

4) the convening of a Constitutional Conference; the cessation of repressive acts by the colonial power; the revocation of all racially discriminatory laws and the eradication of discriminatory practices; the removal of all restrictions on political activities and the guarantee of full democratic freedoms; the granting of an amnesty and the return of political exiles and refugees; and the holding of free elections on the basis of universal adult suffrage, in some cases with the participation of the United Nations. 76/

B. Referral to the Security Council by the General Assembly and the Special Committee of Situations in Certain Non-Self-Governing Territories

Under Article 11 of the Charter the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. The Special Committee on Decolonization has been authorized by the Assembly to apprise the Security Council of situations which might likewise pose a threat to international peace and security. 77/

The General Assembly and the Special Committee have frequently drawn the attention of the Security Council to the situation in the Territories under Portuguese Administration, Southern Rhodesia and Namibia. In addition the Assembly drew the attention of the Security Council to the situation in Aden, 78/ while the Special Committee has called the Council's attention to the threat to the territorial integrity of Basutoland, Bechuanaland and Swaziland posed by the expansionist policy of the Republic of South Africa. 79/ For its part the Security Council has adopted a series of decisions and recommendations concerning the Territories under Portuguese Administration, Southern Rhodesia and Namibia. 80/

76/ See, for instance, resolutions adopted on the Territories under Portuguese Administration, Southern Rhodesia and Namibia, as well as on Aden, the Comoros, Equatorial Guinea, Fiji, British Guiana, the Seychelles and French Somaliland.

77/ Resolutions 1810 (XVII), 1956 (XVIII), 2105 (XX) reaffirmed in subsequent sessions.

78/ Resolution 2023 (XX).

79/ Official Records of the General Assembly, Twentieth Session, Annexes a.i. 23, (A/6000/Rev.1, para. 292).

80/ The action of the Security Council on Namibia and Southern Rhodesia is described in previous issues of "Decolonization" (see Vol.I, No.3 and Vol. II, No.5).

C. Recognition of the Legitimacy of the Struggle of Peoples
Under Colonial Rule and of the Role of National Liberation
Movements

Self-determination and independence have not always been achieved by peaceful means. In several cases the peoples of colonial territories have had to resort to armed struggle to achieve liberation and independence. Beginning in the early 1960's in Angola and Guinea-Bissau, the colonial people, under the leadership of their national liberation movements engaged in a struggle to achieve by force of arms what had been denied to them by other means. The armed struggle later spread to Mozambique, Southern Rhodesia and Namibia. The following paragraphs summarize the growing recognition that the liberation struggle has received in the United Nations.

At its twentieth session in 1965 the General Assembly for the first time recognized "the legitimacy of the struggle by the peoples under colonial rule to exercise their right to self-determination and independence" and at the same time it invited "all States to provide material and moral assistance to the national liberation movements in colonial territories". 81/

The following year the Assembly went a step further and stated that the preservation of colonialism and its manifestations, including racism and apartheid as well as attempts by some colonial powers to suppress national liberation movements by repressive activities and the use of armed force against peoples were incompatible with the Charter and the Declaration on Decolonization. 82/ It furthermore declared that the continuation of colonial rule threatened international peace and security and that the practice of apartheid, as well as all forms of racial discrimination constituted a crime against humanity and "urged" all States to provide moral and material assistance to the national liberation movements. 83/

In 1967 the Assembly declared that the persistence of colonialism, the suppression of liberation movements and the use of armed force against colonial peoples was incompatible not only with the Charter and the Declaration on Decolonization but also with the Universal Declaration on Human Rights. 84/

Successive United Nations resolutions have reiterated and strengthened these affirmations.

81/ Resolution 2105 (XX).

82/ Resolution 2189 (XXI).

83/ Ibid.

84/ Resolution 2326 (XXII).

