable and contrary to resolution 1514 (XV).

6. The Prime Minister of India, speaking in the Indian Parliament recently, had referred to a report that the United Kingdom Secretary of State for the Colonies had stated that the United Kingdom would have a new Territory in the Indian Ocean, the British Indian Ocean Territory, which would be available for the construction of defence facilities by the United Kingdom and United States Governments, although no plans had so far been made. A few days later, India's position with regard to that report had been stated in the Indian Parliament: namely, that the idea of a colonial Power detaching part of a Territory for such purposes was repugnant and contrary to General Assembly resolution 1514 (XV). India, which was a signatory of the Cairo Declaration of the Second Conference of Heads of State or Government of Non-Aligned Countries, was strongly opposed to any move by an administering Power to dismember a Territory for any reason.

7. He hoped that the draft resolution would commend itself to the Committee and find wide support.

8. Mr. ANDRE (Dahomey), speaking on behalf of the sponsors, introduced draft resolution A/C.4/L.807 and Add.1 and 2, concerning Fernando Póo and Rfo Muni. The draft resolution took into account the statements which had been heard by the Committee and the latest administrative measures enacted by the administering Power. It was essential that Fernando Póo and Rfo Muni should be completely liberated and there was fundamental agreement that a solution must be found. The draft resolution proposed such a solution and he hoped that the Committee would approve it unanimously.

9. Mr. THIAM (Mali) pointed out that the draft resolution recognized the inalienable right of the people of Fernando Póo and Rfo Muni to self-determination and independence, requested the administering Power to set the earliest possible date for independence after consulting the people on the basis of universal suffrage under the supervision of the United Nations, and invited the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to follow progress and report to the General Assembly at its twenty-first session. The

sponsors of the draft resolution thought that it would lead to a solution of the problem and that Spain would not stop half-way. He hoped that the draft resolution would receive wide support in the Committee.

AGENDA ITEMS 69 AND 70

Question of South West Africa: reports 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 (*continued*) (A/5690 and Add.1-3; A/5781, A/5800/Rev.1, chap. IV; A/5840, A/5949, A/5993, A/6000/Rev.1, chap. IV; A/6035 and Add.1 and 2)

Special educational and training programmes for South West Africa: reports of the Secretary-General (*continued*) (A/5782 and Corr.1, Add.1 and Add.1/Corr.1; A/6080 and Add.1)

HEARING OF PETITIONERS (*continued*)

At the invitation of the Chairman, Mr. Jacob Kuhangwa and Mr. Sam Nujoma, representatives of the South West Africa People's Organization (SWAPO), Mr. Mburumba Kerina and Mrs. Tuemumunu Kerina, representatives of the National Unity Democratic Organization (NUDO), the Reverend Markus Kooper, representative of the South West Africa United National Independence Organization (SWAUNIO), and Mr. Nathanael Mbaeva, representative of the South West Africa National Union (SWANU), took places at the Committee table.

10. Mr. NUJOMA (South West Africa People's Organization) thanked the Governments of Ethiopia and Liberia and the Organization of African Unity for taking the initiative in filing suit against the Republic of South Africa. He also thanked all States Members of the United Nations who had tirelessly supported the demand of the people of his country for freedom and self-determination.

11. He would not reply to the accusations made against the South West Africa People's Organization at the previous meeting, for he had not come to discuss tribal and petty politics but to draw the attention of the Committee to the gravity of the political situation in South West Africa. The proper body to discuss the question of unity was the Organization of African Unity.

12. The South African Government was preparing a war of aggression against the indigenous population of South West Africa. It was planning a large-scale massacre of the Africans in the country and intended to give effect to the recommendations in the report of the Commission of Enquiry known as the Odendaal Commission,^{1/} against the wishes of the Africans, and to perpetuate the policy of white supremacy and the exploitation and enslavement of the African people. South Africa had proved to be incapable of continuing to administer South West Africa on account of its policy of apartheid and racial discrimination. The question was how to force South Africa to abandon the Territory.

^{1/} Republic of South Africa, Report of the Commission of Enquiry into South West Africa Affairs, 1962-1963 (Pretoria, Government Printer, 1964).

13. He proposed the following transitional plan; first, after the decision of the International Court of Justice, which he thought would be in favour of his people, the United Nations should make possible the safe return of all exiled political leaders and ensure the release of all political detainees in the country; secondly, the United Nations should immediately terminate the Mandate for South West Africa and entrust the temporary administration of the country to a United Nations commission composed of African States, with a view to arranging for free elections throughout the Territory, based on the principle of "one man, one vote", irrespective of race, colour, religion or national origin; thirdly, the United Nations should establish a police force to facilitate the work of the commission, to protect the lives of all the inhabitants of the country, to disarm all South African military and para-military personnel and to arrange for their immediate repatriation to South Africa, and to assist in the restoration of peace and security and the maintenance of law and order.

14. It was the aim of the South West Africa People's Organization to represent all the people of the Territory, irrespective of race, colour, religion or national origin; to eliminate poverty, disease, illiteracy, racial inequality and other forms of subjection; to create prosperity and lay the foundations of political democracy; and to introduce cultural reforms which would provide security and opportunity for all citizens of South West Africa. Its aim was to build a strong society based on the common will and voluntary participation of all the people; it did not represent any single group of people but stood for all those who were willing to find their place in the society built on the principles of co-operation and community interest. Those goals could only be achieved if that society was guided by the principles of organized co-operation subject to the will and control of a majority of the people. No single human being or group of men should have the right to promote their own interests to the detriment of the nation. Progress towards such a society should proceed in conformity with African tradition and with the Charter of the Organization of African Unity and the Universal Declaration of Human Rights. It was his party's intention that democracy should permeate the whole life of the country, including its economic activities, and his party would safeguard personal liberty and strive for individual security. It considered that there was room in South West Africa for all the people of the country, including the white settlers, who would be welcome to remain provided that they accepted and respected African rule.

15. Mrs. KERINA (National Unity Democratic Organization) said that she proposed to make a few comments about South West Africa against the background of the situation prevailing in southern Africa as she herself had seen it during the past two and a half years. She realized that some of the Powers which were responsible for the present plight of South West Africa were represented in the Committee, but the people of that country had nothing to ask from the enemies of its freedom and of African unity. Her remarks were addressed to those who were willing to help South West Africans to achieve national independence by methods of their own choice.

16. It must be admitted that, from the vantage-point of southern Africa, the pronouncements of the United Nations on the South West African question seemed disturbingly irrelevant. Perhaps the contempt of the South African racists for non-white humanity and their determination to persist in their policies, even to the point of precipitating a global race war, were not fully appreciated. The people of South West Africa realized that they must take the initiative. Many of them felt, however, that the Mandate had provided the basis for South Africa's oppression of the Territory's people and the exploitation of its natural resources, that the United Nations had been the instrument through which South Africa and its imperialist allies had blocked the country's self-determination and that the International Court of Justice had upheld fictitious impediments to international intervention. Thus if the anti-racist and anti-colonialist forces hoped to work through such organizations they must understand how the latter had served imperialist interests in the past and how the imperialists hoped to continue to manipulate them in order to protect their interests in southern Africa.

17. The United Nations had made a study of foreign economic interests and their activities in South West Africa. That study should help towards an understanding of the complex administrative, security and military mechanisms that had been designed both locally and internationally to protect European privileges in white Africa. South West Africa was a strategic territory within the settler-dominated area. It was said to enjoy an international status, but in practical terms its international character was discernible only in the international arrangements designed to ensure its continued exploitation. An illustration of the internationalization of the colonial apparatus was provided by the arrangements made with regard to contract labour. About 300 to 350 contract labourers from South West Africa were transported monthly to South Africa via Bechuanaland, where they were examined by Bechuanaland government doctors. At the compound at Francistown, in Bechuanaland, their contacts with the local population were restricted and labour union organization was prohibited, although the settler Government allowed such activity among local residents. There seemed to be no limit to the number of South West Africans who were permitted through Bechuanaland in transit to South Africa as contract labour, but freedom fighters and students leaving South West Africa were urged by the Bechuanaland police to return to South West Africa and not to seek education or training abroad.

18. There was no question that the racist imperialist conspiracy in southern Africa was working effectively. Mr. Verwoerd and his Government were often described as madmen but they had shown great skill in consolidating their power, so that they were prepared to withstand a confrontation with the African States; and in undermining African opposition at home as well as the anti-imperialist forces elsewhere. South African subversive agents exerted an influence in high places on the African continent and round the world. Mr. Verwoerd cared little what was said at the United Nations as long as there was no effective

challenge to the power structure in southern Africa. The only reason for maintaining a South African Permanent Representative in the United Nations was to undermine any forces for change within the Organization. The South African Press was explicit on that point.

19. The purpose of her observations on the situation in southern Africa was not to counsel restraint in the handling of South Africa: indeed, only effective confrontation both from within South West Africa and internationally would achieve the desired results. The South West African people urged their allies to do their utmost to prevent the imperialist Powers from using the United Nations as an agency for neo-colonial penetration and the subversion of the people's struggle. They should beware of the plans being devised in foreign countries to compound the problems confronting the South West African people. The ineffectualness of the 1954 Supreme Court decision against segregation in the United States was a valuable object-lesson. An innocuous condemnation of South African apartheid by the International Court would be an utter defeat for those who valued the international rule of law. The United Nations must be ready immediately to assume administrative responsibilities in South West Africa if it was to play a positive role in the people's struggle; the South West Africans would be ready to determine the nature and duration of such a brief transitional period before complete independence. The South West Africans attached significance to the Court's impending judgement to the extent that it would open the door to effective African and international intervention in South West Africa as an adjunct to the people's own efforts.

20. The South West Africans living under racist imperialism did not want to see any international intervention which was designed to avert revolutionary change in southern Africa. The first task in southern Africa was to put an end to one group's enjoyment of privileges at the expense of another group. In that struggle the people were willing to co-operate with anyone who was prepared to help them.

21. South West Africa offered the International Court an opportunity to remove all legal justification for colonial rule and racist domination. It presented the world community with an opportunity for effective intervention in southern Africa on the side of justice.

22. Mr. KISAKA (Kenya) asked the petitioners to what extent the racist Government of South Africa had put its Bantustan policy into effect in South West Africa. Secondly, he wondered whether the petitioners could give any break-down of the European population in terms of national origin.

23. Mr. KERINA (National Unity Democratic Organization) said that the United Kingdom and United States Governments had warned Mr. Verwoerd against carrying out the recommendations of the Odendaal Commission in the Territory while the case was under consideration in the International Court of Justice, since such action would only strengthen the demands for physical intervention by the United Nations. Mr. Verwoerd was, however, quietly carrying on with his plans; some of his advisers had had experience, as mercenaries, of United Nations intervention in the

Congo and Mr. Verwoerd felt that if the Bantustan programme was completed and the Africans were confined to ghettos it would be easier to resist any such intervention.

24. With regard to the composition of the European population, two thirds of them were Boer farmers originating from South Africa. The remainder was accounted for mainly by the German community dating from the period of German colonial rule. The latter community occupied a dominant position economically and politically, and co-operated closely with Mr. Verwoerd in order to maintain their position. Mr. Verwoerd was making every effort to attract more settlers from Germany and other European countries to South West Africa in the hope that the Europeans would eventually outnumber the African population. There was also a small English community, which was naturally favourable to Mr. Verwoerd; and a small Jewish community consisting mainly of professional people, who were very cautious in their attitude to the régime. There was a minute group of so-called liberal Europeans. In a revolutionary situation there could be no place for such "liberals", who were a liability to the cause of revolution. Europeans who threw in their lot with the Africans would, however, be assured of their place in an independent South West Africa.

25. Mr. BENSID (Algeria) asked whether the activities of the mining companies and foreign companies helped toward the advancement of the South West African people, in conformity with their aspirations for self-determination and independence. Secondly, he wondered what was the attitude of the South West African people to the recommendations of the Odendaal Commission.

26. Mr. KUHANGUA (South West Africa People's Organization) said that the foreign concerns in South West Africa were not interested in helping the people to achieve self-determination but only in continuing to exploit them; it would therefore be better for the South West African people if such concerns were to leave the country.

27. With regard to the Odendaal recommendations, the people were bitterly opposed to them. The Bantustan policy meant dividing the people on the basis of ethnic origin and depriving them of opportunities for education or advance towards self-determination. Such policies were in fact already being enforced in South West Africa, where Africans were confined in reservations or locations under the control of white superintendents, and where African children could not receive an education in accordance with their abilities.

28. Mr. NUJOMA (South West Africa People's Organization) added that the foreign companies in South West Africa paid taxes to the South African régime and thus helped it to exploit the people. In fact, the main function of the South African imperialists in South West Africa was to protect the interests of such foreign concerns. The South West African people called on countries with investments in the Territory to withdraw them.

29. The Bantustans should really be regarded as a form of concentration camp, which Africans could

leave only in order to work for Europeans on farms or in mines. The South West African people were ready to die fighting against the introduction of Bantustans in South West Africa.

30. The Reverend Markus KOOPER (South West Africa National Independence Organization) said that, although the South African Government was delaying the implementation of the Odendaal recommendations, it was already buying up European farms for vast sums and was clearly determined to put the recommendations into effect eventually. The removal of Africans would begin as soon as the Court's decision had been rendered. He reminded the Committee of the case of the Windhoek Location,^{2/} which had shown the determination of the South African authorities to move the people despite their resistance. It should be added that the authorities had informers in the different areas to find out the names of those who opposed the plans of the authorities, so that, when the time came for moving the Africans, such persons could be arrested without charge beforehand.

31. Mr. NKAMA (Zambia) said that he had been concerned to hear reference to a rocket station being built in South West Africa, with certain countries such as the Federal Republic of Germany involved. He wondered if Mr. Kerina could give more information on that matter. Secondly, he wondered why the Europeans had been armed with guns in South West Africa and whether it was as easy for Africans to obtain weapons as for Europeans.

32. Mr. KERINA (National Unity Democratic Organization) said that he had no detailed information on the rocket station; he understood that the installations were supposed to be intended for peaceful purposes, but he found that hard to believe. If he was able to obtain any information he would submit it to the Committee.

33. With regard to the arming of Europeans, it was obvious that the main purpose for which Europeans carried weapons was to shoot Africans whom they regarded as a threat to their interests. The Africans naturally had no weapons. It was an offence for an African to be found with any weapon or ammunition, or even with a pocket knife. With or without weapons, however, the people would fight for freedom from oppression.

34. Mr. NKAMA (Zambia) asked Mr. Kooper what the attitude of the missionaries was regarding the oppressive activities of the present régime in South West Africa.

35. Referring to reports that Africans had been killed by Europeans on their farms, he asked Mr. Kerina whether any steps had been taken to put an end to such barbarous acts and whether the persons responsible had been prosecuted.

36. He asked Mrs. Kerina whether she could give the Committee some details concerning labour conditions in South West Africa and the position of African women in the Territory.

37. The Reverend Markus KOOPER (South West Africa United National Independence Organization) said that the majority of missionaries in the Territory were German and that, to the best of his knowledge, there was not one who supported the Africans in their just struggle for independence.

38. Mr. KERINA (National Unity Democratic Organization) said that the people of South West Africa welcomed the recent encyclicals issued by the Vatican as a sign that the Catholic Church was becoming involved in questions of social and political justice.

39. The lives of Africans were in the hands of the Department of Bantu Affairs of South West Africa, which recruited labourers from the reserves. Africans were at the mercy of their employers and could be killed at any time for any reason whatever. When an African was killed, the European responsible was not charged with murder and was usually fined £25 to £50.

40. Mrs. KERINA (National Unity Democratic Organization) said that the Committee might be interested in the provisions of a typical labour contract. The contract specified that the labourer was to be hired for a period of three months at 3.50 rands, or approximately \$US4.90, a month; he was to receive good wholesome food, which must include milk or meat or fat, and was given a shirt, a pair of shorts and a blanket; he was not allowed to take his wife or family with him.

41. In some areas of the Territory the African women participated in political and social activities to almost the same extent as men, but in others they did not. For example, in some parts of the Territory women were not allowed, for traditional reasons, to speak at political meetings. There was much more scope for their participation in the social life of the community, since women performed many activities such as drawing water, building houses and so forth.

42. Miss BROOKS (Liberia) asked Mrs. Kerina whether she could describe the type of housing built by women in South West Africa.

43. Mrs. KERINA (National Unity Democratic Organization) replied that the houses in the reserves were mostly made of mud; in areas where grass and reeds were available they were constructed of those materials.

44. Miss BROOKS (Liberia) proposed that the text of the statements made by Mr. Nujoma and Mrs. Kerina, as also copies of the labour contract referred to, should be circulated to the Committee in the original language.

It was so decided.

45. Mr. BOULHOUD (Congo, Brazzaville), assured the petitioners that his Government fully supported the people of the Territory in their struggle for independence.

46. He asked Mr. Kooper what role the missionaries played in providing education to the inhabitants of the Territory and whether they acted as tools of the Administration.

^{2/} See Official Records of the General Assembly, Fifteenth Session, Supplement No. 12, paras. 138-229.

47. Mr. Kuhangua could perhaps tell the Committee what was the relationship between the various political groups in the Territory and the Organization of African Unity, and whether the various groups had united to form a common front.

48. The Reverend Markus KOOPER (South West Africa United National Independence Organization) said that the missionary schools provided a five-year course. Until 1952 they had been the only schools offering education to the Africans in the Territory. No African was allowed to remain in school after the age of seventeen.

49. The missionaries supported the Government's policy and sought to persuade the Africans to comply with that policy. The African ministers were on the side of the people and many of them had broken away from the Lutheran Church and formed their own Church because they were opposed to the Government's policies.

50. The CHAIRMAN said that, in view of the late hour, the petitioners could reply to the other question at the following meeting.

The meeting rose at 1.15 p.m.

Annex 48

Official Records of United Nations General Assembly, Twentieth Session, Fourth Committee, 1577th Meeting, 7 December 1965, 11 a.m., UN Doc. A/C.4/SR.1577

United Nations GENERAL ASSEMBLY

TWENTIETH SESSION

Official Records



FOURTH COMMITTEE, 1577th
MEETING

Tuesday, 7 December 1965,
at 11 a.m.

NEW YORK

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Chairman: Mr. Majid RAHNEMA (Iran).

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: reports 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: A/5800/Rev.1, chapters VII, IX, X and XIII-XXVI; A/6000/Rev.1, chapters IX-XXV (continued) (A/5959 and Corr.1; A/6084, A/6094; A/C.4/L.809/Rev.1 and Add.1, L.810 and Add.1, L.814/Rev.1)

CONSIDERATION OF DRAFT RESOLUTIONS (continued) (A/C.4/L.809/REV.1 AND ADD.1, L.810 AND ADD.1, L.814/REV.1)

1. Mr. DIAZ GONZALEZ (Venezuela) said that he would not have spoken on the draft resolution (A/C.4/L.809/Rev.1 and Add.1) if the sponsors of that text had taken into consideration the legitimate claims of the Venezuelan people and Government concerning part of the territory of Venezuela occupied by the administering Power and annexed to the colonial territory designated as British Guiana. Venezuela, having justice and right on its side, had expected that without prejudging the merits of the question, the Afro-Asian group would at least have helped it to continue the search through negotiation of a solution to its dispute with the United Kingdom. It had not, however, obtained the desired support, although it had itself in the past always supported the cause of the colonial peoples, even at the time when there was only a minority in the United Nations to do so. Venezuela itself had always acted on the principle that colonial problems, whatever their individual characteristics, all had essentially the same importance and deserved the same attention.

2. The fourth preambular paragraph of draft resolution A/C.4/809/Rev.1 and Add.1 anticipated that British Guiana would accede to independence in the most favourable conditions. For that to come about, the racial problem which the new independent State had to face must not be complicated by a territorial dispute with a neighbouring State. Many Members of the Organization had inherited disputes that went back to the colonial period, and some of them, disregarding the principles of the Charter to which they had subscribed, had even resorted to force to recover the territories that they had considered theirs. Venezuela, however, refused to entertain such a solution, at least until all peaceful means of settlement had been employed. After long years of waiting and after Venezuela had submitted its case to the United Nations, the United Kingdom had finally decided in 1962 to implement the statement formulated in agreement with Venezuela at the seventeenth session of the General Assembly that it would seek a solution to the territorial issue between them (see A/5813, para. 4).

3. He accordingly asked the sponsors, and more particularly the members of the Afro-Asian group, to insert in their draft resolution a paragraph calling on the United Kingdom and Venezuela to intensify their efforts in order to solve the territorial issue between Venezuela and British Guiana before the date set for that colony's accession to independence. The inclusion of such a paragraph would be consistent with the fourth preambular paragraph to which he had already referred. If the problem remained unsolved, the peace and good relationships which should exist between neighbouring and fraternal countries would be prejudiced for the future. In support of his argument, he recalled the statement made by the representative of Afghanistan at the 349th meeting of the Special Political Committee, during the seventeenth session of the General Assembly.