In 1970 the General Assembly, in connexion with the tenth anniversary of the Declaration on decolonization adopted a programme of action for the full implementation of the Declaration 85/stating inter alia; a) that the further continuation of colonialism in all its forms and manifestations was a crime and a violation of the Charter, of the Declaration on Decolonization and of the principles of international law; b) that the colonial peoples had the "inherent right" to struggle "by all necessary means at their disposal against colonial Powers which suppress their aspiration for freedom and independence"; c) "Member States shall render all necessary moral and material assistance to the peoples of colonial Territories in their struggle to obtain freedom and independence" 86/; d) that "all freedom fighters under detention shall be treated in accordance with the relevant provisions of the Geneva Convention relative to the Treatment of Prisoners of War" 87/ and e) that "representatives of liberation movements shall be invited, whenever necessary, by the United Nations and other international organizations within the United Nations system to participate in an appropriate capacity in the proceedings of those organs relating to their countries".

The following year the Assembly followed up this last recommendation by endorsing a proposal by the Special Committee that it be authorized to take steps, in consultation with the Organization of African Unity, to enable national liberation movements in the colonial territories in southern Africa to participate whenever necessary "and in an appropriate capacity" in the Special Committee's deliberations relating to those Territories. 88/ The Assembly also approved the arrangements made by the United Nations Economic Commission for Africa (ECA) in consultation with the Organization of African Unity (OAU) whereby Angola, Mozambique and Guinea Bissau in their capacity as associate members of the ECA would be represented by their respective liberation movements. 89/

85/ Resolution 2621 (XXV) reproduced below in Annex IV.

86/ A similar request appears in para. 6 of the Declaration on the Occasion of the Twenty-Fifth Anniversary of the United Nations adopted the same year by the Assembly in resolution 2627 (XXV).

87/ See below pages 30-31.

88/ Resolution 2878 (XXVI).

89/ Resolution 2795 (XXVI).

In 1972 following a recommendation contained in a letter of the Chairman of the Special Committee of Twenty-Four to the Chairman of the Fourth Committee 90/ the Fourth Committee decided to invite representatives of the national liberation movements concerned to participate in an observer capacity in the examination of the questions of Southern Rhodesia, Namibia and Territories under Portuguese administration. 91/ The Special Committee decided in 1973 for its part to invite representatives of the liberation movements to participate as observers in the proceedings relating to their respective countries. 92/

At the twenty-seventh session the General Assembly in a resolution concerning the Territories under Portuguese administration 93/ affirmed for the first time that "the national liberation movements of Angola, Guinea Bissau and Cape Verde and Mozambique are the authentic representatives of the true aspirations of the peoples of those Territories" 94/ and recommended that, pending the accession of those Territories to independence, "all governments, the specialized agencies and other organizations within the United Nations system and the United Nations bodies concerned" should, when dealing with matters pertaining to the Territories, ensure the representation of those Territories by the liberation movements concerned. This resolution was reaffirmed in June 1973 by the Special Committee. 95/ At the following session the Assembly reaffirming the decisions already adopted by the Special Committee explicitly recognized the national liberation movements of Zimbabwe, and the national liberation movement of Namibia as "the authentic representatives" of their peoples. 96/

90/ Document A/C.4/744.

91/ A/C.4/SR.1975. The decision was adopted by 79 votes to 13 with 16 abstentions.

92/ A/9023 (Part I). Chapter IG.

93/ Resolution 2918 (XXVII).

94/ In a resolution adopted on 13 April 1972 in Conakry the Special Committee had recognized the PAIGC as "the only and authentic representative of the peoples" of Guinea-Bissau and Cape Verde.

95/ A/AC.109/424.

96/ Resolutions 3115 (XXVIII) and 3111 (XXVIII).

The increased international recognition accorded to liberation movements was manifested again in 1973 when the General Assembly requested all Governments and the specialized agencies and other organizations within the United Nations system, in consultation with the Organization of African Unity "to ensure the representation of the colonial territories in Africa by the national liberation movements concerned, in an appropriate capacity, when dealing with matters pertaining to those Territories". 97/

The Assembly and on occasions the Economic and Social Council, also adopted in 1973 and 1974 recommendations and decisions on an Ad Hoc basis concerning the participation of national liberation movements in international conferences. Thus the Assembly at its twenty-eighth session urged that national liberation movements "recognized by the various regional inter-governmental organizations concerned" be invited to participate as observers in the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts to be held in Geneva. 98/ At the following session the Assembly decided to invite the "national liberation movements recognized by the Organization of African Unity and/or by the League of Arab States to participate as observers in the United Nations Conference of the International Women's Year in Mexico City 99/ and in the United Nations Conference held in Vienna on the Representation of States in Their Relations with International Organizations. 100/