4. His country had always made a close study of the colonial problems concerning other regions of the world when they had been submitted to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples or to the General Assembly, so as to be able to vote with a full knowledge of the facts; it had been entitled to think that the friendly countries in the other continents would act in the same way on colonial problems that concerned America. It had been said that Venezuela had not presented its case in the United Nations and that was why the Venezuelan request had not been taken into account in the draft resolution submitted. In actual fact, the question of British Guiana had first

^{1/} See Official Records of the General Assembly, Seventeenth Session, Annexes, agenda item 86.

been considered by the United Nations at the sixteenth session of the General Assembly, in connexion with the agenda item on information from Non-Self-Governing Territories; on that occasion, the Permanent Representative of Venezuela had sent the Secretary-General a memorandum dated 14 February 1962 setting out the Venezuelan Government's views and its reservations with regard to the territorial problem of Guiana (A/C.4/536).^{2/}

5. When the question of British Guiana had been taken up at the 1302nd meeting of the Fourth Committee, the Venezuelan delegation had spoken in support of the British colony's independence, though entering very categorical reservations with regard to Venezuela's rights to the part of that country's territory annexed by the administering Power (Guayana Esequiba). The statement which the Venezuelan representative had made on that occasion had been circulated as document A/C.4/540. Furthermore, the question of the frontiers between Venezuela and the territory of British Guiana had been referred to the General Assembly at its seventeenth session as agenda item 88. His delegation had requested the inclusion of that item in the agenda in a letter dated 18 August 1962 which had been accompanied by a memorandum (A/5168 and Add.1).^{3/} That memorandum had been supplemented by the detailed statement which the Minister for Foreign Affairs of Venezuela had made at the 348th meeting of the Special Political Committee, the text of which appeared in document A/SPC/71.^{3/} Following the discussion concerning the frontier between Venezuela and the territory of British Guiana and having regard to the fact that the representatives of the United Kingdom and Venezuela had announced that direct discussions were about to open between the parties concerned, namely the Governments of the United Kingdom and Venezuela and that of British Guiana, the Special Political Committee, on a motion by the Chilean representative, had decided (350th meeting) to adjourn consideration of the question, and it had been understood that the parties concerned would inform the United Nations of the results of the conversations they were about to hold. At its 1191st plenary meeting, the General Assembly had noted the Special Political Committee's report on that subject (A/5313).

6. He then described in detail the successive measures taken by the United Kingdom and Venezuelan Governments to give effect to the statement approved by the General Assembly, measures which had culminated in the communiqué sent jointly by the Governments concerned to the Secretary-General of the United Nations; that communiqué was the subject of circular note No. PO 220 VENE (2). The expert reports referred to in that communiqué had long since been submitted to the Governments concerned and had been thoroughly studied, and the Foreign Ministers of the United Kingdom and Venezuela had agreed to hold a meeting in London on 9 and 10 December 1965, at which the Government of British Guiana would be represented.

7. As the statement approved by the General Assembly had been implemented and progress made,

^{2/} *Ibid.*, Sixteenth Session, Annexes, agenda items 39, 40, 41, 42, 43 and 44.

^{3/} *Ibid.*, Seventeenth Session, Annexes, agenda item 88.

his delegation had refrained from bringing the matter up again in the General Assembly or in the Special Committee, but it had always expressly reserved its rights whenever the problem had been touched upon in any United Nations body. In that connexion, he reminded the members of the Committee of the various occasions on which his delegation had reaffirmed in the Special Committee, the General Assembly or the Special Political Committee his country's rights to the disputed part of the territory of British Guiana. The last major statement on the subject had been made by the Minister for Foreign Affairs of Venezuela at the 1350th meeting of the General Assembly, at the current session.

8. It was altogether wrong, therefore, to say that the Committee had not been advised of the existence of the Venezuelan claim. The matter had been referred to the United Nations and it had been precisely because the General Assembly had taken a decision which the parties concerned were at the present time engaged in carrying out that Venezuela had confined itself to entering reservations. But now that the United Kingdom Government had just announced the date on which British Guiana was to become independent, Venezuela found it inadmissible that the draft resolution before the Committee should take that new factor into account but should make no mention whatever of the Venezuelan people's interests and rights.

9. His country had never opposed and did not now oppose independence for British Guiana: quite the contrary. But the United Kingdom could dispose only of the territory that belonged to it; pursuant to the principle *uti possidetis*, that part of Guiana west of the Essequibo river was Venezuelan territory, since that river had marked the frontier of the Captaincy-General of Venezuela when the latter had acquired the status of a sovereign nation in 1810. When Venezuela, the heir of the Spanish Crown, had proclaimed its independence on that date, the British colony had not existed and the territories which had later been ceded by the Netherlands to the United Kingdom under the Convention signed in London on 13 August 1814 had ended at the right bank of the Essequibo river.

10. In a brief historical survey of the problem, he recalled that, under the Treaty of Münster signed in 1648, Spain had recognized the independence of the Netherlands and Dutch sovereignty over Dutch possessions in America. However, the charter creating the New Dutch West India Company, registered in 1674, designated as Dutch possessions in Latin America only the establishments on the Essequibo and the Pomeroon, and the maps of the period showed that Dutch establishments had not extended further. Further inland and to the south, Dutch penetration had been halted by the Cuyuni and Mazaruni rapids, and the Spaniards had refused to allow the Dutch beyond the boundaries of the territories which they had occupied at the time of the signing of the Treaty of Münster. He cited as proof the many incidents which had occurred in the eighteenth century between the Spaniards and the Dutch, mentioning in particular the construction of a fort armed with guns in the Moruca cove in 1779 to drive out the Dutch, who had

established an outpost there. He then cited evidence dating back to 1770, 1787, and 1794 showing that the Dutch had never occupied the coast beyond the Moruca river, and that the frontier between the Spanish and Dutch colonies had been very well defined.

11. In 1796, because of the situation which had arisen in Europe, Great Britain had occupied the Dutch establishments by military force; but, by the London Convention of 13 August 1814, the Netherlands had ceded to Great Britain sovereignty only over the Demerara, Essequibo and Berbice establishments. Those establishments, situated on the right bank of the Essequibo or on that river, had never been challenged by Venezuela, and included the zones actually occupied by the Dutch and recognized by the Treaty of Münster of 1648. The territory ceded by the Netherlands in 1814 had covered some 20,000 square miles.

12. Both private and official British sources of the period of the military occupation of the Dutch territories in Guiana and those of the period following the Convention of 1814 confirmed the frontiers of the territory which had passed under British control. In 1797, for example, one year after the *de facto* occupation by Great Britain, the medical inspector of British military hospitals had written that the outpost on the Moruca river was the most distant point of the Essequibo colony. In 1838, the Governor of British Guiana had written that the Pomeroy, at the western end of the Essequibo, might be considered as the frontier of the country. Lastly, a decision by the Demerara court in 1840 showed that the Moruca outpost had been regarded by the British as foreign territory.

13. The British themselves had recognized, therefore, that the Moruca river constituted the western frontier of the colony. That view had coincided with that of the Venezuelan authorities of the time. Thus, in 1817, Simón Bolívar, the Liberator, had declared that the Venezuelan territories in Guiana extended from the Río Grande up to, but not including, the Moruca fort.

14. The situation had changed with the seizure by the United Kingdom of a part of Venezuelan territory by force during the Victorian era. Venezuela, then in a weakened state, had had to confine itself to diplomatic protests; in 1887, it had broken off relations with Great Britain in order to protest, before the whole world, against British violations of the rights which Venezuela had expressly inherited from Spain under the Treaty of Madrid of 1845. Like Spain, Venezuela had never accepted any challenge to its rights to the province of Guiana, which had formed part of the Captaincy-General of Venezuela. According to a Soviet historian, Vladimirov, the struggle between the great Powers for hegemony over the western hemisphere had been given greater prominence by the United States intervention in the Anglo-Venezuelan territorial dispute, a dispute brought about by the designs of British capital on certain important regions of Venezuela. Those designs had resulted in the occupation of Venezuelan territory, confirmed by an arbitral—or, rather, an arbitrary—award handed down on 30 October 1899 by a panel of British and American arbitrators under the chairmanship of an Anglophile Russian. The Venezuelan representative had stated on 6 October last, at the 1350th plenary meeting of

the General Assembly, that his country regarded the arbitral award of 1899 as having no validity whatever, and the President of the Venezuelan Republic had also stated recently that his Government would pursue its struggle for the restoration of the rights of which Venezuela had been unlawfully deprived.

15. It was natural, in those circumstances, for the Venezuelan delegation to oppose the adoption of a draft resolution which did not contain any formulation at all which could be regarded, not as endorsing, but as merely reserving Venezuela's rights. His delegation had always voted in favour of resolutions calling for independence for British Guiana, and its position in that regard had not changed, but British Guiana's accession to independence did not imply that sovereign rights belonging to Venezuela by virtue of the *uti possidetis juris* of 1810 had lapsed. The administering Power could not dispose of Venezuelan territory as though it belonged to it. While it was true that colonies should become independent in accordance with the principle of self-determination, colonial territories which had been seized by force from a sovereign State could only be decolonized by being reunited with the State from which they had been wrested. That was the only procedure consistent with the principle of the territorial integrity of sovereign States as stated in the United Nations Charter and in General Assembly resolution 1514 (XV), paragraph 6. He then cited a motion adopted at the First Special Inter-American Conference held at Washington in December 1964, to the effect that the Council of the Organization of American States would take no decision on an application for membership submitted by a political entity whose territory was the subject of a dispute between a member of the Organization of American States and a State situated outside the American continent, until that dispute had been settled by peaceful means.

16. While his Government favoured the accession of British Guiana to independence, it could not support a draft resolution which, by deliberately omitting any reference to the claims of Venezuela, was prejudicial to the latter's interest.

17. Mr. DE PINIES (Spain), supported by Mr. GEIGER (Chile), Mr. MOUSHOUTAS (Cyprus) and Mr. URRUTIA (Argentina), proposed that in view of its importance the Venezuelan representative's statement should be reproduced in full as a Committee document.

It was so decided.^{4/}

18. Mr. GBEHO (Ghana) explained that when they had been preparing the draft resolution the sponsors had decided, after a conversation with the Venezuelan representative, to do some research themselves. They had found that under the arbitral award handed down at the end of the nineteenth century one part of the disputed territory had been awarded to Venezuela and the other to British Guiana. Venezuela, dissatisfied with that decision, had brought the matter before the General Assembly at the sixteenth session, claiming that, according to a letter opened after his death, one of the members of the Tribunal of Arbitration had admitted that he had made his decision against his

^{4/} The complete text of the statement was subsequently circulated as document A/C.4/661.

will, under outside pressure. The sponsors of the draft resolution had felt, however, that they were in no way competent to decide on the justice of the Venezuelan claim, and they categorically rejected any suggestion that the settlement of the dispute in question should be regarded as a prerequisite for Guiana's accession to independence. He was glad to note that Venezuela was not opposed to British Guiana's accession to independence and wished to see the problem settled by peaceful means, and at the same time, that the United Kingdom Government had never refused to discuss the question, which was in fact to be taken up at tripartite talks shortly to be held in London. The Committee, for its part, must keep to its terms of reference, which covered decolonization, and not become involved in the settlement of territorial disputes. The sponsors of the draft resolution had no wish to challenge Venezuela's territorial claims; on the contrary, they hoped that a solution might be found at the London talks, preferably before 26 May 1966, but they could not accept the idea that the settlement of the dispute should be a prerequisite for independence.

19. Mr. DIAZ GONZALEZ (Venezuela) said that he had never had it in mind to ask the sponsors of draft resolution A/C.4/L.809/Rev.1 and Add.1 to take a stand on the substance of the matter; on the other hand, he could not acquiesce in Venezuela's rights being prejudiced by omission. Venezuela had never recognized the 1899 arbitral award, the arbitrary character of which had been denounced throughout the world, even in the United Kingdom itself. He cited a statement which Lord Salisbury had made at the time in the British Parliament, impudently jubilant over Britain's success; the award, he had said, had given Great Britain the greater part of the disputed territory, whereas the part awarded to Venezuela was not worth so much as a pound. His delegation was not attempting to make British Guiana's independence contingent upon the settlement of the territorial question. It was not asking the Committee to decide on the merits of the case, nor was it insisting that the issue should be settled before British Guiana became independent. It realized that the two questions were entirely separate. All it wanted was that at the time of British Guiana's attainment of independence, the Committee should not prejudice Venezuela's interests by silence but should request the parties concerned to settle the existing dispute.

20. Miss BROOKS (Liberia) regretted that the Venezuelan delegation should have seen fit to plead its case before the Fourth Committee, which was concerned only with problems of decolonization, when Venezuela had never before made its approval of British Guiana's accession to independence contingent upon the settlement of the territorial question. She pointed out that General Assembly resolution 1418 (XIV) concerning the date of independence of Somaliland under Italian administration had contained no reference to the territorial dispute existing at the time between Somaliland and Ethiopia—a dispute which had subsequently been settled by the parties concerned.

21. Mr. ALJUBOURI (Iraq) said that it would of course have been best if the territorial dispute could

have been settled peacefully before British Guiana became independent so that the new State, relieved of that problem, could devote its full energy to consolidating its authority and developing the country. Nevertheless, it was to be hoped that a peaceful solution based on the feelings of friendship between the Venezuelan and Guianese peoples could be found without undue delay.

22. Mr. O'HARA (United States of America), referring to operative paragraphs 3 and 4 of draft resolution A/C.4/L.810 and Add.1, said that several members of the Committee, particularly those representing communist countries, had referred unfavourably to the military base in the United States Territory of Guam, one of the Territories listed in the first preambular paragraph of the draft resolution. Operative paragraphs 3 and 4 were out of place and should be deleted. Nothing in the United Nations Charter prohibited the establishment or maintenance of military bases in the Non-Self-Governing Territories. The maintenance of such bases was a sovereign right of nations deriving from their duty and obligation to assume their own defence and the security of their peoples. Contrary to the claim in operative paragraph 3, the bases safeguarded the freedom and independence of the Territories in question. He was sure that all members of the Committee knew why, since 1945, the United States had found it necessary to devote a large part of its resources to military preparedness; when the need for such measures of defence of his nation and of the free world ceased to exist, the United States would move with alacrity to devote those resources more directly to making a better life for its people and for all mankind. Until then, the United States Government would continue to maintain its defence preparedness in all ways it considered necessary, including the location of facilities in Territories under its administration. He hoped that the great majority of the Members of the United Nations would not be taken in by the tactics of those who sought to capitalize on their genuine anti-colonial feelings in order to undermine the strength of the nations which defended freedom in the world. His delegation would vote against operative paragraphs 3 and 4 and, if they were adopted, against the draft resolution as a whole. If those paragraphs were rejected, it would gladly vote in favour of the draft resolution as a whole.

23. Mr. Chiping H. C. KIANG (China) said that draft resolution A/C.4/L.809/Rev.1 and Add.1 reflected the desire for balance mentioned by the Ghanaian representative in his statement at the previous meeting. All members of the Committee hoped that the leaders of British Guiana would bury their differences and that the Territory would attain independence in an atmosphere of mutual trust. He was glad that an understanding concerning the date of independence and the protection of minorities had finally been achieved, thanks to the wisdom of the United Kingdom Government and of Mr. Burnham, the Premier of British Guiana. There was now every reason to hope that independent Guyana would give an example of a harmonious and prosperous multiracial society. His delegation would vote for the draft resolution, but its vote should not be construed as prejudging any other issues raised in the course of the debate.

24. Mr. SIDI BABA (Morocco) said that while listening to the statement of the United States representative on draft resolution A/C.4/L.810 and Add.1, he had realized that the sponsors had perhaps failed to give sufficient thought to all the implications of their text. His delegation, for one, would like to discuss the matter further with other sponsors before the draft resolution was put to the vote. It believed that it was in the interests of decolonization that the draft resolutions should be adopted by as large a majority as possible.

25. Mr. DE PINIES (Spain) said that his delegation would vote for draft resolution A/C.4/L.809/Rev.1 and Add.1, but its vote should not be interpreted as a move to deprive Venezuela of its rights.

26. With regard to draft resolution A/C.4/L.810 and Add.1, his delegation feared that pending general and complete disarmament it would be impossible for all military bases to be dismantled without creating an imbalance that would threaten world peace; nevertheless, he wished to make it clear that his country was opposed to the establishment of military bases in a Territory against the wishes of the population. His delegation would vote against paragraphs 3 and 4 if they were put to the vote separately, but it would vote in favour of the draft resolutions as a whole.

27. With respect to draft resolution A/C.4/L.814/Rev.1, concerning Gibraltar, he wished to thank those delegations which had urged the negotiated settlement of the issue; he requested a roll-call vote on that draft resolution.

28. Mr. O'SULLIVAN (Ireland) said that he would vote in favour of draft resolution A/C.4/L.809/Rev.1 and Add.1, without thereby wishing to prejudge the outcome of the territorial dispute between British Guiana and Venezuela.

29. He would also vote in favour of draft resolution A/C.4/L.814/Rev.1.

30. With regard to draft resolution A/C.4/L.810 and Add.1, his delegation could vote in favour of it only if operative paragraphs 3 and 4 were deleted; otherwise it would have to abstain. Although his delegation believed that the Committee's main task was to ensure the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, it felt bound to point out that nothing in that Declaration or in the Charter condemned the establishment of military bases as an obstacle to the freedom and independence of Non-Self-Governing Territories. Military bases found their justification in the ideological differences that gave rise to rival and opposing blocs. Ireland was not a member of any bloc or military alliance and had always striven to maintain independence of judgement on all questions brought before the United Nations. To vote in favour of operative paragraphs 3 and 4 of draft resolution A/C.4/L.810 and Add.1 would in its view amount to taking sides in the ideological dispute. It held that by adopting operative paragraphs 3 and 4 the Committee would do a disservice to the cause of the freedom and independence of colonial peoples.

31. Mr. IZADI (Iran) said that like the Iraqi representative he would vote for draft resolution A/C.4/

L.809/Rev.1 and Add.1, without thereby taking sides in the territorial dispute between Venezuela and British Guiana. He sincerely hoped that that dispute would be settled before independence was attained, but the Territory's development towards the final goal of independence should not be hampered by any international dispute, whatever its nature.

32. Mr. BROWN (United Kingdom) said that his delegation found much in draft resolution A/C.4/L.809/Rev.1 and Add.1 with which it agreed and it welcomed the recognition of the decision of the recent London conference that British Guiana was soon to become independent, but it would be obliged to abstain in the vote. Operative paragraph 1 approved recommendations by the Special Committee which had been overtaken by the results of the recent constitutional conference, and operative paragraph 3 referred to internal security matters which were constitutionally the responsibility of the elected Ministers of the British Guiana Government.

33. Referring to the statement made earlier in the meeting by the Venezuelan representative, he recalled that it had been agreed in the United Nations in 1962, at the seventeenth session of the General Assembly, that the three Governments concerned would examine and discuss the documentary material and inform the United Nations of the results of their conversations (see A/5313, para. 4). The Minister for Foreign Affairs of Venezuela would be meeting with the British and British Guianese Ministers that week; it was unfortunate that the Venezuelan representative should have raised the issue at a time so close to that meeting.

34. With regard to Venezuela's claims concerning the boundary with British Guiana, the present boundary had been determined under the arbitral award of 3 October 1899 and both Venezuela and the United Kingdom had been and still were under a treaty obligation to accept that award. Both sides had signed an agreement in 1905 recording the results of the boundary commission's work; the Treaty of Arbitration had been signed in 1897 and later ratified. Venezuela had not begun to criticize the award until 1944, and had denounced it only in 1962. Moreover, Venezuelan representatives in the Special Committee, the General Assembly and other United Nations bodies had always stated categorically that Venezuela did not oppose early independence for British Guiana and that Venezuela regarded the question of independence and the question of the boundary as entirely separate issues. In that connexion he referred the Committee to the statement made by the representative of Venezuela at the 270th meeting of the Special Committee (see A/5800/Rev.1, chap. VII, para. 176) and the statement made on 6 October 1965 by the Minister for Foreign Affairs of Venezuela in the General Assembly (1350th plenary meeting), to the effect that Venezuela had never taken the position that the independence of British Guiana was conditional upon prior settlement of the frontier problem. He hoped that the Venezuelan statement did not represent a reversal of that position, with which his delegation agreed. Lastly, he was surprised that the Venezuelan representative had cited in support of his argument paragraph 6 of General Assembly resolution 1514

(XV), which provided that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country was incompatible with the purposes and principles of the Charter of the United Nations. As the United Kingdom delegation had previously demonstrated, that paragraph referred to efforts that might be made to disrupt the territorial integrity of colonial territories, but clearly it was Venezuela which was now intent on dismembering its weak neighbour on the very eve of independence, on the basis of unfounded claims. The United Kingdom Government reaffirmed once again its sovereignty over the whole of the territory of British Guiana. It hoped that the forthcoming talks between the three Governments concerned would prove successful; meanwhile, he hoped that nothing would be said or done which might prejudice those talks.

35. In draft resolution A/C.4/L.810 and Add.1, concerning twenty-six Territories, his delegation could not accept operative paragraphs 3 and 4, which referred to military bases in the Territories concerned. There was no justification for the assertion that the establishment of military bases constituted an obstacle to the constitutional development or independence of those Territories, or that the bases were unwelcome to the people. As Lord Caradon had stated in the General Assembly on 1 December (1386th plenary meeting), it was the United Kingdom Government's expressed view that no base was morally or militarily defensible unless it had the support of the people of the Territory in which it was situated. To the extent that bases existed in the Territories listed in draft resolution A/C.4/L.810 and Add.1, the people concerned were proud to play their part in the defence of freedom. In his opinion, those were questions for them, and not for the Committee. His delegation would therefore vote against paragraphs 3 and 4. It also wished to reserve its position regarding paragraphs 1 and 5: its reservations on the recommendations of the Special Committee on the twenty-six Territories concerned were already on record. Consequently it would not support draft resolution A/C.4/L.810 and Add.1, and its vote would be determined in the light of the outcome of the voting on paragraphs 3 and 4, if a separate vote was requested on those paragraphs.

36. Turning to draft resolution A/C.4/L.814/Rev.1, concerning Gibraltar, he said that the United Kingdom Government's position with regard to talks on that question with the Spanish Government had already been made known. His Government had no doubt as to its sovereignty over Gibraltar, and would take all necessary measures to defend the interests of the inhabitants of Gibraltar. However, having regard to the consensus adopted by the Special Committee (A/5800/Rev.1, chap. X, para. 209) and the communications which the United Kingdom Government had addressed to the Spanish Government, his Government was willing to entertain proposals for conversations with the Spanish Government but could not do so while an abnormal situation existed on the frontier between Gibraltar and Spain. He reaffirmed the reservations made by the United Kingdom delegation immediately after the adoption of the consensus in question (*ibid.*, paras. 206-208).

37. With regard to the "Red Book" to which the representative of Spain had referred in the General As-

sembly the previous day (1389th plenary meeting), the United Kingdom Government had not had time to study it but feared that the language used in it would not help to create the right atmosphere for talks, and the courses of action which Spain regarded as open to it under the Treaty of Utrecht could be interpreted as a form of duress under which no Government could be expected to agree to negotiate. His delegation had already made it clear that it regarded the restrictions on the border as a deliberate attempt by Spain to influence the situation at the expense of the interests of the inhabitants of Gibraltar and as an obstacle to the talks envisaged by the Special Committee and by the draft resolution under consideration. He hoped that Spain would promptly remove the causes of delay in opening the conversations.

38. On those understandings and with those reservations his delegation would vote in favour of draft resolution A/C.4/L.814/Rev.1.

39. Mr. BHABHA (Pakistan) said that he would vote in favour of draft resolution A/C.4/L.809/Rev.1 and Add.1, concerning British Guiana. In common with the representatives of Iraq and Iran, he wished to assure the representative of Venezuela that he had no intention of influencing the territorial dispute between that country and British Guiana in any way. He hoped that the dispute would be settled to the satisfaction of all parties.

40. Since Pakistan was opposed to the establishment of military bases by any nation in territories other than that nation's own, it would vote in favour of draft resolution A/C.4/L.810 and Add.1.

41. It would also vote in favour of draft resolution A/C.4/L.814/Rev.1, concerning Gibraltar.

42. Mr. DIAZ GONZALEZ (Venezuela), exercising his right of reply, said that the Liberian and United Kingdom representatives had quoted the same sources as he concerning his country's position with regard to the attainment of independence by British Guiana. He wished to state once again that Venezuela was not setting any prior condition for the independence of that Territory. On the contrary, as one of the first countries to advocate the decolonization of independent countries and peoples, it was happy to see the movement spread to Latin American countries. Its only objection to draft resolution A/C.4/L.809/Rev.1 and Add.1 was that the sponsors had deliberately omitted to mention Venezuela's territorial claims, thus prejudicing its rights. Contrary to what had been suggested by the representative of Liberia, Venezuela had brought its territorial claims in British Guiana before the United Nations since General Assembly resolution 1514 (XV) applied equally well to usurped territories and meant that such territories should be restored to the countries from which they had been taken. Perhaps, however, the representative of Liberia did not regard those territories as colonial territories. Naturally his delegation had no intention of asking the Fourth Committee to rule on Venezuela's dispute with the United Kingdom; all it asked was that Venezuela's rights should not be impaired by an omission which had not been made good in one way or another in the draft resolution under consideration. What his delegation was asking was in no way

prejudicial to the independence of the future Guyana. Indeed, Guyana could count on the friendship of Venezuela, which was willing to give it both material and moral assistance.

43. Mr. ADAN (Somalia), referring to the statement made by the representative of Liberia, pointed out that the Fourth Committee had recognized the existence of a territorial dispute between Somalia and Ethiopia. Similarly, he recognized that there was such a dispute between Venezuela and British Guiana, and he hoped that a satisfactory solution to that problem would be found during the forthcoming talks in London before the attainment of British Guiana's independence. However, he did not think the Committee should deal with questions other than decolonization, and he would therefore vote in favour of draft resolution A/C.4/L.809/Rev.1 and Add.1 as it stood, without prejudice to the results of the meeting which was to take place that week between the United Kingdom and Venezuelan Ministers.

44. Mr. KANO (Nigeria) deplored the United States representative's attempt to inject the cold war into draft resolution A/C.4/L.810 and Add.1, concerning twenty-six Territories. As to paragraphs 3 and 4 of that draft resolution, members were entitled to ask for the removal of military bases, which they regarded as a serious threat to the independence of nations and as a vestige of colonialism. The United States itself had sounded the alarm in 1962 when it had felt threatened by the presence of missiles in Cuba. Lastly, he found it hard to credit the United States representative's assertions that the people of Non-Self-Governing Territories welcomed the establishment of bases in their countries. Everyone knew

that there was no equality in their relationship with the administering Powers, and that their consent was often wrung from them under duress.

45. Miss BROOKS (Liberia) wished to make it clear that her delegation had not taken sides in the territorial dispute to which Venezuela was a party. She had merely wished to point out that disputes of that kind had never been referred to in draft resolutions adopted by the Fourth Committee on questions of decolonization. She hoped that the dispute in question would be settled amicably between the parties concerned.

46. Mr. SIDI BABA (Morocco) said that he would vote in favour of draft resolution A/C.4/L.809/Rev.1 and Add.1, concerning British Guiana, and hoped that the Territory would soon take its rightful place in the United Nations. However, he joined the representatives of Iran, Iraq and Pakistan in specifying that his vote should not be construed as disregard or non-recognition of Venezuela's rights.

47. He would also vote in favour of draft resolution A/C.4/L.814/Rev.1, concerning Gibraltar. That problem deserved the attention of the General Assembly, and Morocco attached particular importance to its peaceful and amicable solution within the frame of reference of decolonization and in accordance with the legitimate rights of the Spanish Government. Needless to say, its friendly attitude towards Spain should not be regarded as a hostile attitude towards the United Kingdom, to which his country was bound by age-old friendship.

The meeting rose at 1.35 p.m.

Annex 49

Repertory of Practice of United Nations Organs, Supplement No. 4 (1966-1969), Article 73

ARTICLE 73

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ARTICLE 73

TEXT OF ARTICLE 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. 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.

INTRODUCTORY NOTE

1. The study of this Article in the *Repertory* and its *Supplements Nos. 1* and *2* focussed on three main issues, namely, the transmission of information under Article 73e, the examination of information transmitted under Article 73e, and the determination of the Territories to which Chapter XI of the Charter applied.

2. During the period covered by *Supplement No. 3*, the General Assembly adopted resolution 1514(XV) on 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples.¹ By this resolution the Assembly solemnly proclaimed the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations and, *inter alia*, declared that "All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." The Assembly further declared that "Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence", and that "Immediate steps shall be taken in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom".

3. With the adoption of the Declaration on decolonization, the General Assembly placed a new emphasis on the attainment of the ultimate objective set forth in Chapters XI and XII of the Charter. The Declaration elaborated the ultimate goal of the progress of Non-Self-Governing Territories as set forth in Article 73, of self-government and that contained in Article 76 of "self-government or independence", and proclaimed that immediate steps should be taken in Trust and Non-Self-Governing Territories and all other Territories which had not yet attained independence, to transfer all powers to the peoples of those Territories without conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or color, in order to enable them to enjoy complete independence and freedom. The adoption of the Declaration on decolonization was followed by the decision of the General Assembly, in resolution 1654 (XVI), to establish a Special Committee on the Situation with regard to the Implementation of the Declaration.²

4. In addition to the increased emphasis on freedom and independence as the goal for all colonial countries and peoples, the 1960's also saw the extension of the scope of Chapter XI of the Charter to the Territories under Portuguese administration³ and to Southern Rhodesia.⁴ As neither Portugal nor the United Kingdom

¹Referred to in this study as the Declaration on decolonization.

²Referred to in this study as the Special Committee.

³*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 105-129.

⁴*Ibid.*, paras. 130-188.

Secretary-General's report on the performance of the act of self-determination and the result thereof. They commended the report, which gave an objective and clear account of the difficulties encountered in the implementation of the final phase of the Agreement.

276. In explaining the implications of the six-Power draft resolution, one representative stated²⁵⁰ that the General Assembly was merely being called upon to take note of the report of the Secretary-General in regard to the act of self-determination which had been undertaken in West Irian. The draft resolution did not seek the approval of the membership of the United Nations on the report. In the past practice of the United Nations, an interpretation had emerged to the effect that the process of taking note of a particular document involved indirect approval of that document. It could be stated clearly from the Secretary-General's report that, with certain inescapable and freely acknowledged limitations, an act of self-determination had taken place in which the representatives of the population of West Irian had expressed their wishes to remain with Indonesia. It remained for the General Assembly merely to take cognizance of that decision. It would not be appropriate or proper for the General Assembly to question the methods or procedures followed for exercising the act of self-determination in a part of a sovereign State in implementation of an Agreement to which that State was a party. Those were matters exclusively within the jurisdiction of the sovereign State. The decisions which had been taken in implementation of the terms of the Agreement were final and were not subject to further discussion by the United Nations. The question under consideration could not be regarded as an act of self-determination in the normal understanding of the term, since West Irian must be regarded as being an integral part of the sovereign State of the Republic of Indonesia.

277. The representative of Indonesia, stressing that no approval was required either of the Agreement itself or of the Secretary-General's report, expressed the view²⁵¹ that his delegation found it difficult, if not impossible, to accept the amendments, as they were designed to amend not only the draft resolution but the Agreement, which was not the task of the General Assembly.

278. The representative who had proposed the amendments requested the adjournment of the plenary meeting until the following day in order to allow for further consultations on the amendments.²⁵² The General Assembly, however, proceeded to vote on the six-Power draft resolution.

Decision

279. The General Assembly, by a roll-call vote of 42 to 30, with 42 abstentions, rejected²⁵³ the motion to adjourn the meeting. By a vote of 58 to 31, with 24 abstentions, the Assembly rejected²⁵⁴ a further motion to have the amendments voted on separately. By a roll-call vote of 60 to 15, with 39 abstentions, the Assembly also rejected²⁵⁵ the amendments as a whole. By a vote of 80 to 6, with 14 abstentions, the Assembly adopted²⁵⁶ the phrase "takes note of the report of the Secretary-

General" in paragraph 1. By a vote of 86 to none, with 27 abstentions, the Assembly adopted²⁵⁷ paragraph 1 as a whole. Finally, the Assembly, by a roll-call vote of 84 to none, with 30 abstentions, adopted²⁵⁸ the six-Power draft resolution as a whole as its resolution 2504(XXIV). By this resolution, the General Assembly, *inter alia*, took note of the report of the Secretary-General and acknowledged with appreciation the fulfilment by the Secretary-General and his Representative of the tasks entrusted to them under the Agreement of 15 August 1962 between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian).

5. THE PRINCIPLE OF NATIONAL UNITY AND TERRITORIAL INTEGRITY

a. Introduction

280. Paragraph 6 of the Declaration on decolonization states that "Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

281. Over the years the principle of national unity and territorial integrity has been raised in two distinct types of situation. It has been invoked as a condition to be ensured upon the attainment of independence by a colonial Territory so that the Territory retains its former boundaries as an administrative unit. It has also been invoked by Member States in their claims of sovereignty over colonial Territories adjacent to, or having a geographical integrity with, their nation.

282. In cases of the first type the issue of national unity and territorial integrity has been raised as part of the essential conditions of independence, which in turn has to be in accordance with the freely expressed wishes of the inhabitants in accordance with resolution 1514 (XV). A brief study of this issue, which arose in the case of Aden, is given below.

283. A number of cases involving a dispute over sovereignty were included in *Supplement No. 3*.²⁵⁹ These issues are briefly discussed below, including the new issue raised in the case of Gibraltar as to whether, in the decolonization process, the inhabitants of a Territory, whose sovereignty is under dispute, have the right to self-determination.

b. National unity and territorial integrity on attainment of independence

284. As noted above (see para. 203), the United Kingdom in 1965 announced its intention to grant Aden independence by 1968. One of the issues which arose during the discussion in the Special Committee in 1966 concerned the territorial integrity of Aden upon attainment of independence. This was because the Federation of South Arabia, which had been created by the United Kingdom and to which it appeared that power would be transferred, comprised only the Aden State (formerly known as the Aden Colony) and sixteen of the twenty

²⁵⁰*Ibid.*, 1813th mtg., India, paras. 20-25.

²⁵¹*Ibid.*, paras. 92-108; 128-130.

²⁵²*Ibid.*, Ghana, paras. 110-119.

²⁵³*Ibid.*, para. 135.

²⁵⁴*Ibid.*, para. 166.

²⁵⁵*Ibid.*, para. 168.

²⁵⁶*Ibid.*, para. 170.

²⁵⁷*Ibid.*, para. 181.

²⁵⁸*Ibid.*, para. 182.

²⁵⁹*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 767-876.

Protectorate States.²⁶⁰ Moreover, although the United Kingdom was on record as having accepted the creation of a "unitary state", there was no official information as to the basis of such a state.²⁶¹

285. At meetings of the Special Committee, several petitioners drew attention to the fact that the Government of the Federation of South Arabia was not representative. They insisted that Aden and South Arabia should attain independence in unity, comprising the Eastern and Western Protectorates as well as the adjacent islands.

286. Several members considered that the acceptance by the United Kingdom of the principle of a unitary state was not adequate as there was no guarantee as to how it would be implemented. Doubts were expressed as to the United Kingdom's intentions because, in September 1965, it had suspended the Aden Constitution and had then expanded both the Supreme Council of the Federation as well as the Legislature by appointed members. Moreover, in 1966 the United Kingdom had refused to allow the United Nations Sub-Committee on Aden to enter the Territory and, in June 1966, had announced a five-year programme of military assistance to the Federation Government.²⁶²

287. During the discussion in the Fourth Committee, essentially the same doubts were expressed on the question of Aden's territorial integrity upon independence. All the petitioners expressed the desire of their peoples for unity and independence but some questioned the sincerity of the United Kingdom. One petitioner for instance said that the United Kingdom wished to ensure the independence of the Western Protectorate because of its mutual interest with its rulers.²⁶³

288. On 10 November 1966, the representative of the United Kingdom assured the Fourth Committee that it was his Government's policy that all the States of South Arabia, including the port and city of Aden and the Protectorate should be included in the new independent State of South Arabia.²⁶⁴

289. As a consequence, a preambular paragraph was included in the draft resolution²⁶⁵ recommended by the Fourth Committee to the General Assembly noting the assurance given by the administering Power.

Decision

290. The General Assembly, by the preambular paragraph of its resolution 2183(XXI), took note of the assurances given by the representative of the administering Power on 10 November 1966 concerning the territorial integrity and unity of South Arabia as a whole.

²⁶⁰Of the four Protectorate States outside the Federation, one, Upper Yafai, formed part of the Western Protectorate, and the other three, Q'aiti, Kathri and Mahra, made up the Eastern Protectorate. In addition there were the Kuria Muria Islands and the Kamaran Island which were separately administered. (See G A (XX), Annexes, a.i. 23/Addendum, A/6000/Rev.1, chap. VI, para. 1).

²⁶¹G A (XX), Annexes, a.i. 23/Addendum, chap. VI, paras. 124 and 137.

²⁶²G A (XXI), Annexes, a.i. 23/Addendum, A/6300/Rev.1, chap. VI, para. 239, United Arab Republic; 245-248, Iraq; 264-267, Tanzania; 277, USSR; 284-287, Mali.

²⁶³G A (XXI), 4th Comm., 1622nd mtg., para. 52.

²⁶⁴*Ibid.*, 1633rd mtg., para. 8, United Kingdom.

²⁶⁵A/C.4/L.841 and Add. 1. See G A (XXI), Annexes, a.i. 23/Addendum, A/6557.

c. National unity and territorial integrity in cases involving a dispute over sovereignty

(i) Falkland Islands (Malvinas)

291. As has been reported,²⁶⁶ the General Assembly, by resolution 2065(XX), noting the existence of a dispute concerning sovereignty over the Falkland Islands (Malvinas), invited the Governments of Argentina and the United Kingdom to proceed without delay with the negotiations recommended by the Special Committee with a view to finding a peaceful solution to the problem, bearing in mind the provisions and objectives of General Assembly resolution 1514(XV) and the interests of the population of the Falkland Islands (Malvinas), and requested the Governments to keep the Special Committee and the Secretary-General informed of the progress of the negotiations.

292. During the period under review, the representatives of Argentina and the United Kingdom continued to keep the Secretary-General informed²⁶⁷ of the progress made in the negotiations, and the General Assembly adopted²⁶⁸ statements of consensus on the question on 20 December 1966 and 19 December 1967. The Assembly, however, took no action at its twenty-third session.

293. At its twenty-fourth session, the General Assembly adopted²⁶⁹ a statement of consensus by which it urged Argentina and the United Kingdom, bearing particularly in mind resolution 2065(XX) and the earlier consensus, to continue their efforts to reach, as soon as possible, a definitive solution of the dispute as envisaged in their communications to the Secretary-General, and to keep the Special Committee and the Secretary-General duly informed during the coming year about the developments of the negotiations on that colonial situation, the elimination of which was of interest to the United Nations within the context of General Assembly resolution 1514(XV) of 14 December 1960.

(ii) Ifni and Spanish Sahara

294. As has been reported,²⁷⁰ the General Assembly, by resolution 2072(XX), recalling the Declaration on decolonization and bearing in mind that the latter had been inspired by the strong desire of the international community to put an end to colonialism wherever and in whatever form it might occur, urgently requested the Government of Spain, as the administering Power, to take immediately all necessary measures for the liberation of the Territories of Ifni and Spanish Sahara from colonial domination and, to this end, to enter into negotiations on the problem relating to sovereignty presented by these two Territories.

295. As has been recorded above,²⁷¹ the question of sovereignty over the Territory of Spanish Sahara remained unsettled during the period under review.

²⁶⁶*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 767-786.

²⁶⁷G A (XXI), Annexes, a.i. 23, A/7261 and Add.1, A/6262 and Add.1; G A (XXII), Annexes, a.i. 23, A/6661, A/6662; G A (XXIII), Annexes, a.i. 23, A/7467, A/7468; G A (XXIV), Annexes, a.i. 23, A/7785, A/7786.

²⁶⁸G A (XXI), Annexes, a.i. 23, A/6628, para. 13; G A (XXII), Annexes, a.i. 23, A/7013, para. 40.

²⁶⁹G A (XXIV), Annexes, a.i. 23, A/7896, paras. 25-26 and 28.

²⁷⁰*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 823-840.

²⁷¹See this *Supplement*, under Article 73b, section 4c.

296. In regard to the Territory of Ifni, the Special Committee, in June 1966, adopted a consensus²⁷² by which it requested the Secretary-General, *inter alia*, to obtain from the Government of Spain as soon as possible information concerning the measures taken by it in implementation of paragraph 2 of General Assembly resolution 2072(XX) of 16 December 1965.

297. During the consideration of the question in the Special Committee, the representative of Spain declared²⁷³ that his Government was firmly resolved to implement the provisions of General Assembly resolution 2072(XX) and that, despite the peculiarities of the Territory of Ifni, the contacts established with Morocco should make it possible to find a satisfactory solution for the interests involved and provide the inhabitants with the necessary guarantees regarding their future.

298. Following the discussion, the Special Committee adopted²⁷⁴ a resolution, by 19 votes to none, with 3 abstentions, by which *inter alia*, it invited the administering Power to expedite the process of decolonization of Ifni and, in collaboration with the Government of Morocco, to make arrangements for the transfer of powers in accordance with the provisions of General Assembly resolution 1514(XV).

299. Similarly, the General Assembly, by resolution 2229(XXI) of 20 December 1966, called upon²⁷⁵ the administering Power to accelerate the decolonization of Ifni. Subsequently, the Assembly, in resolutions 2354(XXII) and 2428(XXIII), reiterated the provisions of resolution 2229(XXI).

300. At its twenty-fourth session, the General Assembly took note²⁷⁶ of the retrocession of Ifni, on 30 June 1969, to the Government of Morocco, by the Government of Spain.

(iii) *West New Guinea (West Irian)*

301. As has been reported,²⁷⁷ the General Assembly, by resolution 1752(XVII), took note of the Agreement of 15 August 1962 between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian); acknowledged the role conferred upon the Secretary-General in the Agreement; and authorized the Secretary-General to carry out the tasks entrusted to him therein.