Towards the end of the twenty-ninth session the General Assembly adopted a more comprehensive resolution on the subject of the representation of national liberation movements in international fora by deciding to invite as observers "on a regular basis" representatives of the national liberation movements recognized by the Organization of African Unity to participate in the relevant work of the Main Committees of the General Assembly and its subsidiary organs concerned, as well as in conferences, seminars and other meetings held under the auspices of the United Nations whenever they relate to their countries. 101/ The resolution further requested the Secretary-General "to ensure that the necessary arrangements are made for their effective participation, including the requisite financial provisions".

The need to elaborate additional international instruments and norms for the protection of freedom fighters has led the General Assembly to issue numerous appeals to ensure the application to members of the liberation movements' armed forces of the provisions of the Geneva Conventions of 1949 and

97/ Resolution 3163 (XXVIII).

98/ Resolution 3102 (XXVIII). The Conference was held at the invitation of the Swiss Federal Council.

99/ Resolution 3276 (XXIX).

100/ Resolution 3247 (XXIX).

101/ Resolution 3280 (XXIX).

of the 1907 Hague Convention. 102/At its twenty-eighth session the General Assembly "solemnly proclaimed" a set of basic principles concerning "the legal status of combatants struggling against colonial and alien domination and racist régimes". 103/The Declaration reiterates some of the principles already set forth in previous resolutions and in particular lays down that "the armed conflicts involving the struggle of peoples against colonial and alien domination and racist régimes are to be regarded as international armed conflicts in the sense of the 1949 Geneva Conventions".

D. Activities of foreign economic and other interests which impede the implementation of the Declaration in Colonial Territories

Another general area of concern to the Special Committee has been that of foreign economic and other interests. During 1964, the Special Committee, in accordance with resolution 1899 (XVIII), considered the implications of the activities of the mining industry and other international companies having interests in South West Africa (Namibia), in order to assess their economic and political influence and their mode of operation, and submitted a report thereon to the General Assembly at its nineteenth session. 104/Further, during 1965 and 1966 the Special Committee, pursuant to a decision taken by it in the previous years, undertook a study of the activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the Territories under Portuguese administration and in Southern Rhodesia in order to assess their economic and political influence. The Special Committee submitted reports on these matters to the General Assembly at its twentieth and twenty-first session. 105/

102/ See the "Programme for the full implementation of the Declaration" in resolution 2621 (XXV) mentioned above, page 28 and other resolutions of the General Assembly relating to Human Rights in Armed Conflicts (resolutions 2674 (XXV) and 2852 (XXVI)). The same appeal is made in the various General Assembly resolutions relating to the Territories under Portuguese administration, Southern Rhodesia and Namibia.

103/ Resolution 3103 (XXVIII) reproduced below in Annex V.

104/ Official Records of the General Assembly, Nineteenth Session, Annexes, (A/5840).

105/ Ibid.; Twentieth Session, addendum to agenda item 23 (A/6000/Rev.1), Chapter V, Section D; A/6300/Add.1 (Part II) and Add.3 (Part II).

In the chapters of its report to the General Assembly at its twenty-first session concerning the two last-named items, the Special Committee recommended that the General Assembly should inscribe on its agenda for that session, as a matter of urgency, an item entitled:

"The activities of foreign economic and other interests which are impeding the implementation of the Declaration on the granting of independence in Southern Rhodesia, South West Africa, the Territories under Portuguese administration and other colonial territories".

The General Assembly decided to include this item in the provisional agenda of the twenty-second session. 106/

A report was prepared on this item by the Sub-Committee I of the Special Committee and endorsed by the Special Committee.107/ The Sub-Committee expressed grave concern "over the continued penetration, consolidation and expansion of foreign economic and other interests which are impeding the implementation of the Declaration...". 108/ It found that "the foreign interests in the Territories have a close relationship with influential international financial groups", and that "the foreign interests and the colonial governments are linked by a system of mutual benefits". 109/ The United Kingdom and the United States delegations dissented from the views expressed in the report.