302. As has been recorded above,²⁷⁸ following the unanimous decision of the Consultative Assemblies of West New Guinea (West Irian) in favour of the Territory remaining under the sovereignty of Indonesia, the General Assembly, by resolution 2504(XXIV), took note of the report of the Secretary-General and his Representative on the tasks entrusted to them under the Agreement.

d. *The process of decolonization in a Territory over which a dispute over sovereignty exists*

(i) *Gibraltar*

303. As reported previously²⁷⁹, since its admission to the United Nations, Spain had expressed its reservations as to the status of Gibraltar as a United Kingdom administered Non-Self-Governing Territory. In Spain's view, the continued occupation of Gibraltar by the United Kingdom was a direct violation of paragraph 6 of resolution 1514(XV). It followed therefore that Article 73 did not apply to Gibraltar because it was not a Territory "whose inhabitants had not yet attained a full measure of self-government" since the inhabitants were not the indigenous population but were there as a result of an accident of colonial history. Furthermore, the application of the principle of self-determination would be in violation of paragraph 6 of resolution 1514(XV). Nevertheless, the Special Committee and the Assembly had continued to examine the situation in Gibraltar.

304. In 1964 the Special Committee adopted a consensus inviting the Governments of Spain and the United Kingdom to begin talks without delay, in accordance with the principles of the Charter, in order to reach a negotiated solution in conformity with the provisions of General Assembly resolution 1514(XV).

305. By resolution 2070(XX) the General Assembly, accepting the view of the Special Committee, invited the Governments of Spain and the United Kingdom to begin without delay the talks envisaged under the terms of that consensus. By this discussion, the Assembly accepted that, in cases where a dispute over sovereignty existed in respect of a colonial Territory, a negotiated solution should be reached by the parties concerned in conformity with the Declaration on decolonization.

306. During the consideration of the question in the Special Committee, in 1966, the representatives of Spain and the United Kingdom, while reiterating their Government's positions on the question of Gibraltar, expressed²⁸⁰ their willingness to continue to hold bilateral talks for a negotiated settlement of the dispute. Several representatives also supported²⁸¹ the continuation of the negotiations between the Governments of Spain and the United Kingdom.

307. In the course of the discussion, the representative of the United Kingdom suggested²⁸² that the legal issues in the dispute over Gibraltar should be referred to the International Court of Justice. However, the Government of Spain had consistently rejected such a proposal by the United Kingdom. A representative opposed²⁸³ the United Kingdom suggestion on the grounds that, if the parties to the dispute wished to have recourse to the International Court of Justice, it was their own affair, but it was not for the United Nations to propose the submission of a colonial problem to the Court.

308. Following the discussion, the Special Committee, by a vote of 16 to none, with 6 abstentions, adopted²⁸⁴

²⁷²G A (XXI), Annexes, a.i. 23/Addendum, A/6300/Rev.1, chap. X, para. 116.

²⁷³*Ibid.*, para. 165.

²⁷⁴*Ibid.*, paras. 232 and 243.

²⁷⁵*Ibid.*, Plen., 1500 mtg., para. 105.

²⁷⁶G A (XXIV), Plen., 1835th mtg., paras. 58 and 63.

²⁷⁷Repertory, Supplement No. 3, vol. III, under Article 73, para. 871.

²⁷⁸See paras. 261-279 of this study.

²⁷⁹Repertory, Supplement No. 3, vol. III, under Article 73, paras. 787-822.

²⁸⁰G A (XXI), Annexes, a.i. 23/Addendum, A/6300/Rev.1, chap. XI, Spain, paras. 26-30, 37 and 38; United Kingdom, paras. 31-36, 39-41.

²⁸¹*Ibid.*, Syria, para. 42; Uruguay, paras. 43-45; Tunisia, paras. 46-47; United Republic of Tanzania, paras. 48-49; Iran, para. 50; Venezuela, para. 52.

²⁸²*Ibid.*, para. 40.

²⁸³*Ibid.*, United Republic of Tanzania, para. 49.

²⁸⁴*Ibid.*, para. 60.

a resolution, by which the Committee, recalling General Assembly resolution 2070(XX) of 16 December 1965 and the consensus of 16 October 1964, and taking into account the noted willingness of the administering Power and the Government of Spain to continue their negotiations, called upon the two parties to continue these negotiations in a constructive way and to report to the Special Committee as soon as possible and, in any event, before the twenty-second session of the General Assembly.

309. During the consideration of the question in the Fourth Committee, it was emphasized²⁸⁵ that the two Governments involved in the negotiations should take into account the interests of the people of the Territory and an oral amendment to that effect was proposed to the draft resolution under consideration. The amendment was accepted²⁸⁶ by the sponsors. Thereupon, the draft resolution as a whole, as orally amended, was approved²⁸⁷ by the Fourth Committee by a roll-call vote of 78 to none, with 12 abstentions.

Decision

310. The General Assembly, by a roll-call vote of 101 to none, with 14 abstentions, adopted²⁸⁸ the draft resolution submitted by the Fourth Committee, as its resolution 2231(XXI). By this resolution the Assembly called upon the two parties to continue their negotiations, taking into account the interests of the people of the Territory, and asked the administering Power to expedite, without any hindrance and in consultation with the Government of Spain, the decolonization of Gibraltar, and to report to the Special Committee as soon as possible and, in any case, before the twenty-second session of the General Assembly.

311. In 1967, when the Special Committee again considered the question of Gibraltar, the issue again arose as to whether the decolonization process envisaged under resolution 1514(XV) applied to Gibraltar.

312. The representative of the United Kingdom²⁸⁹ informed the Special Committee that the continued negotiations between his country and Spain called for in General Assembly resolution 2231(XXI) had not taken place. Although agreement had been reached with Spain to hold talks on or about 18 April 1967, six days before that date the Spanish Government had established, in the vicinity of Gibraltar, a prohibited air zone in which all flying was banned, thus hampering access to Gibraltar.

313. He added that the referendum to be held on 10 September would offer the people of Gibraltar two choices, namely, to pass under Spanish sovereignty in accordance with the terms proposed by the Spanish Government on 18 May 1968, or voluntarily to retain their link with the United Kingdom, with the latter retaining its existing responsibilities. The United Kingdom regarded the referendum as an important, though not necessarily final, stage in the process of decolonization, and as a significant forward step in the implementation of resolution 2231(XXI), because it sought to establish whether the Spanish proposals were in accord-

ance with the interests of the people of Gibraltar, which could not be established by an outside body.

314. Because the referendum was such an important step towards decolonization, his Government would welcome the presence of a Spanish observer. The United Kingdom had also informed the Secretary-General that it would welcome the presence of any observer whom he might wish to send.

315. On the other hand, the representative of Spain²⁹⁰ maintained that resolutions 2231(XXI) and 2070(XX) specified that the principle of self-determination should not apply to the civilian inhabitants of Gibraltar; resolution 2231(XXI) had merely stated that Spain and the United Kingdom should bear the interests of the inhabitants in mind. Therefore only paragraph 6 of the Declaration, supplemented by paragraph 7, offered a solution to the situation in Gibraltar, since paragraphs 3, 4 and 5 set forth principles for guaranteeing self-determination in cases to which paragraphs 1 and 2 applied. Although Spain had made proposals to the United Kingdom on how the interests of the people of Gibraltar might be safeguarded, the United Kingdom had proceeded to take its own measures.

316. The issue concerning the process of decolonization applicable to Gibraltar was discussed on the basis of two draft resolutions. A draft resolution²⁹¹ by the United Kingdom would have the Special Committee note the declared intention of the administering Power to consult with the people of the Territory on the question of where their interests lay, by means of a referendum to be held on 10 September 1967, and also note the statement by the administering Power that, in accordance with the requirements of General Assembly resolution 2231(XXI), it intended to make a full report to the Special Committee following the proposed referendum.

317. A three-Power draft resolution sponsored by Chile, Iraq and Uruguay,²⁹² would have the Special Committee declare that the holding by the administering Power of the envisaged referendum would contradict General Assembly resolution 2231(XXI) and would constitute an attempt to ignore the principle of national unity and territorial integrity embodied in paragraph 6 and the final part of paragraph 7 of resolution 1514(XV). In a revised form,²⁹³ the second part of the paragraph concerning national unity and territorial integrity became a preambular paragraph.

318. In regard to the proposed referendum in Gibraltar, the representative of the United Kingdom stated²⁹⁴ that it would be contrary to the most elementary principles of justice and to the fundamental principles of the Charter to deny the people concerned the right to speak in their own cause. Besides, no one could dispute the United Kingdom's right to consult the people of the Territory under its administration on a matter of fundamental importance to their future.

319. In support of the United Kingdom's position, the view was expressed²⁹⁵ that sovereignty over Gibraltar, both *de facto* and *de jure*, rested with the United Kingdom, which was therefore the colonial Power and was responsible for the future of the people of the Territory. As the colonial Power, the United Kingdom was

²⁸⁵*Ibid.*, 4th Comm., 1679th mtg., para. 157.

²⁸⁶*Ibid.*, para. 178.

²⁸⁷*Ibid.*, para. 182.

²⁸⁸*Ibid.*, Plen., 1500th mtg., para. 108.

²⁸⁹G A (XXII), Annexes, a.i. 23/Addendum, A/6700/Rev.1, chap. X, paras. 20-37.

²⁹⁰*Ibid.*, para. 38-63.

²⁹¹*Ibid.*, para. 104, draft resolution, A/AC.109/L.423.

²⁹²*Ibid.*, para. 105, A/AC.109/424.

²⁹³*Ibid.*

²⁹⁴*Ibid.*, paras. 149 and 155.

²⁹⁵*Ibid.*, Australia, paras. 128-140.

seeking to ascertain the wishes of the people by means of a referendum while simultaneously seeking to ensure that its bilateral treaty obligations to Spain were respected. The United Kingdom's actions were quite consistent with the letter and spirit of resolutions 1514(XV) and 2231(XXI) and the referendum was a step forward in the process of decolonization. For these reasons, his delegation urged that the Special Committee should await the results of the referendum before taking further action.

320. Against the proposed referendum and in support of the revised text of the second draft resolution, it was argued²⁹⁶ that the referendum, which had been unilaterally decided upon by the United Kingdom, represented a direct departure from the system of bilateral negotiations called for in resolution 2231(XXI). It was significant that that resolution, like resolution 2070(XX), made no specific mention of the principle of self-determination and referred to the interests, rather than the will or the wishes, of the people, thus departing from the terminology normally used, for the obvious purpose of placing the problem within the context of paragraph 6 of resolution 1514(XV). Thus, in the case of Gibraltar, decolonization was intended to benefit, not the British inhabitants of Gibraltar, but the Territory itself, in other words, the parcel of land of which Spain had been deprived in violation of its national unity and territorial integrity.

321. It was also pointed out²⁹⁷ that the Treaty of Utrecht, under which Gibraltar had been ceded to the United Kingdom, was no longer valid under contemporary international law and that the United Kingdom's proposal to hold a referendum in Gibraltar would constitute a violation of the principle of non-intervention in a domestic matter affecting the jurisdiction of Spain. Since the question of Gibraltar had been submitted to bilateral negotiations under the auspices of the United Nations, any unilateral act by either party which could affect the political future of the Territory in dispute was a departure from the agreed procedure and unlawful intervention in the domestic affairs of the other country. Paragraph 7 of the Declaration on decolonization made that point clear and left no room for ambiguous interpretation. Consequently, the referendum could not be regarded as a valid instrument of decolonization. Several other representatives also opposed²⁹⁸ the referendum in Gibraltar as proposed by the United Kingdom.

322. In the view of some speakers, the unilateral action was not only unacceptable because the Assembly had called for negotiations between Spain and the United Kingdom but also because, in resolution 2231(XXI), the General Assembly had named Spain as the partner of the administering Power, which went beyond the fact that Spain had a common frontier with the Territory²⁹⁹. Some speakers also maintained that, if there was to be a referendum, all the indigenous inhabitants of the Territory should participate, but the Spanish population had been excluded by the administering Power³⁰⁰.

323. On the question of national unity and territorial integrity, it was also argued that this was not relevant and should not be included in the draft resolution. Para-

graph 6 of the Declaration, like resolution 1514(XV) as a whole, was directed specifically at the Non-Self-Governing Territories; consequently Spain's claim regarding disruption of its national unity and territorial integrity was not relevant and could not be discussed in the Special Committee which was competent only to discuss colonial questions. If Gibraltar was a colonial Territory, the Committee had to discuss it as a colonial question³⁰¹.

Decision

324. Following the discussion, the draft resolution sponsored by the United Kingdom was rejected³⁰² by the Special Committee by 10 votes to 3, with 11 abstentions. Thereupon, the Special Committee adopted³⁰³ the three-Power draft resolution by a roll-call vote of 16 to 2, with 6 abstentions. By this resolution, the Special Committee, considering that any colonial situation which partially or totally disrupted the national unity and territorial integrity of a country was incompatible with the purposes and principles of the Charter and especially with paragraph 6 of the General Assembly resolution 1514(XV), declared that the holding by the administering Power of a referendum in the Territory on 10 September 1967 would contradict the provisions of resolution 2231(XXI); regretted the interruption of the negotiations between the Governments of the United Kingdom and Spain that had been recommended in General Assembly resolutions 2070(XX) and 2231(XXI); and invited these Governments to resume without delay the negotiations with a view to putting an end to the colonial situation in Gibraltar and to safeguarding the interests of the population upon the termination of that colonial situation.

325. In the referendum which was held in Gibraltar on 10 September 1967 a large majority of Gibraltarians voted³⁰⁴ in favour of retaining their links with the United Kingdom rather than passing under Spanish sovereignty in accordance with the terms proposed by the Spanish Government on 18 May 1966.

326. Subsequently, speaking in the General Assembly, the United Kingdom representative rejected the resolution of the Special Committee.

327. At the twenty-second session of the General Assembly, the Fourth Committee considered the question of Gibraltar on the basis of three draft resolutions³⁰⁵. A draft resolution sponsored by the United Kingdom would have had the General Assembly take note of the result of the referendum conducted in Gibraltar on 10 September 1967 according to which the overwhelming majority of the people of Gibraltar had voted in favour of retaining their links with the United Kingdom rather than passing under Spanish sovereignty, would have called upon the two parties to continue their negotiations, taking into account the freely expressed aspirations and interests of the people of the Territory and would have asked the administering Power to report to the Special Committee as soon as possible and in any case before the twenty-third session of the General Assembly.

328. An eight-Power draft resolution would have had the General Assembly call upon the two parties to con-

²⁹⁶*Ibid.*, paras. 106, Iraq; paras. 107 and 115, Uruguay.

²⁹⁷*Ibid.*, para. 114.

²⁹⁸*Ibid.*, Tunisia, paras. 141-142; Mali, paras. 164-168; Syria, paras. 168-169; Soviet Union, paras. 170-171.

²⁹⁹*Ibid.*, para. 142, Tunisia; para. 198, Sierra Leone.

³⁰⁰*Ibid.*, para. 121, Tanzania.

³⁰¹*Ibid.*, para. 199, Sierra Leone; para. 202, Tanzania.

³⁰²*Ibid.*, para. 211.

³⁰³*Ibid.*, para. 215, A/AC.109/266.

³⁰⁴*Ibid.*, Annexes, a.i. 23, A/6876.

³⁰⁵*Ibid.*, A/7013, paras. 17-19.

tinue their negotiations in accordance with General Assembly resolutions and would have asked the administering Power to expedite, without any hindrance and in consultation with the Government of Spain and taking into account the interests of the people of the Territory, the decolonization of Gibraltar and to report to the Special Committee as soon as possible.

329. A nineteen-Power draft resolution would have had the General Assembly deplore the holding of the referendum of 10 September 1967 by the administering Power as being in contravention of resolution 2231 (XXI) and of the resolution adopted on 1 September 1967 by the Special Committee and would have invited the Governments of Spain and the United Kingdom to resume without delay the negotiations provided for in General Assembly resolutions 2070 (XX) and 2231 (XXI) with a view to putting an end to the colonial situation in Gibraltar and to safeguarding the interests of the population upon the termination of that situation. Following the acceptance by the sponsors of a number of amendments which did not affect the central issue this became a twenty-five-Power resolution.

330. During the discussions, the United Kingdom maintained that Article 73 made no mention of assuring geographical unity in decolonization; nor had any Territory ever been annexed in that way on decolonization. In cases where there had been a conflict between the principle of territorial integrity and that of self-determination, the United Nations had always held that the latter principle should prevail, as had occurred in the British Cameroons. As regards the argument that, in the case of Gibraltar, the geographical principle should override that of respecting the wishes of the people because the population of the Territory was not indigenous, this was not true. The people of Gibraltar were not of United Kingdom origin; they were namely of Mediterranean stock and were a distinct community³⁰⁶.

331. Specifically the United Kingdom opposed³⁰⁷ the twenty-five-Power proposal because a territorial claim should be adjudicated by a normal judicial process and not by a vote in the Fourth Committee; the call for decolonization of a Territory against the freely expressed wishes of the majority of the inhabitants and only ensuring that their interest should be safeguarded after decolonization was against the principles of the Charter and especially Article 73; singling out the principle of territorial integrity and the reference to disruption of national unity could be interpreted by some as endorsing the Spanish claim to Gibraltar.

332. Subsequently, the Committee approved³⁰⁸ the twenty-five-Power draft resolution by a roll-call vote of 70 to 21, with 25 abstentions. Subsequently, the draft resolutions submitted by the United Kingdom and by the eight-Powers were withdrawn³⁰⁹.

Decision

333. The General Assembly, by a vote of 73 to 19, with 27 abstentions, adopted³¹⁰ the draft resolution submitted by the Fourth Committee, as its resolution 2353 (XXII).

334. During the twenty-third session of the General Assembly, the Special Committee considered the ques-

tion of Gibraltar and decided³¹¹ to transmit to the General Assembly the records of its deliberations in order to facilitate the Fourth Committee's consideration of the question.

Decision

335. On the recommendation of the Fourth Committee, the General Assembly, by a vote of 67 to 18, with 34 abstentions, adopted³¹² the draft resolution as its resolution 2429 (XXIII). By this resolution, the Assembly regretted that the administering Power had failed to comply with resolution 2353 (XXII); declared that the continuation of the colonial situation in Gibraltar was incompatible with the purposes and principles of the Charter and of resolution 1514 (XV); requested the administering Power to terminate the colonial situation in Gibraltar no later than 1 October 1969; called upon the Government of the United Kingdom to begin without delay the negotiations with the Government of Spain provided for in resolution 2353 (XXII); and requested the Secretary-General to give the Governments of Spain and the United Kingdom any assistance they might require for the implementation of the resolution, and to report thereon to the Assembly at its twenty-fourth session.

336. At its twenty-fourth session, the General Assembly, having considered the report of the Fourth Committee, decided³¹³ to postpone the consideration of the question of Gibraltar to its twenty-fifth session. The question of Gibraltar therefore remained unsettled during the period under review.

6. INTERNATIONAL RESPONSIBILITY FOR THE PROGRESS OF COLONIAL TERRITORIES TOWARDS THE ATTAINMENT OF SELF-DETERMINATION AND INDEPENDENCE

337. As previously reported³¹⁴ and as the above studies in this section show, the General Assembly, through its decision over the years, has in fact established guidelines for the administering Powers in the fulfilment of their obligations under Article 73b. Briefly, these may be summarized as follows: the primary responsibility of the administering Power for the political progress of a colonial Territory under its administration is to ensure that the peoples can and do exercise their right to self-determination and independence. Thus, constitutional and political progress must be based on the full participation of the indigenous populations in the political life of the Territory and it is the responsibility of the administering Power to develop and create the necessary conditions for such participation in a democratic government based on universal franchise. In certain cases this may involve the removal of conditions impeding such participation as, for instance, the elimination of discrimination, the repeal of restrictive legislation or the lifting of a state of emergency or the release of political prisoners. However, even when a people has chosen self-government, in accordance with resolution 1541 (XV), it must retain the right to independence and it is the responsibility of the administering Power to ensure that no restrictions are placed on this ultimate right.

³⁰⁶G A (XXII), 4th Comm., 1741st mtg., paras. 27-33.

³⁰⁷*Ibid.*, 1754th mtg., paras. 57-67.

³⁰⁸*Ibid.*, para. 52.

³⁰⁹*Ibid.*, paras. 53-55.

³¹⁰*Ibid.*, Plen., 1641st mtg., para. 144.

³¹¹G A (XXIII), Annexes, a.1. 23/Addendum, A/7200/Rev.1, chap. XIV, para. 6.

³¹²*Ibid.*, Plen., 1747th mtg., para. 134.

³¹³G A (XXIV), Plen., 1835th mtg., para. 68.

³¹⁴*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 467-470.

338. As a corollary to the defined obligations of the administering Powers, the Assembly has also asserted the responsibility of the international community for the progress of the colonial peoples, as for instance through the sending of visiting missions and, in certain situations, the participation of the United Nations in the exercise of self-determination by the peoples of a Territory, as discussed in section 4 of the present study of Article 73*b*. In addition, the Assembly has asserted the responsibility of Member States as well as of the international organizations within the United Nations family to assist in the implementation of the various pertinent resolutions on Non-Self-Governing Territories.

339. During the period under review, the General Assembly, by resolution 2548(XXIV), urged all States, in particular the administering Powers, and the specialized agencies and international institutions associated with the United Nations, including the various programmes in the United Nations system, to give effect to the recommendations contained in the reports of the Special Committee for the speedy implementation of the Declaration on decolonization and the relevant United Nations resolutions. Furthermore, the Assembly, by resolutions 2189(XXI), 2326(XXII), 2465(XXIII) and 2548(XXIV) on implementation of the Declaration, requested the Special Committee to continue to perform its task and to seek suitable means for the immediate and full implementation of the Declaration in all Territories which had not yet attained independence. The Assembly also invited the Special Committee to continue to pay particular attention to the Small Territories and to recommend methods and also steps to be taken to enable the populations of those Territories to exercise fully their right to self-determination and independence.

340. During the period under review, the General Assembly also took decisions by which it requested the administering Powers concerned to introduce political and constitutional measures towards self-determination and independence in specific Territories, namely Aden,³¹⁵ Basutoland,³¹⁶ Bechuanaland,³¹⁷ British Guiana,³¹⁸ Equatorial Guinea,³¹⁹ Fiji,³²⁰ French Somaliland,³²¹ Gibraltar,³²² Ifni,³²³ Mauritius,³²⁴ Oman,³²⁵ Papua and the Trust Territory of New Guinea,³²⁶ Territories under Portuguese administration,³²⁷ Southern Rhodesia,³²⁸ Spanish Sahara,³²⁹ Swaziland,³³⁰ as well as in the following Small Territories³³¹: American Samoa, Antigua, Bahamas, Bermuda, British Virgin Islands, Cayman Islands, Cocos (Keeling) Islands, Dominica, Gilbert and Ellice Islands, Grenada, Guam, Montserrat, New Hebrides, Niue, Pitcairn, St. Helena, St. Kitts-

Nevis-Anguilla, St. Lucia, St. Vincent, Seychelles, Solomon Islands, Tokelau Islands, Turks and Caicos Islands, and the United States Virgin Islands.

7. THE QUESTION OF DISSEMINATION OF INFORMATION ON THE WORK OF THE UNITED NATIONS AND ON THE IMPLEMENTATION OF THE DECLARATION

a. General

341. As has been reported,³³² the General Assembly continued the practice of requesting the Secretary-General as well as Member States, in particular the administering Powers, to disseminate information on the work of the United Nations and the implementation of the Declaration.

342. At the twenty-first and twenty-second sessions of the General Assembly, the Special Committee recommended³³³ that the Assembly should continue to request the administering Powers to co-operate with the Secretary-General in promoting large-scale dissemination of the Declaration and of information on the work of the United Nations and, in particular, of the Special Committee, in the implementation of the Declaration.

Decision

343. The General Assembly, by paragraph 18 of resolution 2189(XXI) on implementation of the Declaration, requested the Secretary-General to promote, through the various organs and agencies of the United Nations, the continuous and large-scale publicizing of the Declaration and of the work of the Special Committee, in order that world opinion might be sufficiently aware of the situation in the colonial Territories and of the continuing struggle for liberation waged by the colonial peoples. Further, by resolution 2326(XXII), the Assembly requested the Secretary-General to take concrete measures through all the media at his disposal, including publications, radio and television, to give effect to the provisions of its resolutions 2105(XX), 2189(XXI), 2262(XXII), 2270(XXII) and 2288(XXII) concerning the widespread and continuous publicizing of the work of the United Nations in the field of decolonization, of the situation in the colonial Territories and of the continuing struggle for liberation being waged by the colonial peoples. The Assembly also requested the administering Powers to co-operate with the Secretary-General in promoting the large scale dissemination of information on the work of the United Nations in the implementation of the Declaration.

344. At the twenty-third session of the General Assembly, the Special Committee considered³³⁴ an item on the question of publicity for the work of the United Nations in the field of decolonization. During the discussion, it was observed³³⁵ that some of the publications of the Office of Public Information (OPI) dealing with the subject of decolonization contained incorrect or biased information. It was, therefore, suggested that:

³¹⁵G A resolution 2183(XXI).

³¹⁶G A resolution 2134(XXI).

³¹⁷*Ibid.*

³¹⁸G A resolution 2071(XX).

³¹⁹G A resolutions 2230(XXI) and 2355(XXII).

³²⁰G A resolutions 2185(XXI) and 2350(XXII).

³²¹G A resolutions 2228(XXI) and 2356(XXII).

³²²G A resolutions 2231(XXI), 2353(XXII) and 2429(XXIII).

³²³G A resolutions 2229(XXI), 2354(XXII) and 2428(XXIII).

³²⁴G A resolutions 2232(XXI) and 2357(XXII).

³²⁵G A resolutions 2238(XXI), 2302(XXII), 2424(XXIII) and 2559(XXIV).

³²⁶G A resolutions 2227(XXI), 2348(XXII), 2427(XXIII) and 2590(XXIV).

³²⁷G A resolutions 2184(XXI), 2270(XXII), 2395(XXIII) and 2507(XXIV).

³²⁸G A resolutions 2151(XXI), 2262(XXII), 2379(XXII), 2383(XXIII) and 2508(XXIV).

³²⁹G A resolutions 2229(XXI), 2354(XXII), 2428 II(XXIII) and 2591(XXIV).

³³⁰G A resolutions 2134(XXI).

³³¹G A resolutions 2232(XXI), 2357(XXII), 2430(XXIII) and 2592(XXIV).

³³²*Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 899-904.

³³³G A (XXI), Annexes, a.i. 23/Addendum, A/6300/Rev.1, chap. I, p. 38, para. 334; and G A (XXII), Annexes, part I, a.i. 23/Addendum, A/6700/Rev.1, chap. I, p. 38, para. 330.

³³⁴G A (XXIII), Annexes, a.i. 23/Addendum, A/7200/Rev.1, chap. I, p. 16, paras. 113-119.

³³⁵A/AC.109/SR.593, Soviet Union; United Republic of Tanzania; A/AC.109/SR.598, Soviet Union.

(1) in the selection and presentation of background information, prominence should be given to material relevant to the considerations and conclusions outlined in the pertinent General Assembly and Special Committee resolutions; (2) the salient features of statements made by and communications received from petitioners should be set out; (3) the positions taken by individual delegations, including particulars of voting, should be clearly defined. Where this was not possible for reasons of space, an analytical account of the main trends in the discussion should be included, including an outline of the principal obstacles to the decolonization of the Territory under consideration; and (4) the OPI publications on the subject should be constantly controlled and checked by the officers of the Special Committee.

345. In response to the first three suggestions, the Assistant Secretary-General of OPI referred³³⁶ to the Secretary-General's introduction to his annual report to the General Assembly, in which the Secretary-General, recalling the mandate of OPI as established by the General Assembly in 1946, stated³³⁷ that "United Nations information . . . has been essentially of a factual nature concentrating on impartial and objective reporting of United Nations deliberations, decisions and events, and drawing its material basically from official records". He pointed out that such a very necessary policy limitation excluded the possibility of OPI doing anything more than faithfully reflecting and reporting the attitudes and views of member delegations on any question. He also emphasized that OPI was debarred from expressing any views of its own or taking any independent stand on any issue.

346. With regard to the fourth suggestion, the Assistant Secretary-General pointed out³³⁸ that the responsibility for the work of the Secretariat, whether in OPI or elsewhere, rested with the Secretary-General and could not be subjected to any "control" by officers of the Special Committee or any other committee. He assured the Special Committee however that, within the constitutional imperatives, OPI would maintain its established policy of seeking the closest possible co-operation with the substantive departments concerned and of seeking their guidance and advice in the preparation of information materials in all media.

347. It was decided³³⁹ that the Bureau of the Special Committee should maintain close contact, through the substantive department, with OPI, in order to ensure that the suggestions made during the debate were fully taken into account in the work of that Office. The Special Committee took note³⁴⁰ of the report of its Bureau, subject to any directions the General Assembly might wish to give in that regard.

Decision

348. Accordingly the General Assembly, by resolutions 2465(XXIII) and 2548(XXIV) on implementation of the Declaration, requested the Secretary-General, having regard to the suggestions of the Special Committee, to take concrete measures through all the media at his disposal, including publications, radio and television, to give widespread and continuous publicity to

the work of the United Nations in the field of decolonization, to the situation in the colonial Territories and to the continuing struggle for liberation being waged by the colonial peoples. The Assembly also requested Member States, in particular the administering Powers, to co-operate with the Secretary-General in promoting the large-scale dissemination of information on the work of the United Nations in the implementation of the Declaration.

349. During the period under review, the General Assembly also made similar decisions with respect to Territories under Portuguese administration and Southern Rhodesia.

b. Territories under Portuguese administration

350. During the consideration of the question of Territories under Portuguese administration in the Special Committee in 1967, it was pointed out³⁴¹ that there had been almost unanimous condemnation of Portuguese colonial policy as a crime against humanity. The Special Committee and the General Assembly should, therefore, follow new lines of action on the basis of that condemnation, for instance, by appealing to governmental and non-governmental organizations to disseminate the truth about Portuguese activity and to mobilize their members for a worldwide moral boycott.

Decision

351. On the recommendation of the Special Committee, the General Assembly in paragraph 15 of resolution 2270(XXII), requested the Secretary-General, in consultation with the Special Committee, to promote through the various United Nations bodies and agencies the widespread and continuous publicizing of the work of the United Nations concerning the question of Territories under Portuguese administration so that world opinion might be sufficiently and accurately informed of the situation in those Territories and of the continuing struggle for their liberation and, for that purpose, to prepare periodically special publications to be widely distributed in various languages.

c. Southern Rhodesia

352. During the consideration of the question of Southern Rhodesia in the Special Committee in 1967, it was suggested³⁴² that the Secretary-General should be requested to take all necessary steps to ensure that the truth about the situation in Southern Rhodesia and the fight of its people for liberation was disseminated as widely as possible.

Decision

353. On the recommendation of the Special Committee, the General Assembly in paragraph 19 of resolution 2262(XXII), requested the Secretary-General to promote, through the various organs and agencies of the United Nations, the continuous and large-scale publicizing of the work of the United Nations concerning the question of Southern Rhodesia, in order that world public opinion might be sufficiently aware of the grave situation in the Territory and of the continuing

³³⁶A/AC.109/SR.595, p. 16-17.

³³⁷G A (XXII), Suppl. No. 1A, para. 146.

³³⁸A/AC.109/SR.595, p. 17.

³³⁹G A (XXIII), Annexes, a.i. 23/Addendum, A/7200/Rev.1, chap. I, p. 17, para. 118.

³⁴⁰*Ibid.*, para. 119.

³⁴¹G A (XXII), Annexes, a.i. 23/Addendum, Part II, chap. V, p. 119, para. 1000.

³⁴²*Ibid.*, Part. I, chap. III, p. 177, para. 574.

struggle for liberation waged by the people of Zimbabwe.

C. Article 73c

354. In several instances during the period under review, colonial situations affecting international peace and security were drawn to the attention of the Security Council; such issues have also arisen both in the General Assembly and in the Special Committee.

355. The question of the effect on the decolonization process of military bases in colonial Territories continued to be raised in specific cases which are reviewed below.

1. QUESTIONS OF INTERNATIONAL PEACE AND SECURITY ARISING IN NON-SELF-GOVERNING TERRITORIES

356. As has been reported,³⁴³ the General Assembly and the Special Committee continued the practice of bringing to the attention of the Security Council the question of international peace and security arising in Non-Self-Governing Territories.

a. Questions arising in the General Assembly

357. During the period under review, the General Assembly brought to the attention of the Security Council the question of international peace and security arising in specific Territories.

(i) Territories under Portuguese administration

358. The General Assembly, in its resolution 2184 (XXI) of 12 December 1966, deeply concerned at the critical and explosive situation which was threatening peace and security owing to the intensification of the measures of repression and military operations against the people of the Territories under Portuguese administration, recommended to the Security Council that it make it obligatory for all States, directly and through their action in the appropriate international agencies of which they were members, to implement the measures contained in General Assembly resolution 2107 (XX) and particularly those mentioned in paragraph 7 thereof.

359. In resolution 2270 (XXII) of 17 November 1967, the Assembly, gravely concerned about the critical and explosive situation which was threatening international peace and security owing to the methods of oppression and the military operations which continued to be used against the African peoples of the Territories under Portuguese administration, drew the urgent attention of the Security Council to the continued deterioration of the situation in these Territories, as well as to the consequences of the violations by Portugal of the territorial integrity and sovereignty of the neighbouring independent African States that border its colonies and recommended that the Council consider urgently the adoption of the necessary measures to make mandatory the provisions of its resolutions concerning this question, particularly resolution 2184 (XXI) of 23 November 1965, and the provisions of General Assembly resolutions 2107 (XX) of 21 December 1965 and 2184 (XXI) of 12 December 1966.

360. In resolution 2395 (XXIII) of 29 November 1968, the General Assembly, gravely concerned about the deteriorating situation in the Territories under Portuguese administration, which constituted a serious disturbance of international peace and security, drew the attention of the Security Council to the grave situation in these Territories which had also aggravated the explosive situation in southern Africa. In resolution 2507 (XXIV) of 21 November 1969, the General Assembly recommended that the Security Council, with a view to the immediate implementation of resolution 1514 (XV) in the Territories under Portuguese domination, should take effective steps in conformity with the relevant provisions of the Charter and in view of the determination of the international community to put an end to colonialism and racial discrimination in Africa.

(ii) Southern Rhodesia

361. The General Assembly, in resolution 2151 (XXI) of 17 November 1966, drew the attention of the Security Council once again to the grave situation prevailing in Southern Rhodesia, in order that it might decide to apply the necessary enforcement measures envisaged under Chapter VII of the Charter.

362. In paragraph 17 of resolution 2262 (XXII) of 3 November 1967, the Assembly drew the attention of the Security Council to the need for applying the necessary measures envisaged under Chapter VII of the Charter in view of the deterioration of the grave situation in Southern Rhodesia.

363. In paragraph 9 of resolution 2383 (XXIII) of 7 November 1968 the Assembly drew the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter: (a) the scope of the sanctions should be widened further to include, with respect to the illegal racist régime in Southern Rhodesia, all the measures laid down in Article 41 of the Charter and (b) sanctions should be imposed on South Africa and Portugal, the Governments of which had blatantly refused to carry out the mandatory decisions of the Security Council.

364. In paragraph 12 of resolution 2508 (XXIV) of 21 November 1969, the Assembly drew the attention of the Security Council to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from armed attacks perpetrated against neighbouring States in violation of international peace and security; in paragraph 13, the Assembly reaffirmed its conviction that the sanctions would not put an end to the illegal racist minority régime in Southern Rhodesia unless they were comprehensive, mandatory, effectively supervised, enforced and complied with, particularly by South Africa and Portugal and, in paragraph 14, the Assembly further drew the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter: (a) the scope of the sanctions against the illegal minority régime should be widened to include all the measures laid down in Article 41 of the Charter; and (b) sanctions should be imposed on South Africa and Portugal, the Governments of which had blatantly refused to carry out the mandatory decisions of the Security Council.

b. Questions arising in the Special Committee

365. The General Assembly, in its resolutions 2189 (XXI) of 13 December 1966, 2326 (XXII) of 16 December 1967, 2465 (XXIII) of 20 December 1968 and 2548

³⁴³ *Repertory, Supplement No. 3*, vol. III, under Article 73, paras. 569-641.

(XXIV) of 11 December 1969 on the question of the implementation of the Declaration, requested the Special Committee to apprise the Security Council of developments in any Territory examined by the Committee which might threaten international peace and security and to make any concrete suggestions which might assist the Council in considering appropriate measures under the Charter. Pursuant to these resolutions, the Special Committee, during the period under review, brought to the attention of the Security Council the question of international peace and security arising in specific Territories.

(i) *Territories under Portuguese administration*

366. In paragraph 7 of its resolution of 20 June 1967, the Special Committee drew³⁴⁴ the urgent attention of the Security Council to the continued deterioration of the situation in the Territories under Portuguese administration as well as to the consequences of the aggressive acts committed by Portugal against the independent African States that bordered its colonies. In paragraph 8 of the same resolution, the Special Committee urgently recommended that the Security Council take necessary measures to make mandatory the provisions of its resolutions concerning this question, particularly resolution 218(1965) of 23 November 1965, and those of General Assembly resolution 2184(XXI) of 12 December 1966.

367. In paragraph 11 of its resolution of 26 June 1968 concerning the Territories under Portuguese administration, the Special Committee drew³⁴⁵ the urgent attention of the Security Council to the increased threat posed by the situation in the Territories under Portuguese administration, as well as to the consequences of the violations by Portugal of the territorial integrity and sovereignty of the neighboring independent African States. In paragraph 12 of the same resolution, the Special Committee recommended that the Security Council consider urgently the adoption of necessary measures to make mandatory the provisions of its own resolutions concerning the question, particularly resolution 218(1965) of 23 November 1965, and those of General Assembly resolutions 2107(XX) of 21 December 1965, 2184(XXI) of 12 December 1966 and 2270(XXII) of 17 November 1967. Further, in paragraph 19, the Special Committee decided to transmit its resolution and the records of its discussion to the Security Council.

368. In paragraph 4 of its resolution of 23 September 1968 on the question of gross violations of human rights in Guinea (Bissau) under Portuguese administration, the Special Committee requested³⁴⁶ its Chairman to transmit the text of that resolution to the President of the Security Council.

369. In paragraphs 8 and 9 of its resolution on the question of Territories under Portuguese administration, adopted on 24 June 1969, the Special Committee drew³⁴⁷ the urgent attention of the Security Council to the further deterioration of the situation in the Territories under Portuguese administration which constituted a serious threat to international peace and security, and to the serious consequences of the assist-

ance provided by Portugal through those Territories to the illegal racist minority régime of Southern Rhodesia in defiance of the relevant resolutions of the General Assembly and of the Security Council, and further drew the attention of the Security Council to the urgent need for adopting the necessary measures to make mandatory the provisions of its resolutions concerning the question, particularly resolution 218(1965) of 23 November 1965, and those of General Assembly resolutions 2107(XX) of 21 December 1965, 2184(XXI) of 12 December 1966 and 2270(XXII) of 17 November 1967.

(ii) *Southern Rhodesia*

370. In paragraph 1 of its consensus of 6 June 1967, concerning the question of Southern Rhodesia, adopted at its meeting held in Kitwe, Zambia, the Special Committee decided³⁴⁸ to transmit to the President of the Security Council the records of its debates on the question of Southern Rhodesia, including the relevant testimony submitted by the petitioners.

371. In paragraph 12 of its resolution of 9 June 1967, the Special Committee recommended³⁴⁹ to the Security Council, "in accordance with its decision contained in resolution 232(1966) of 16 December 1966, and, in particular, paragraph 1 thereof, to take the necessary measures under Chapter VII of the Charter of the United Nations".

372. In paragraph 4 of its resolution of 7 March 1968 on the question of Southern Rhodesia, the Special Committee drew³⁵⁰ the urgent attention of the Security Council to the grave situation in the Territory, with a view to its taking effective action to deal therewith.

373. At the request of the Special Committee, the Chairman made a statement on the question of Southern Rhodesia on 19 March 1968. In accordance with a decision taken by the Committee, the text of the statement was brought³⁵¹ to the attention of the President of the Security Council, together with the summary records of the discussions in the Committee and the relevant working papers prepared by the Secretariat.

374. In paragraphs 12 and 13 of its resolution on the question of Southern Rhodesia, adopted on 10 June 1969, the Special Committee drew³⁵² the attention of the Security Council to the gravity of the situation arising from the intensification of suppressive activities against the people of Zimbabwe and from the danger of aggression against neighboring States, which constituted a threat to international peace and security; it further drew the attention of the Security Council to the urgent necessity of applying the following measures envisaged under Chapter VII of the Charter: (a) the scope of the sanctions should be widened further to include all the measures laid down in Article 41 of the Charter with respect to the illegal racist régime in Southern Rhodesia; and (b) sanctions should be imposed on South Africa and Portugal, the Governments of which had blatantly refused to carry out the mandatory decisions of the Security Council.

³⁴⁴G A (XXII), Annexes, a.i. 23/Addendum, A/6300/Rev.1, part. II, chap. V, p. 121, para. 1024.

³⁴⁵G A (XXIII), Annexes, a.i. 23/Addendum, A/7200/Rev.1, chap. VIII, para. 24.

³⁴⁶*Ibid.*, para. 25.

³⁴⁷G A (XXIV), Suppl. 23, vol. II, chap. VIII, para. 19.

³⁴⁸G A (XXII), Annexes, a.i. 23/Addendum, A/6700/Rev.1, part I, chap. III, para. 565.

³⁴⁹*Ibid.*, para. 609.

³⁵⁰G A (XXIII), Annexes, a.i. 23/Addendum, A/7200/Rev.1, chap. VI, para. 21a.

³⁵¹*Ibid.*, paras. 20-29.

³⁵²G A (XXIV), Suppl. 23, vol. II, chap. VI, Section B(2).

(iii) *Colonial Territories considered by the Special Committee during its meetings away from Headquarters*

375. In paragraph 4 of its resolution of 20 June 1967, the Special Committee recommended "once again that the Security Council make obligatory" against Portugal, South Africa and the illegal racist minority régime in Southern Rhodesia the measures provided for under Chapter VII of the Charter.

2. THE QUESTION OF CRIMES AGAINST HUMANITY
THREATENING INTERNATIONAL PEACE AND SECURITY

a. General

376. At its twentieth session, the General Assembly for the first time invoked the Nuremberg Principles³⁵⁴ and described colonialism, racial discrimination, segregation, *apartheid* and violations of economic and political rights as crimes against humanity threatening international peace and security.

377. During the consideration of the question of implementation of the Declaration on decolonization in the General Assembly, the view was expressed³⁵⁵ that colonialism was a crime which must be fought, just as mankind fought slavery and nazism. Colonialism was strongly condemned³⁵⁶ as a crime against the peoples of Africa and the view was expressed that the colonialists should be made conscious of the general disapproval and condemnation of their activities. The United Nations should once again declare the retention of colonialism in any of its forms and manifestations, including the system of *apartheid* and racial discrimination, a crime against humanity and civilization.

378. The question of crimes against humanity was contained in a draft resolution on the question of the implementation of the Declaration.³⁵⁷ In the ninth preambular paragraph, the Assembly was to express its full awareness that the continuation of colonial rule and the practice of *apartheid* as well as all forms of racial discrimination threatened international peace and security and constituted a crime against humanity.

Decision

379. The General Assembly, by a separate vote of 63 to 16, with 22 abstentions, accepted the preambular paragraph. It then adopted³⁵⁸ the draft resolution by a vote of 76 to 6, with 27 abstentions, as its resolution 2105(XX) of 20 December 1965.

³⁵³G A (XXII), Annexes, a.i. 23/Addendum, A/6700/Rev.1, chap. I, para. 299.

³⁵⁴The crimes against humanity were enumerated in Article 6(c) of the Charter of the International Military Tribunal of 1945, on the basis of which the International Law Commission formulated the Nuremberg Principles. Article 6(c) reads in part:

"(c) Crimes against humanity: namely, murder, extermination, enslavement, deportation, and any other inhuman acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connexion with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated." See United Nations, *Treaty Series*, vol. 82, No. 251, p. 286.

³⁵⁵G A (XX), Plen., 1385th mtg., Mali, para. 43.

³⁵⁶*Ibid.*, USSR, paras. 74 and 103.

³⁵⁷G A (XX), Annexes, a.i. 23, p. 75, A/L.476/Rev.1 and Corr.1 and Add.1.

³⁵⁸*Ibid.*, p. 77.

380. Subsequently, the General Assembly in its resolutions 2189(XXI) of 13 December 1966, 2326(XXII) of 16 December 1967, 2465(XXIII) of 20 December 1968 and 2548(XXIV) of 11 December 1969 on the question of the implementation of the Declaration, declared that the continuation of colonial rule threatened international peace and security and that the practice of *apartheid* and all forms of racial discrimination constituted a crime against humanity.

381. The General Assembly also took decisions containing similar provisions concerning Namibia, the Territories under Portuguese administration and Southern Rhodesia.

b. Namibia

382. In paragraph 4 of resolution 2074(XX) of 17 December 1965, the General Assembly condemned the policies of *apartheid* and racial discrimination practiced by the Government of South Africa in Namibia, declaring that these constituted a crime against humanity.

c. Territories under Portuguese administration

383. In paragraph 3 of its resolution 2184(XXI) of 12 December 1966, the General Assembly condemned, as a crime against humanity, the policy of the Government of Portugal that violated the economic and political rights of the indigenous population by the settlement of foreign immigrants in the Territories and by exporting African workers to South Africa.

384. Similarly, in paragraph 4 of its resolution 2277(XXII) of 17 November 1967, the General Assembly strongly condemned the colonial war being waged by the Government of Portugal against the peaceful peoples of the Territories under its administration, declaring that this constituted a crime against humanity and a grave threat to international peace and security.

d. Southern Rhodesia

385. In paragraph 4 of its resolution 2022(XX) of 5 November 1965 and in paragraph 2 of its resolution 2262(XXII) of 3 November 1967, the General Assembly condemned the policies of racial discrimination and segregation practiced in Southern Rhodesia as a crime against humanity.

3. MILITARY ACTIVITIES AND ARRANGEMENTS BY
COLONIAL POWERS IN TERRITORIES UNDER THEIR
ADMINISTRATION WHICH MIGHT BE IMPEDING THE
IMPLEMENTATION OF THE DECLARATION

386. As has been reported,³⁵⁹ the General Assembly was concerned with the question of military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration. Thus, in paragraph 12 of its resolution 2105(XX) of 20 December 1965 the General Assembly requested the colonial Powers to dismantle the military bases installed in colonial Territories and to refrain from establishing new ones.

³⁵⁹*Repertory, Supplement No. 3, vol. III, under Article 73, paras. 642-654.*

Annex 50

United Nations General Assembly, Twenty-first Session, 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, UN Doc. A/6300/Rev.1 (1966), Chapter XIV

from Rs.755.8 million in the previous year. Imports were valued at Rs.388.9 million in 1964 and Rs.367.3 million in 1965, compared with exports totalling Rs.366.9 million and Rs.312.8 million respectively. During 1965, the Territory's unfavourable balance of trade was thus widened.

63. Some important changes occurred in the structure of this trade. Sugar still dominated the export sector of the economy, but its exports decreased from Rs.344.2 million in 1964 to Rs.289.7 million in 1965. It was followed by tea (exports worth Rs.4.4 million in 1964 and Rs.5.9 million in 1965), which replaced molasses (exports worth Rs.8.8 million in 1964 and Rs.5.0 million in 1965) as the second most important export product. The changes in the structure of imports showed less favourable aspects. During these two years, imports of food and edible oils and fats increased from Rs.117.2 million to Rs.122.9 million, while those of capital goods, particularly machinery and transport equipment, decreased from Rs.133.7 million to Rs.121.1 million. As in the past, trade was conducted mainly with the United Kingdom, which received 76.2 per cent of the Territory's exports and supplied 26.7 per cent of its imports in 1965.

64. The recent poor performance of the economy has weakened the financial position of the Territory. During 1965, recurrent revenue decreased by Rs.10 million to Rs.205 million, while recurrent expenditure increased by Rs.18 million to Rs.210 million. Capital revenue amounted to Rs.38 million and capital expenditure to Rs.52 million, compared with Rs.61 and Rs.56 million respectively in 1964. Thus, there was a total budgetary deficit of about Rs.20 million. The public debt in the fourth quarter of 1965 stood at Rs.264 million, or Rs.18 million more than in the corresponding quarter of 1964.

65. The principal economic problems confronting the Territory are its economy's heavy dependence on sugar and the urgent need to widen employment opportunities for the fast-rising population.

66. The two main political parties—the MLP and the PMSD—are very much alive to these problems. The PMSD's policy of association with the United Kingdom is said to be partly inspired by the fear that independence will lead to nationalization of the sugar industry and possibly job discrimination in favour of Indo-Mauritians. In order to dispel this fear, the leader of the MLP is reported to have said that his party favoured constitutional safeguards for minorities and was opposed to nationalization.

67. The Government has made efforts to promote diversification of agriculture, but a factor hampering realization of this objective is that the guaranteed marketing conditions make it more profitable for people to grow sugar.

68. Manufacturing industries in Mauritius are still in their early stages. With a relatively small home market and no raw materials except for sugar and its by-products, aloe and some timber, the development of manufacturing industries has been confined in the main to those directly concerned with the processing of these raw materials.

69. Measures taken by the Government for stimulating the growth of secondary industries include import duty concessions or exemptions on machinery, plant and raw materials for manufacture in Mauritius and income tax incentives. These incentives have already

resulted in the production locally of a variety of goods, including car batteries, carbon dioxide, bituminous paints, nails, fibre glass manufactures, steel furniture, etc., and in the establishment of a modern sawmill, a brewery and a factory for processing milk.

70. According to reports, the leader of the MLP has said, in explaining his party's policy of independence within the Commonwealth, that Mauritius is economically more viable than other colonies that have been granted their independence; that it has never needed a grant-in-aid to balance its budget; and that it has financed the greater part of its development from its own resources.

71. The diversification of the Territory's economy and the reduction of its dependence on sugar are the basic objects of a reconstruction and development programme, which originally covered the period 1960-1965. In 1964, it was decided to increase the ceiling of the programme to Rs.400 million and to extend the period to mid 1966. The United Kingdom is contributing about one third of the total cost of the revised programme.

72. On 1 March 1964, the Development Bank of Mauritius was established to provide loans for agricultural purposes and industrial enterprises. The total amount of loans granted by the Bank up to the end of the year was some Rs.966,000.

73. More recently, the Government has expressed great concern over an increasing level of unemployment caused chiefly by the slowdown in the economy and the rapid growth in population. The population of working age was 190,000 in 1963 and is estimated to reach 250,000 in 1970. In 1965, the Government published for the first time more detailed statistics for 1964 on employment provided by various concerns engaged in construction, electricity, mining and quarrying, manufacture and repairs, and transport. The total number of persons engaged in the above-mentioned undertakings was about 22,000. In addition, the twenty-three Franco-Mauritian sugar millers' estates had some 49,000 employees in 1964. However, no data are available for total unemployment in that year.

74. In his speech to the legislative Assembly on 16 March 1966, the Governor proposed a series of measures designed to achieve full employment by 1970 mainly through the acceleration of economic growth and the reduction of the birth-rate. Subsequently, despite the opposition from the PMSD, the Assembly was reported to have adopted a motion expressing support for these measures, which are summarized below.

75. Under a new development programme covering the period from July 1966 to June 1970, all projects will be carried out in "as labour-intensive a manner as possible", and a higher proportion of funds will be devoted to directly productive development. The Government intends to nearly double the rate of expansion of tea plantations for small-holders and discuss shortly with the International Development Association (IDA) the financing of two irrigation schemes.

76. The Government will continue to strive to create favourable conditions for private investment by such means as the strengthening of the public finance system, the establishment of a Standards Bureau and a Trade Training Centre (the cost of which will be mainly financed by the United Nations Development Programme), the maintenance of good industrial relations and stability in the basic cost of living, and the further expansion and improvement of health, housing, trans-

portation and urban facilities and services. The Government will also continue to make funds available to entrepreneurs through the Development Bank of Mauritius. Three large industrial projects, among others, in the private sector are under study, namely, in fertilizers, textiles and edible oils.

77. The Government has agreed that Mauritius should participate in the negotiations for an Economic Community of Eastern Africa, and it will take every step to promote further economic development within the Community.

78. With the assistance offered by the United Kingdom Ministry of Overseas Development and other overseas agencies, the Government is determined to check the rate of population growth through a sustained campaign of education in family planning. Where opportunities for employment of Mauritians abroad are found, those wishing to take advantage of them will be helped to do so. Improvement will be effected in the administration of public assistance to those for whom no work can be found.

79. As shown in the draft capital budget, revenue and expenditure for the first year of 1966-1970 Development Programme are estimated at Rs 65.9 and Rs 93.2 million respectively. The budget has three main sources of revenue: transfer from the current budget, Rs 12.0 million; Colonial Development and Welfare Fund, Rs 14.8 million; and loans, Rs 32.6 million. However, by the addition of the unspent development funds amounting to some Rs 48.3 million at the end of June 1966, the total estimated capital revenue is brought to Rs 114.2 million.

80. In July 1966, the Government decided to increase both direct and indirect taxes in order to distribute the burden among those with the ability to pay and to meet the budgetary deficit of Rs 25 million for the period ending on 30 June 1966. It also decided to strengthen the monetary system by the formation in 1966 of a central bank to be known as the Bank of Mauritius with an authorized capital of Rs 10 million.

Social conditions

Labour

81. The average rate of increase of population in recent years has been some 20,000 persons a year. The estimated annual increase in the working age population (15 to 64 years) up to 1972 is about 7,500. Steps have been taken to accelerate economic growth, but thus far the economy has not expanded fast enough to provide employment for all work-seekers, and it is considered likely that the current trend will continue unless the birth-rate is reduced. More recently, the problem of unemployment has been aggravated by the continued political uncertainty and adverse weather conditions. As a result, there has been an increasing demand for emigration to the United Kingdom, but the number of applications granted has been small.

82. Measures have been taken by the Government for easing the unemployment situation. These have included a territory-wide registration of unemployed agricultural workers, the implementation of schemes for relief works and for the growing of food crops, the provision of public assistance to those for whom no work could be found, and the undertaking of a programme of family planning.

83. The largest single employer of labour in the Territory is the sugar industry, which provided em-

ployment for 40,822 and 48,635 in March and September 1964 respectively. During the year, there were seventy-eight (seven more than in 1963) associations of employees, with a membership of 48,229 (6,113 more than in 1963). There were twenty-five trade disputes involving 7,302 workers (of whom 5,447 were employed by the sugar industry) and resulting in a loss of 11,053 man-days. The cause of those disputes involving the sugar industry was dissatisfaction with rates of pay, which remained unchanged between 1963 and 1964.

Public health

84. Government expenditure on medical and health services in the financial year 1963-1964 was Rs 19,205,094 (an increase of Rs 949,888 over the previous year), or about 11 per cent of the Territory's total expenditure.

85. During 1964, the medical and health facilities were expanded by the addition of one government dispensary, one maternity ward in a government hospital and nine maternity, child welfare and social welfare centres. The number of beds available for in-patients in the Territory totalled 3,324 (an increase of 100 over the previous year). This total included 2,121 general beds, equivalent to one general bed per 345 persons. There were 118 government and sixty-five private physicians (compared with 122 and sixty respectively in the previous year). There was, thus, one physician for every 4,008 persons.

86. The main disease found among the people in Mauritius today is anaemia, which may affect as many as 50 per cent or more of certain groups of the population. This and other allied nutritional disorders lead to poor physique, intermittent sickness and general apathy.

Educational conditions

87. Actual recurrent expenditure for the financial year 1963-1964 amounted to Rs 24.9 million (compared with Rs 22.8 million in the previous year), or roughly 13.8 per cent of the Territory's total recurrent expenditure. Capital expenditure on education was Rs 3.4 million (compared with Rs 2.8 million in the previous year).

88. Enrolment in primary, secondary, teacher-training and vocational training schools in 1964 was as follows:

	<i>Schools</i>	<i>Enrolment</i>	<i>Teachers</i>
Primary education	297 ^a	132,074 ^b	3,750
Secondary education	119 ^c	31,797	1,348
Teacher training	1 ^d	496	23
Vocational training	3 ^d	301	28

^a Comprising 153 government, 56 aided and 88 private schools.

^b Representing over 88 per cent of all children of primary school age (5-6 to 11-12 years).

^c Comprising 4 government, 13 aided and 102 private schools.

^d Government schools.

89. Free primary education is provided by the Government and aided schools, but not by the private schools. One of the main objects of the Government has been to expand facilities for such education as rapidly as possible to include all children of primary school age. The Government is now faced with a great problem of primary schools overcrowding, which has been aggravated by the damage to the school buildings caused by cyclones in 1960. Ten new primary schools were completed in 1964 and an extensive school-building programme was formulated for the next year.

90. Another important problem is the need to expand the facilities for further education. At present, the majority of Mauritian students seeking such education have to go abroad. In 1964, over 1,100 students were taking full-time courses in institutions of higher education overseas, most of whom were in the United Kingdom. Forty-three scholarships and bursaries and one cadetship were awarded to Mauritian students by certain Commonwealth countries and Member States of the United Nations, and six scholarships by the Mauritius Government for students to attend universities or other institutions of the United Kingdom and other countries.

91. During the year, a request was made to the United Nations Special Fund for technical assistance in expanding the Mauritius Technical Institute. Arrangements are now being made for the establishment of a university in the Territory, which will be financed by a grant of Rs.3 million from Colonial Development and Welfare funds. The university will consist of a faculty of agricultural sciences, a faculty of development services and an institute of education. It will also run extra-mural courses.

2. Seychelles

General

92. On 10 November 1965, the Secretary of State for the Colonies announced that as from 8 November 1965, three out of ninety-two islands, of which the colony of Seychelles consisted—Aldabra, Farquhar and Desrochas, together with the Chagos Archipelago, formerly administered by the Government of Mauritius, would form a new colony, created by the United Kingdom Government, which would be known as the British Indian Ocean Territory. The population of the above-mentioned islands is approximately 100,172 and 112 respectively.

93. According to reports, the purpose of this change is to enable the United Kingdom and the United States to use the new colony as the strategic military base east of Suez (see para. 43 above). Details of the administrative, legal and financial arrangements applicable to the new territory are under consideration, as are details of what compensation should be paid to the commercial and private interests involved. In so far as the Government of Seychelles is concerned, the United Kingdom Government has indicated that it is prepared to meet the cost of constructing a civil airfield in the Seychelles to provide a link with the Indian and African mainlands.

94. On 30 June 1964, the population of the Seychelles was estimated at 46,472 in comparison with 45,089 on 30 June 1963. Seychelles, like Mauritius, is facing a great increase in population. The growth of population in the last four years was greater than had been expected and if this trend continues, may lead to an estimated total population of 57,000 by 1970.

Political and constitutional developments

95. By the end of 1964 two parties—the Seychelles People's United Party (SPUP) and the Seychelles Democratic Party (SDP)—dominated the political scene in the Territory. The major issues between them have been as follows:

(a) The question of the Territory's future status. The SPUP has been in favour of speedy political progress and independence for the Seychelles. The SDP is opposed to independence.

(b) The presence of the United States satellite tracking station on Mahé. The SPUP has declared that it conflicts with their policy of non-alignment while the SDP has hailed it as a major factor in absorbing labour.

96. Coupled with the political developments of 1963 and 1964 was a rapid growth in the trade union movement, most of the unions being associated with one or another of the two main parties. For the first time in the history of the Seychelles, organized strike action was resorted to in support of pay claims, and changed working conditions. There were thirteen unions on 31 December 1964.

97. The main issue between the SDP and the SPUP—the question of the Territory's future status—produced repercussions in the Legislative Council where, in February 1964, a motion was passed calling on the Government to ascertain the United Kingdom Government's reaction "to the idea of Seychelles remaining British, and/or integrating with the United Kingdom". A reply from the Secretary of State to the effect that the United Kingdom Government had no wish to take the initiative in suggesting any change in the relationship between Britain and the Seychelles was welcomed unanimously by the Legislative Council (on 23 October 1964).

98. On 18 November 1965, in replying to a dispatch of 3 November 1964 from the Governor of the Seychelles concerning the future status of the Territory, the Secretary of State for the Colonies stated, in particular, that:

(a) In considering those matters he had throughout been "very conscious of the view expressed by the Unofficial Members of the Legislative Council as to the desirability of maintaining unchanged the present relationship between Britain and Seychelles", and that it was not his intention "to call this in question in any way".

(b) He had been "struck by the fact that although, under the existing law, the franchise is fairly wide, relatively small numbers of people in fact vote at general elections" and that it seemed to him "an unhealthy situation". Therefore he considered that "a move to universal adult suffrage should now be made".

(c) "Even if universal adult suffrage were introduced forthwith it could have little political effect until the next general election. To take this step now might well however, as I have indicated, contribute towards the political education of the people. It is also for consideration whether, in the interval between now and the next general election, certain more positive steps in this direction may not be possible."

(d) "Bearing in mind that the majority of important posts in government service in Seychelles are already held by Seychellois officers, . . . unofficial members of Executive Council might now be invited to assume some responsibility for the conduct of the business of Government departments."

(e) "Consideration should now be given also to longer-term and further-reaching questions concerning the Colony's constitutional arrangements and eventual future status" . . . "In other territories it has been found valuable for a constitutional expert to visit the Territory and prepare a report, in the light of the views expressed to him locally by the Government, political parties and individuals, indicating the various possible courses which may be open and the arguments for and against each."

If the suggestion was acceptable, he would "arrange for a suitable person to visit Seychelles in the relatively near future to draw up a report".

(f) "If a visit on these lines were arranged, I would suggest that, subject to any comments you may have, the constitutional expert's terms of reference might be:

"Having regard to the terms of Lord Lansdowne's despatch No. 177 of 17th August 1964, and of Lord Oxford's despatch No. 226 of 3rd November 1964, and to current economic, social and political developments in Seychelles, to examine the various paths of constitutional evolution open to the territory, taking account of the wishes of the people and the realities of the local situation; in conducting this examination to consult with the Government of Seychelles, the Members of the Legislative and Executive Councils, the political parties, and interested organisations and members of the public; and to report."

99. On 3 February 1966, it was announced that Sir Colville Deverell, former Governor of the Windward Islands (from 1955 to 1959) and Mauritius (from 1959 to 1962), had accepted an invitation from the Secretary of State to visit Seychelles as constitutional adviser. Sir Colville arrived in the Seychelles on 10 February 1966 for a visit of about one month. The Secretary of State has recently received Sir Colville's recommendations, and these have been under consideration.

100. During a visit to London in April 1966, Mr. F. A. René, a member of the Legislative Council and leader of the Seychelles People's Unity Party (SPUP), one of the two majority parties of the Territory, was reported to have demanded that the Seychelles be granted internal self-government with the enlargement of the franchise to one of universal adult suffrage during October or November 1966 and that the Territory become independent during late 1969 or early 1970. Mr. René also said that despite his party's opposition to the purchase by the United Kingdom Government of three islands of the Territory for use as military bases, it was now too late to continue discussing that matter.

Economic conditions

101. The economy of Seychelles is dependent on its agriculture. It is a single-crop economy, most of the cultivated land being planted with coconut palms. The price of copra, the principal export, representing 60 to 70 per cent of all domestic exports, is the most important economic factor governing the life of the Territory.

102. The total area planted under coconuts is in the region of 23,000 acres and the number of palms is estimated at 1,750,000. Cinnamon occupies about 14,000 acres and vanilla 700 acres. The production of copra, cinnamon and vanilla were as follows:

	Quantity (tons)		Value (rupees)	
	1963	1964	1963	1964
Copra	5,703	7,034	5,178,561	6,567,430
Cinnamon bark	1,007	1,174	725,089	834,296
Leaf oil	66	75.5	595,839	707,711
Quills	9	6	33,186	39,118
Vanilla	2.05	1.44	85,917	51,226

103. The average price per ton received for copra was Rs 786.05 in 1962; Rs 908.04 in 1963; and Rs 933.67 in 1964. No subsidies were paid in 1963 and 1964 by the Copra Stabilization Fund which has in recent years ensured a minimum return of Rs 800 per ton to planters.

104. The main industries in the Seychelles are the preparation of copra and vanilla pods, as well as the extraction of essential oils for export. Coconut oil for cooking and its by-product (coconut cake) for stock feeding, soap and coir rope are produced in small quantities for local consumption.

105. In the latter part of 1964, a coir factory was established. It aims to process about 1,000 tons of coir a year for export which should add about Rs.500,000 to the value of the Territory's exports.

106. There are some guano deposits on certain of the outlying islands. Between 1901 and 1960 some 687,500 tons of guano valued at over 17 million rupees were exported from these islands with the result that supplies were exhausted on many of them. Considerable deposits still remain on three islands, and it has been suggested that guano in the Amirantes should be reserved for the Territory's needs, while that from St. Pierre should continue to be sent to Mauritius. The private firm which has the lease to work the deposits on Assumption concentrated on installing equipment, extracting and crushing during 1963-1964. The company is permitted to extract up to 10,000 tons a year, subject to the payment of royalties (Rs.4 a ton) and export duty, and it expected to sell considerable quantities of guano on the world market during 1965.

107. In the absence of raw materials, the Territory has to look to the sea for new sources of wealth. However, it has not yet been found possible to attract the considerable capital necessary to provide ships, cold storage and a canning plant to handle the rich harvest of fish believed to exist in this part of the Indian Ocean. At present there is only a limited export of salted fish, valued in 1963 at about 40,000 rupees.

108. The main crops in the Territory are still coconuts, cinnamon, patchouli and vanilla, but it is hoped to introduce tea as a subsidiary crop especially on small holdings, now that the Seychelles Tea Company is established. The company has planted 100 acres of Crown land and is now engaged in planting another 200 acres. It is hoped that more planting will be undertaken on small holdings and private estates.

109. Under the Land Settlement Scheme, the Government provides land to small-holders for cultivation. By the end of 1964 there were 150 such holdings, mainly five acres in size, compared with 100 at the end of 1963.

110. Following a campaign by the Department of Agriculture, planters are showing an interest in cattle raising, which is being encouraged as a valuable aid to fertilizing the plantations, while increasing the Territory's supply of meat and milk. The Department maintains herds of creole cattle and Sindhi-Friesian cross-breeds from which young animals are supplied to the public.

111. Progress was reported in the field of co-operative development with planters' processing and marketing societies showing increases in membership and productivity. Several new societies were registered during 1964. Both Mahé and Praslin now have a chain of copra manufacturing societies so that all planters on these two islands may participate in large-scale production of copra through membership in a primary co-operative; and in the export of copra through a union of primaries which was registered in 1964. There is also a cinnamon producers' society, a poultry farmers' co-operative, and a property construction co-operative.

which undertakes building contracts and the manufacture of cement blocks and pipes. By the end of 1964 there were twelve societies operating which handled produce valued at £88,400 during the year. There is an Agricultural Bank which has been granting loans to planters for debt settlement as well as development.

112. In 1964, exports totalled £649,578, compared with £515,045 in 1963. Imports amounted to £1,179,336, compared with £1,095,058 in 1963.

113. The main export items in 1964 were copra (£497,099) and cinnamon oil and bark (£160,243). The main import items were food-stuffs (rice, maize, flour, sugar, etc.), (£407,611); kerosene, petrol and diesel oil (£112,527); and cotton piece goods (£77,699).

114. The whole of the import and export trade of Seychelles, except for some shipment of guano from the outer islands to Africa, passes through the Port of Victoria. Exports of copra are handled by the Seychelles Copra Association, an association of shippers and producers. The import of rice, the staple food of the islanders, is arranged by the Government of Seychelles under an agreement with the Government of Burma. The rest of the trade and commerce of the Territory is conducted by a number of agency houses and merchants.

115. Total public revenue was estimated at Rs 10,536,122 of which Rs 7,084,000 were from local sources, the remainder being from United Kingdom funds. Total expenditure was Rs 11,116,838, of which expenditure on Colonial Development and Welfare schemes amounted to Rs 2,930,356.

116. In 1964 the Seychelles Government offered its second loan to the public in the amount of Rs 267,000 to finance development of the Territory's electricity system. The loan was fully subscribed and brought the total public debt of the Territory on 31 December 1964 to Rs 1,071,000.

117. In spite of efforts to keep down the cost of living by the occasional imposition of price control on certain essential commodities, prices have continued to rise steadily. No precise figures have been published for the years under review.

118. There are neither airfields nor railways in Seychelles, but a small fleet of diesel buses operates over the main routes on Mahé. There are forty miles of tarmac-surfaced roads on Mahé and a further thirty-four miles of motorable earth roads. Praslin has thirty miles of earth roads, half of which are motorable, and La Digue has eight miles of earth roads.

119. The five-year development plan, largely financed by Colonial Development and Welfare funds, came to an end on 31 March 1964. It was calculated that about £550,000 from Colonial Development and Welfare funds would be available for the two-year period starting 1 April 1964. Expenditure was apportioned as follows: natural resources, 35.6 per cent; works and communications, 28.4 per cent; social services, 28.9 per cent; tourism and information, 2.8 per cent; miscellaneous projects, 1.6 per cent; and uncommitted balance, 2.7 per cent.

120. A new development plan for the three-year period starting 1 April 1966 has been worked out and is now under consideration by the Secretary of State for the Colonies.

121. In his statement on 18 November 1965, the Secretary of State for the Colonies said that he hoped

to be able to allocate more Colonial Development and Welfare funds to the Territory to make possible substantial economic and social development. In this connexion, he stressed the need to expand and improve agriculture, and in particular, to press on as vigorously as possible with the land settlement programme in order to enable the increasing population to secure an adequate livelihood.

122. Bearing in mind the inevitable bias towards agriculture, he was convinced that steps had to be taken to ensure the full utilization of the Territory's limited land resources. While aware that many large estates in the Seychelles were well managed and highly productive and that the Agricultural Department continued to promote improved husbandry, he nevertheless believed that neglected or unused lands inevitably constituted a heavy burden for the Territory to carry. Therefore, he felt it necessary to consider, in the context of the next development plan, what further encouragement could reasonably be given to promote good husbandry and increase land productivity, and also what sanctions (such as compulsory takeover or management in certain circumstances) might reasonably be written into the law to ensure the putting of neglected or unused lands to full use.

123. The Secretary of State also suggested that measures to ensure the maximum use of local financial resources should be examined. He thought it worth while to consider the establishment of a development corporation for the Seychelles; exploring the possibility of using the investment income of the Copra Price Stabilization Fund in such a way as to increase the pace of agricultural development, and examining whether such development could be stimulated by changes of fiscal policy. He also thought that consideration might be given to the desirability of taking measures to ensure that some part of any unusual appreciation in the capital value of land in Seychelles, particularly if it resulted from the development of an airfield, should accrue to the benefit of the community as a whole.

124. The Secretary of State said that he was aware that the peoples of Seychelles desired that progress should be made in certain other sectors of the economy, notably air communications and deep-sea fishery. Besides drawing attention to a recent announcement that an airfield was to be constructed, he pointed out that a substantial fisheries group had offered to make a survey with a view to investigating the possibility of operating from the Seychelles, and that the Government of Seychelles was conducting negotiations with that group concerning its investment in the Territory.

Social conditions

Labour

125. Compared with 1963, no significant changes have been reported in the employment situation. The number of Seychellois who benefited from the services of the Labour Office in obtaining employment abroad was 385.

126. A low-cost housing project to provide houses for 188 families was started in 1964. It is financed partly from loan funds and partly from a Colonial Development and Welfare grant. On the land settlement plots, the Government has recently been building houses at the rate of approximately fifteen a year. So far 189 cottages have been completed. Subsidies of up to £100 are offered to planters who are prepared

build labourers' houses on their estates; in 1964 provision was made for 100 such subsidies.

127. In his statement of 18 November 1965, the Secretary of State for the Colonies said that the normal level of agricultural wages in the Seychelles remained extremely low. Any programme for economic and social development should aim to promote the well-being of the poorer members of the community. While noting with satisfaction that the level of wages paid to agricultural labourers had recently been appreciably increased he nevertheless hoped that it would in due course be possible to make efforts towards the general adoption of a 45-hour week. He considered that attempts should also be made to improve the living standard of other workers earning very low wages, and suggested that the present level of wages paid to government labourers might be a reasonable target. He was thus pleased to learn that early consideration was being given to raising the minimum legal wage for all categories of workers.

128. According to reports, a strike involving some 3,250 workers employed mainly by the Government occurred at Victoria on 13 June 1966 in support of higher wages for labourers paid by the month. They union representatives and the Government blamed each other for breaking off negotiations. The former rejected the provisional pay increase from Rs.72 to Rs. 80 a month as inadequate, pointing to the latest estimate of a government organ which showed that the cost of living for these labourers had risen by 100 per cent. The Government stated that its policy was to defer a final wage award to its unskilled workers until there was time to see what effect price controls already initiated might have in keeping down the cost of living.

129. On 16 June 1966, when the strike was extended to include the coir factory and Seychelles Tea Company workers, the Seychelles Workers' Union called on the United Nations to intercede to help end the dispute. Tension remained high until after Mr. F. A. René, the union's legal adviser, who, as stated above, is also a member of the Legislative Council and leader of the SPUP, had urged the workers to avoid violence.

130. The following day, when a landing party from the British destroyer *Carysfort* arrived at Victoria to give assistance to the police, the strikers dispersed peacefully. They returned to work on 20 June 1966, one day after the British frigate *Gurkha* with 250 officers and men had sailed from Aden for the Seychelles as an additional precautionary security move. The Government stated that it found it necessary to take measures to preserve public security after certain union members had resorted to intimidation in order to prevent others from working. The Government was prepared to reopen negotiations with the union concerned when it was satisfied that the security situation had returned to normal.

131. On 7 July 1966, the Secretary of State for the Colonies stated in reply to a question raised in the United Kingdom House of Commons that the situation in the Seychelles had now returned to normal.

Public health

132. Expenditure on medical services for the Territory in 1964 was estimated at Rs.1,235,640, or 15.09 per cent of its total budget, compared with Rs.1,141,277 in 1963 exclusive of Colonial Development and Welfare funds.

133. The Territory was practically free of venereal diseases in 1964. However, there has been a high incidence of venereal diseases in recent years. Under the United Nations Expanded Programme of Technical Assistance (EPTA), the Seychelles will receive assistance in a campaign against venereal diseases in 1965-1966.

134. The main islands of the Territory have four hospitals (208 beds), two clinics and a tuberculosis sanatorium that can accommodate ninety-two patients. The ratios of medical officers and hospital beds to the population are 1 to 3,006 and 1 to 213 persons, respectively.

Education conditions

135. In 1964 government expenditure on education was Rs.1,393,973, or 16.5 per cent of the total expenditure, compared with Rs.1,283,632, or 15.7 per cent, in 1963.

136. There were 8,516 children (4,146 boys and 4,370 girls) in all schools in 1964, compared with 8,156 children in 1963. The number of children in primary schools was 5,472. There were 2,916 students in secondary schools, thirty-one students at the Teachers Training College, forty-five students at the technical school, thirty students attending the special teachers' courses and twenty-two girls attending the nurses courses.

137. The educational system was modified in 1965. The primary course will take six years instead of four and will be available to all children. Primary school will be followed by junior secondary school (two years) and secondary school (three years) on a competitive basis.

3. St. Helena

General

138. The estimated population of St. Helena was 4,676 at the end of 1964, in comparison with 4,613 in 1963. The estimated population of Tristan da Cunha was 278. No recent figures are available on the population of Ascension Island, another dependency of St. Helena.

Political and constitutional developments

139. No changes have been reported in the political and constitutional fields since the Special Committee considered St. Helena in 1964.

Economic conditions

140. The area of St. Helena is forty-seven square miles, of which about 640 acres is arable land. Some five square miles is under flax, seven square miles are pasture, and some three square miles are established forest. Progress has been reported in better land usage. Some 95 per cent of the pasture areas has been fenced and subdivided and brought under a system of grazing control. A programme for continuing the development of natural resources and water supplies is being financed with Colonial Development and Welfare funds. An expenditure of some £18,000 was involved in 1964, and a further expenditure of some £19,600 a year until 1966 is planned.

141. The estimated area and production of each crop in 1964, in comparison with 1963, are shown below:

Crop	Area (acres)		Production (tons)	
	1963	1964	1963	1964
Flax (fibre and tow)	3,350	3,350	1,016	1,411
Potatoes	100	100	200	200
Sweet potatoes	60	60	60	120
Vegetables	200	230	400	500
Cereals	50	50	20	50
Fodder (green)	200	200	600	600

142. The production of fibre, tow and rope in 1964, compared with that of 1963, was as follows:

	Tons		Value in pounds	
	1963	1964	1963	1964
Fibre	780	953	62,114	76,425
Tow	195	455	8,142	15,990
Rope and twine	41	2	4,500	221

143. In 1964, total public revenue was estimated at £277,771 (compared with £313,205 in 1963). Estimated expenditure was £277,771.

144. The value of the Island's exports in 1964 was £105,374 (£88,019 in 1963), all of which went to six countries: the United Kingdom (49.84 per cent), South Africa (39.17 per cent), France (6.83 per cent), Denmark (2.48 per cent), Sweden (1.33 per cent), Italy (0.35 per cent). The principal export commodities were fibre (£76,425) and tow (£15,990). Imports amounted to £309,974 (£279,678 in 1963), mainly from the United Kingdom (59.53 per cent) and South Africa (21.66 per cent).

145. A small harbour at Tristan da Cunha, a dependency of St. Helena, is being built from Colonial Development and Welfare funds. The total cost of the project is of the order of £80,000. When completed, it will enable shore-based fishing to be resumed. It is then expected that the fishing company will re-establish a freezing factory on the Island, which it is hoped will give employment to some Islanders.

Social conditions

Labour

146. At the end of 1964 there was a total of 145 men on unemployment relief (compared with ninety-eight men in 1963). An institution is maintained from the proceeds of a public rate in which the aged, destitute and infirm are cared for. In 1964, 113 necessitous persons were in receipt of outdoor relief in the form of food tickets and cash payments varying from 5/- to 8/- per week.

147. At the end of 1964, 150 men from St. Helena were employed at Ascension Island by Cable and Wireless Limited. One hundred fifteen men were also employed there by United States construction companies and fifty-eight by the Ministry of Public Buildings and Works.

148. According to information received from the United Kingdom Government, the labour situation has vastly changed since 1964, with the implementation of a salaries revision granting increases of 90 per cent per week to government labourers, with effect from July 1965. In consequence, the flax industry collapsed (its survival depended on low wages and a government subsidy), but this did not lead to unemployment in view of increased opportunities for work on communications and tracking projects (British Government Cable and Wireless, Ltd., United States Government and National Aeronautics and Space Administration) on St. Helena and Ascension.

Public health

149. No significant changes have been reported. Estimated expenditure for public health in 1964 was £27,762, or 10 per cent of the total budget of the Territory. There was a mild epidemic of chicken pox.

Educational conditions

150. Comprising approximately 26 per cent of the Island population, the average number of children attending school during 1964 was 1,184.

151. There were 58 full-time and three part-time teachers. A Colonial Development and Welfare scheme provides for five pupil-teacher scholarships which are awarded annually. These students undergo a year's training locally before they are appointed as pupil-teachers. After two further years' teaching in the schools, selection is made with a view to suitable candidates being sent on a three-year overseas course leading to the United Kingdom's Ministry of Education Teacher's certificate. In 1964, two pupil-teachers selected for overseas training under this policy left the Island for Stranmillis College, Northern Ireland. The Government also sends senior teachers on short courses in the United Kingdom from time to time. One head teacher left in 1964 for a year's course.

152. Estimated educational expenditure during 1964 was £22,895, or 8.4 per cent of the total government expenditure.

C. CONSIDERATION BY THE SPECIAL COMMITTEE

Introduction

153. The Special Committee considered Mauritius, Seychelles and St. Helena at its 396th and 470th meetings on 16 March and 6 October 1966. At its 470th meeting, the Special Committee had before it the report of Sub-Committee I concerning these Territories, which is annexed hereto.

Written petitions and hearing

154. The Special Committee had before it the following written petitions concerning Mauritius and Seychelles:

Petitioner	Document No
Mauritius	
Mr. M. Ayaperoumall, President, Central Committee, Communist Party of Mauritius (CPM)	A/AC 109/PET.433
Mr. A. Bhunnoo	A/AC 109/PET.448 and Add 1
Mr. T. Sibsurun, Secretary-General, Mauritius People's Progressive Party	A/AC 109/PET.449 and Add 1 and 2
Mr. S. Ramgoolam, Premier of Mauritius and twelve others	A/AC 109/PET.479
Seychelles	
Seychelles Transport and General Workers Union, Seychelles Building and Construction Workers Union, and Seychelles People's United Party	A/AC 109/PET.533

155. The Special Committee heard the following petitioner concerning Mauritius:

Petitioner	Meeting
Mr. T. Sibsurun, Secretary-General, Mauritius People's Progressive Party	396th

156 *Mr. Teekaram Sibsurum* (Mauritius People's Progressive Party) read out the text of a petition which his party had submitted to the Special Committee on 30 August 1965 concerning the establishment of military bases in Mauritius (A/AC.109/PET.378/Add.1). He said that the population of Mauritius was opposed to the idea of bases, as had been shown by the protest demonstration staged by 100,000 inhabitants in December 1965. In September 1965, the Government of Mauritius had signed an agreement with the United Kingdom Government on the subject of the military base which the United States and the United Kingdom wanted to establish in Diego Garcia. The Government of Mauritius had never told the public about the agreement with the United Kingdom Government and the establishment of a nuclear base in the country. After the collapse of the coalition Government, the Parti Mauricien had disclosed the agreement to the people. His own party, the Mauritius People's Progressive Party, had been formed in 1963, when the rumours about the installation of a military base had started to circulate.

157 In addition, he said that there was widespread unemployment in Mauritius: out of a population of 750,000, 100,000 were unemployed. The white settlers owned all the best land and all the sugar-cane factories. Workers could not earn enough to support their families, because of a law forbidding them to work more than four days a week, they could earn only twenty rupees a week. In addition, there was an unemployment crisis, which the Government was unable to overcome.

158 Racial discrimination was found everywhere. In 1953, the United Kingdom Government had agreed at the constitutional talks that the Muslim Party would have six reserved seats, whether or not they were elected. In keeping with the United Kingdom policy of "divide and rule", there were various political parties which concerned themselves with individual racial groups.

159 The Mauritius People's Progressive Party made the following appeals: firstly, that Mauritius should be granted immediate and unconditional independence; secondly, that no military or nuclear detection bases should be established on their Territory; and thirdly, that the general elections to be held in June 1966 should be supervised by the United Nations in order to prevent bribery and corruption.

160 In answer to a question, he stated that general elections had been held in 1963. None of the four parties had won a majority and a coalition Government had therefore been imposed by the United Kingdom. There were fifty-two seats—forty-two elected and ten nominated by the Government. The Parti Mauricien had seven seats, the Independent Forward Bloc nine, the Muslim Party six and the Labour Party twenty.

161 In answer to a further question, he said that his party had asked the Governor of Mauritius for permission to participate in the Constitutional Conference held in London in September 1965. They had been told that they were not entitled to do so and that only ministers who were members of the Government and the Legislative Council would be allowed to participate. The requests of other parties for permission to attend as observers had also been denied.

Statements by members

162. The representative of the *United Kingdom* said that his delegation's comments would deal with the con-

clusions and recommendations in the report and would be essentially factual.

163. The conclusions and recommendations fell into three main categories: firstly, the constitutional and political progress of the Territories of Mauritius, the Seychelles and St. Helena; secondly, the detachment from Mauritius and the Seychelles of the British Indian Ocean Territory; and thirdly, the economic situation in the Territories.

164. With regard to the constitutional questions, his delegation had informed the Sub-Committee of major steps taken in each of the three Territories. In Mauritius, it had been decided after the Constitutional Conference in November 1965 that, if the newly elected Legislative Assembly requested independence, the United Kingdom Government would accept that request and independence would be achieved after a six-month period of full internal self-government following the new elections. Following the recommendations of an independent electoral commissioner and a subsequent visit to the Territory by a United Kingdom Minister to discuss these recommendations, full agreement among all political parties in Mauritius had been reached on a new electoral system. Registration had begun, with a team of Commonwealth observers present, and the elections would be held early in 1967. If the party favouring independence won the elections and asked for independence, independence could thus come about by the middle of 1967.

165. In the Seychelles, the elected Legislative Council had asked the United Kingdom Government to express a view on the Council's desire that there should be no change in the relationship between the United Kingdom and the Territory. In his reply, the United Kingdom Secretary of State for the Colonies had acknowledged that desire and had suggested that the time had come for further constitutional advance, including a move to abolish the minor property and literacy qualifications for the franchise and thus move to full universal adult suffrage. A Constitutional Commissioner had visited the Territory for extensive consultations with all shades of opinion and his recommendations on the various paths of constitutional evolution open to the Seychelles were being examined.

166. In St. Helena, the Governor had undertaken extensive consultations with all sections of the community and had reached virtually unanimous agreement on a set of constitutional proposals which would represent a considerable transfer of powers and responsibility to local hands. His Government was now studying those proposals.

167. None of that progress, however, had found a place in the Sub-Committee's conclusions and recommendations. There was not mention of the prospect of independence for Mauritius within a few months. There was no mention of the consultative processes leading to fresh constitutional proposals for the Seychelles and St. Helena. There was not even any recognition that the Legislatures of Mauritius and St. Helena were already elected by universal adult suffrage and that the United Kingdom Government itself had proposed a move to universal suffrage for the Seychelles. Indeed, the report asserted that the Seychelles people were "deprived" of universal suffrage and it characterized the political development in the Territories as "slow". It blindly recommended that elections on the basis of universal adult suffrage should be held as soon as possible, thus completely ignoring the facts and the decisions that had been taken.

168. With regard to the conclusions and recommendations relating to the detachment of certain small atolls in the Indian Ocean from Mauritius and the Seychelles, his delegation had already explained the matter in its statement to the Fourth Committee at its 1558th meeting on 16 November 1965. It had made it clear that the new arrangements represented an administrative readjustment which had been fully agreed after consultations with the elected Governments of Mauritius and the Seychelles. The atolls did not form any geographical, political or ethnic union with those Territories and had previously been administered as part of Mauritius and the Seychelles purely as a matter of administrative convenience. The interests of their few inhabitants, almost all migrant labourers from Mauritius and the Seychelles, were fully protected under the new arrangements. No decisions had yet been reached about the construction of any facilities in the British Indian Ocean Territory. The suggestion (see para. 46 above) that the resignation of three Ministers from the Mauritius Government had been in protest at the principle or objectives involved in the detachment of the atolls was inaccurate, as had been shown by the public statements of the Ministers at the time. In view of the fact that the two elected Governments had agreed to the detachment, his delegation could not accept the suggestions in the Sub-Committee's report that the new arrangements violated the territorial integrity of the Territories. Furthermore, his delegation knew of no supporting evidence for the assertions (see annex, para. 55) alleging anxiety about reports that military bases in Mauritius or the Seychelles were envisaged, since there were no such bases in either Territory and, to the best of his delegation's knowledge, no plans for any such bases. There were certain minor facilities which were not bases; there were the naval wireless station in Mauritius and an airfield which was used occasionally by the Royal Air Force but primarily by the Mauritius Government for purely civilian purposes. His delegation knew of no evidence that those minor facilities had caused anxiety to anyone in the Territories concerned.

169. With regard to paragraph 63 of the recommendations of Sub-Committee I (see annex), the clear legal position was, had been and remained that until independence the administering Power alone had the authority to enter into international commitments or agreements affecting its dependent Territories. His delegation could not, therefore, accept that recommendation. He would point out, however, that in recent times the United Kingdom Government had certainly not concluded any agreements with other countries affecting the basic interests of United Kingdom colonial Territories without the fullest consultation beforehand with the representatives of the Territory concerned.

170. Finally, his delegation regretted that paragraph 57 of the conclusions and paragraph 64 of the recommendations paid no regard to the information supplied by his delegation to the Sub-Committee about the economies of the Territories and about United Kingdom Government aid to them. His delegation had made it clear that 1963 had been an exceptional year for sugar prices and that that had a marked effect on the economy of Mauritius; in interpreting the annual statistics it could not be deduced from a comparison of the 1963 and 1964 figures that there was a significant economic decline. He knew of no evidence to support the allegation in paragraph 57 that foreign companies were exploiting or otherwise acting contrary

to the interests of the Territories. It was difficult to attach any meaning to the reference to "indigenous inhabitants" in paragraph 64, since the islands had been uninhabited when they had first been discovered, and no section of their inhabitants was more "indigenous" than any other.

171. On all three counts, therefore, the conclusions and recommendations seemed either to ignore or to misrepresent the basic and significant facts of the situation in the three Territories concerned. His delegation could not accept the conclusions or recommendations and he reserved his Government's position on them.

172. The representative of *Italy* said that during the twentieth session of the General Assembly his delegation had abstained in the vote of resolution 2066 (XX) on Mauritius and had voted against the paragraph of General Assembly resolution 2105 (XX) that dealt with the so-called problem of military bases in colonial Territories. He therefore reserved his delegation's position on the report under consideration.

173. The representative of the *United Republic of Tanzania* said that, as a member of Sub-Committee I, he had not been surprised to hear the United Kingdom representative disagree with the contents of the report, which was aimed at correcting the many wrongs committed by the United Kingdom Government against the people of the Territories concerned.

174. The United Kingdom representative had spoken about the revised electoral system. The Tanzanian representative in Sub-Committee I had studied the statement issued by the United Kingdom delegation and had found that system to be very complicated. Indeed, the United Kingdom representative had been obliged to explain the system in detail to the Sub-Committee.

175. With regard to the slow pace of political development referred to in paragraph 64 of the report, since the Territories had been under United Kingdom control for about 150 years, it was clear that they should have made far more progress. The Declaration on the Granting of Independence to Colonial Countries and Peoples had been proclaimed in 1960; it is now six years later and the United Kingdom has not implemented it. The Sub-Committee had therefore been justified in noting the slow pace of political development. The people of the Territories were demanding their inalienable and sovereign rights and the United Kingdom Government was withholding those rights. The conclusions and recommendations were therefore in keeping with the facts.

176. The United Kingdom representative had said that the British Indian Ocean Territory was not part of Mauritius and the Seychelles. The Tanzanian delegation rejected that argument, since the United Kingdom Government would not have agreed to pay compensation to the inhabitants of the islands concerned if those islands were not an integral part of Mauritius and the Seychelles.

177. The United Kingdom representative had said that he disagreed with the Sub-Committee's conclusion relating to the establishment of military bases in Mauritius and the Seychelles. The Tanzanian delegation would like to hear a formal denial from that representative; it might even propose that a visiting mission should be dispatched to the Territories to ascertain the facts.

178. In keeping with its traditional opposition to colonialism and neo-colonialism, his delegation fully supported paragraph 63 (see annex), which dealt with agreements concluded between the administering Powers affecting the sovereignty and fundamental rights of the Territories.

179. The representative of *Australia* said that, on the basis of the facts just presented by the United Kingdom representative, his delegation considered that the conclusions and recommendations in the report were unfounded. It therefore reserved its position on the report.

180. The representative of *Denmark* said that the reservations expressed by his delegation at the 32nd meeting of Sub-Committee I were still valid.

181. The representative of the *United States of America* said that his delegation did not support all the conclusions and recommendations in the report. In particular, it endorsed the reservations made by the Danish representative at the 30th meeting of the Sub-Committee.

182. The United States delegation considered the emphasis on military facilities entirely unwarranted, especially in the light of the remarks of the United Kingdom representative.

183. With regard to the reference to paragraph 12 of General Assembly resolution 2105 (XX), members would recall that at the time of the adoption of the resolution the United States had pointed out that certain paragraphs were null and void because they had not been adopted in accordance with the provisions of the Charter.

184. Lastly, the report did not take sufficient account of the efforts of the administering Power and the people of the Territories which were leading to self-determination, and nothing about the possibility that Mauritius might become independent by the middle of 1967.

185. The representative of the *Union of Soviet Socialist Republics* disagreed with the representative of *Australia* that, on the basis of the facts which had just been presented by the United Kingdom representative, the conclusions and recommendations in the Sub-Committee's report was unfounded. When the question of Mauritius, the Seychelles and St. Helena had been studied thoroughly by Sub-Committee I, the Special Committee and the General Assembly in 1964, the United Kingdom representative had painted a rosy picture of the situation, but the dismal truth had nevertheless emerged. At the current meeting, the United Kingdom representative had objected that the report made no reference to political and economic progress in the Territories and that the recommendations, especially those concerning military bases, were incorrect. He agreed with the representative of *Tanzania* that, six years had elapsed since the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples progress had indeed been slow. The Declaration had still not been implemented in the Territories.

186. As for the economic situation, foreign monopolies were depriving the local inhabitants of the opportunity to participate in the economic life of the Territories. All the land in Mauritius which did not belong to the Crown was owned by foreign companies and big landowners, and two thirds of all the arable land in the Seychelles belonged to a small group of owners. The colonial structure of the economy of the

Territories, which was based mainly on the cultivation of a single crop, made them entirely dependent on the metropolitan country.

187. The United Kingdom representative had said that the progress achieved had not been taken into account. Yet even the working paper prepared by the Secretariat, which, it must be agreed, was objective, had stated that in 1964 the total production of the agricultural and manufacturing industries had declined and that in 1965 the general economic situation had continued to deteriorate (see paras. 15 and 59 above). According to the *Christian Science Monitor* of 6 June 1965, out of a total population of more than 750,000 in Mauritius, less than 100,000 were employed, and most of those on seasonal work. The Secretariat working paper had also referred to the increasing level of unemployment. In protest against the desperate economic situation, the inhabitants had organized strikes. In May 1965, serious disturbances had broken out in Mauritius and, according to the *Christian Science Monitor*, had been suppressed by British troops. In June 1966, a strike called in the Seychelles had been ended by the colonial Power with the help of military units from Aden and United Kingdom naval vessels. The United Kingdom representative had omitted to mention those incidents, which were yet another example of the criminal use of military bases against a people struggling for freedom and independence and a better standard of living; instead, he had reserved his delegation's position on the question of military bases and had claimed that military bases did not impede the development of the population.

188. The Secretariat working paper (see para. 148 above) referred to the use of St. Helena and Ascension Island by the United Kingdom and United States for special communications and tracking projects and *The Times* (London) of 14 February 1966 had stated that Ascension Island might be used as a base for F111 bombers. The Secretariat working paper quoted the United Kingdom Secretary of State for the Colonies concerning the establishment of the British Indian Ocean Territory and the plans for the construction of defence facilities there (see para. 41 above), yet the United Kingdom representative had claimed that there were no such plans. Both the United Kingdom newspaper *The Scotsman* and the United States magazine *Time* had reported that the Territory could be used as a base for atomic submarines and bomber aircraft, and might even be used as a platform for rocket launchings. A petition from the President of the Seychelles People's United Party (A/AC.109/PET.321) had protested about the prospect of an Anglo-American military base in the Territory, and the Secretariat working paper described the discontent among the Mauritians over the scheme (see para. 47 above). The Governments and peoples of many independent countries were strongly opposed to the construction of such bases, which represented an attempt to perpetuate the colonial system and constituted a threat to the independence of countries and to the peace and security of peoples.

189. The Secretariat working paper (see para. 48 above) quoted the United Kingdom Secretary of State for Defence as saying that his Government did not propose to make any modification of the scheme to establish the British Indian Ocean Territory as an Anglo-American military base following the adoption by the General Assembly of resolution 2066 (XX). The United Kingdom Government, therefore, had not only failed to implement the Declaration on the Grant-

ing of Independence to Colonial Countries and Peoples, but had violated the territorial integrity of the Territories in question. The United Kingdom's policy was fully supported by the United States, which was exerting pressure on the United Kingdom to maintain a presence east of Suez.

190. The United Kingdom Government was reported to be prepared to pay compensation for the part of the British Indian Ocean Territory which had belonged to Mauritius. The right of a people to self-determination could not be the subject of bargaining and the United Kingdom's transaction should be condemned, particularly since it was aimed at transforming a Territory into a base for aggression against the people of Asia and Africa.

191. The recommendations of Sub-Committee I had been dictated by conditions in the Territories. Only their unconditional implementation would enable the people of Mauritius, Seychelles and St. Helena to exercise their right to self-determination and to express their wishes freely concerning the future status of the Territories. The conclusions and recommendations submitted by Sub-Committee I had been fully confirmed by the facts available and were the very minimum acceptable to the Special Committee.

192. The representative of *Syria* asked the United Kingdom representative why Mauritius was still not independent when the Prime Minister of the Territory had stated unequivocally that it would be ready for independence by the middle of 1964. The United Kingdom representative had said that independence would be granted by the middle of 1967, but this statement was clothed with so many conditions that it had failed to convince the Sub-Committee. He would like to know whether the United Kingdom representative was in a position to say that the administering Power was ready to grant independence without conditions.

193. On the question of constitutional progress, he could not see the advantages of the complex electoral system introduced by the administering Power. Such constitutional arrangements should be left for the people themselves to decide after independence.

194. As for military bases, the fear had been strengthened by the United Kingdom representative's statement that negotiations with the United States concerned only certain facilities. The negotiations were apparently secret and the people's consent had consequently not been obtained. The United Kingdom representative had been asked which representatives of the people of Mauritius had taken part in the negotiations, but he had not replied.

195. The pace of progress should be considered in the light of 156 years of colonial rule. In that light, progress had indeed been slow.

196. As a general remark, he asked what the reservations of certain Powers meant concerning United Nations recommendations which were based on fact. Those Powers which had an opportunity to do so did nothing to alleviate the sufferings of the colonial peoples involved and that made it impossible to ensure that United Nations resolutions were respected.

197. The representative of the *United Kingdom*, replying to the representative of *Syria*, repeated his statement that if the party favouring independence won the elections and asked for independence, independence could come about by the middle of 1967. There was therefore **only** one condition for independence by that

date, namely a decision by the people, through their newly elected representatives, to ask for it.

198. The representative of the *USSR* had stated that his delegation had omitted to mention the strike in the Seychelles. Far from suppressing such information, his delegation had drawn the Sub-Committee's attention to terms on which the strike in the Seychelles had been settled (see annex, para. 24). He had also understood the *USSR* representative to say that the strike in Mauritius had been suppressed by British troops. The facts were that when some British sailors had gone ashore, a crowd of local inhabitants had cheered the party and had been relieved to see them, that football matches had subsequently been arranged and that the visit had been entirely cordial.

199. The *USSR* representative had said a great deal about the British Indian Ocean Territory. He had nothing to add to his delegation's various statements on the subject and he asked the members of the Special Committee to pay attention to those statements rather than to speculate on reports mentioned by the Soviet representative.

200. As for the remarks concerning the slow pace of progress in the Territories, in the opinion of his delegation the only valid yardstick for the speed of political progress was the wishes of the people of the Territories themselves. By that yardstick, progress had most certainly not been slow. The *Tanzanian* representative was at liberty to disagree with the people of the Territories about their wishes, but the administering Power was equally at liberty to base itself on the wishes of the inhabitants rather than on the views expressed by the representatives of *Tanzania*, the *USSR* and *Syria*.

201. The representative of the *United Republic of Tanzania* said that he did not claim to speak for the people of the Territories but that the United Kingdom had no right to do so either. His country would always speak in support of the rights of all peoples to control their own national territory and to exercise their sovereign rights; it considered it its duty to oppose all those who committed aggression or annexed other territories.

202. The representative of *Poland* thanked the members of Sub-Committee I for their illuminating report. He was particularly pleased that the Sub-Committee had focused its attention on the implementation, or rather non-implementation of General Assembly resolution 2066 (XX). He fully shared the view expressed by the representative of *Syria* in the Sub-Committee that the motives of the United Kingdom Government were twofold, namely to assure the permanence of the privileges of the minority of settlers and to use the Territories for strategic purposes against the wishes of the people of the Islands. It was immaterial whether they were called bases or "minor facilities"; the fact was that military installations did exist there and that there were plans to expand them, as had been reported in the United Kingdom and United States Press and in the Secretariat working paper. He would be glad to hear a clear statement from the United Kingdom representative that such information was false and that there were not and would not be any military installations in the Territories.

203. At its twentieth session the General Assembly had adopted resolution 2066 (XX), which included specific provisions to be implemented by the United Kingdom to enable the people of the Territories to ex-

ercise their right to self-determination in accordance with resolution 1514 (XV). The conclusions and recommendations in paragraphs 53 to 64 of the Sub-Committee's report elaborated the steps which should have been taken and were only the logical consequence of the Sub-Committee's findings. A resolution should be submitted to the General Assembly in those terms. His delegation fully supported the recommendations, especially those calling upon the administering Power to respect the territorial integrity of Mauritius and Seychelles and to refrain from establishing military bases there.

D. ACTION TAKEN BY THE SPECIAL COMMITTEE ON THE REPORT OF SUB-COMMITTEE I

204. At its 470th meeting on 6 October 1966, the Special Committee adopted without objection the report of Sub-Committee I on Mauritius, Seychelles and St. Helena, and endorsed the conclusions and recommendations therein (see annex, paras. 53-64), it being understood that the reservations expressed by some members would be reflected in the records.

ANNEX

[A/AC.109/L.335]

Report of Sub-Committee I

Mauritius, Seychelles and St. Helena

Rapporteur: Mr. Rafic JOURÉJATI (Syria)

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INTRODUCTION

1. The Sub-Committee considered Mauritius, Seychelles and St. Helena at its 28th, 29th, 30th and 32nd meetings held on 12 August, 9, 12 and 19 September 1966.
2. The Sub-Committee had before it the working papers prepared by the Secretariat (see paras. 1-152 of chapter XIV).
3. In accordance with the procedure agreed upon by the Special Committee, the Chairman invited the representative of the United Kingdom of Great Britain and Northern Ireland to participate in the consideration of the three Territories. Accordingly, the representative of the United Kingdom participated in the 29th, 30th and 32nd meetings of the Sub-Committee.

CONSIDERATION BY THE SUB-COMMITTEE

A. Statements by members

4. The representative of the *Union of Soviet Socialist Republics* recalled that the situation in Mauritius, Seychelles and St. Helena had been studied very thoroughly by the Sub-Committee, the Special Committee and the General Assembly in 1964. That study had revealed the true situation in those Territories and had shown that the administering Power had not applied to them the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples but, on the contrary, had done everything possible to retard their attainment of independence.

5. The economic and social status of the inhabitants of the islands was deplorable. The administering Power had deprived them of the wealth which was theirs by right and, by granting concessions to foreign monopolies, had made it impossible for them to progress economically. In Mauritius and Seychelles, for example, two thirds of the arable land had been turned over to groups of planters. Without land, the inhabitants were forced to seek work on the plantations at starvation wages or else rent land. The economy was still very largely based on a single crop, which made the Territories entirely dependent on the metropolitan country. The inhabitants' standard of living was declining. The population was reduced to despair, and discontent was growing daily. In May 1965, serious disturbances had broken out in Mauritius, where the economic situation was steadily deteriorating, and the administering Power had used the Army to suppress the protests. In June 1966, a strike had been called in the Seychelles and the United Kingdom Government had brought in military units from Aden to disperse the strikers and prevent them from expressing their discontent. It was thus apparent that the administering Power was ignoring the recommendations of the General Assembly and the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Special Committee and the General Assembly should therefore continue to study the question and formulate recommendations calling upon the United Kingdom to take prompt action to enable the Territories to attain independence immediately in accordance with the provisions of General Assembly resolution 1514 (XV).

6. The negative attitude of the administering Power was based on strategic considerations. The establishment of the new British Indian Ocean Territory, which would form the basis of a United Kingdom-United States security system, was a threat directed against the new countries of Africa and Asia, and it fully justified the fears expressed by the non-aligned countries at the Cairo Conference. The inhabitants were opposed to the idea of transforming the Territories into defensive bastions intended not only for the suppression of the nationalist movements in the islands themselves but also for use by the colonialists against those who were fighting for freedom in that part of the world. A petition (A/AC.109/PET.321) from the President of the Seychelles People's United Party protested against the construction of a military base, and demonstrations had been held in Mauritius for the same purpose (see para. 47 of chap. XIV). According to *The Times* of London of 14 February 1966, an air base was to be built on Ascension Island; an article published in the American magazine *Time* on 19 December 1965 had stated that certain nearby atolls might be used as a base for submarines equipped with Polaris missiles. The Indian people, among others, were aroused at the prospect that new hotbeds of aggression would be created in the Indian Ocean, for those plans threatened not only the independence of certain peoples but also world peace. The United Kingdom Government did not propose to modify its scheme to convert the islands into a military base (see para. 48 of chap. XIV). The United Kingdom was thus in effect hurling a challenge at the United Nations, for it was not only doing nothing to apply the Declaration embodied in resolution 1514 (XV) but also failing to respect the territorial integrity of the islands and defying the provisions of the resolution calling for the dismantling of military bases. One had only to read the Press to see that the United Kingdom was being encouraged by the United States and other imperialist Powers, during the Washington talks held earlier in the year between the United Kingdom Foreign Secretary and the United States Secretary of State concerning the development of military bases, the Australian Government had announced that large sums were to be allocated for military construction in Papua and New Guinea.

7. In order to eliminate colonialism as quickly as possible from Mauritius, Seychelles and St. Helena, his delegation suggested that the Sub-Committee should recommend the Special Committee to take decisions to the effect that: (1) the right to self-determination and independence of Mauritius, Seychelles and St. Helena and their dependencies should be reaffirmed; (2) elections should be held on the basis of uni-