After consideration of this report, the General Assembly condemned exploitation of colonial territories by foreign interests, called on colonial governments to prohibit various practices which ran counter to the interests of the inhabitants and called upon all States to ensure that the concessions granted, the investments authorized and the enterprises permitted to their nationals in the Territories did not run counter to the present and future interests of the indigenous inhabitants of these Territories. 110/

The Special Committee has since concerned itself yearly with this issue and has produced annual reports on the subject. On the basis of the Special Committee's conclusions and recommendations the Assembly has repeatedly declared that any administering Power that deprives the colonial peoples of

106/ Resolution 2189 (XXI).

107/ A/6868/Add.1, 30 October 1967 and A/6868, 3 November 1967.

108/ A/6868/Add.1, pp. 45-46, para. 81.

109/ Ibid., p. 58, para. 132 (b). (c).

110/ Resolution 2288 (XXII).

the exercise of their legitimate rights over their national wealth and resources or subordinates these rights to foreign economic interests violates the solemn obligations it has assumed under the Charter of the United Nations. The Assembly has also reaffirmed that the activities of foreign economic, financial and other interests operating in colonial Territories and particularly in Southern Africa constitute a major obstacle to political independence, has condemned the policies of those colonial Powers and other States which continue to support or collaborate with those foreign economic interests and has called on governments a) to take legislative, administrative and other measures in order to put an end to the activities of their nationals and corporations under their jurisdiction which are detrimental to the interests of the inhabitants of colonial Territories, and b) to ensure that the permanent sovereignty of the peoples over their national resources is fully respected and safeguarded.111/

E. Military Activities and Arrangements

The Special Committee has also concerned itself with military activities and arrangements in colonial territories. In 1964 references were made in Sub-Committee I to the existence of, or the proposed establishment of, military bases in Mauritius and the Seychelles in the Indian Ocean and Saint Helena and Ascension Island in the South Atlantic; and in Sub-Committee II to the building of military projects in American Samoa and the military base in Guam in the Pacific Ocean. Similar references were made in the Special Committee plenary in connexion with Brunei.

In 1965 the General Assembly, on the basis of the reports submitted to it by the Special Committee, adopted a resolution requesting inter alia the colonial powers to dismantle the military bases installed in colonial Territories and to refrain from establishing new ones.112/ At the same session the Assembly approved separate resolutions declaring that the military bases in Aden constituted a major obstacle to the liberation of the people of the Territory and that the immediate removal of those bases was essential 113/ and also expressing concern that certain islands might be detached from Mauritius for the purpose of establishing a military base . 114/

111/ See resolution 2621 (XXV) containing the Programme of Action for the full implementation of the Decade (point 4) and the resolutions on this item between 1967 and 1975.

112/ Resolution 2105 (XX) para. 12.

113/ Resolution 2023 (XX).

114/ Resolution 2066 (XX).

In 1966, the Special Committee considered that the administering Power had "violated the territorial integrity" of Mauritius and the Seychelles by detaching islands from the two of them to form the British Indian Ocean Territory in direct contravention to resolution 2066 (XX) and recommended the United Kingdom to abstain from establishing military bases in the Territory.^{115/} The General Assembly in turn reported itself deeply concerned at this development which it regarded as contrary to General Assembly resolutions.^{116/} In 1967 the Special Committee reaffirmed its view, and asked that the detached islands be returned to Mauritius and the Seychelles. It also declared that the establishment of military activities constituted "a source of tension in Africa, Asia, and the Middle East" and called upon the United Kingdom to desist.^{117/} This view was reaffirmed by the General Assembly.^{118/}

The General Assembly at its twenty-second session asked the Special Committee to study "military activities and arrangements by colonial powers in territories under their administration which might be impeding the implementation of the Declaration".^{119/} Sub-Committee I considered the matter and affirmed that such military activities and arrangements, far from benefiting the colonial peoples concerned, "constituted one of the most serious impediments to the implementation of the Declaration".^{120/} The Special Committee shared this view and strongly condemned "as a crime against humanity, and as a serious threat to international peace and security, the wanton use of military force by colonial Powers to suppress the legitimate aspirations of colonial peoples to self-determination and independence...".^{121/} The Special Committee condemned further "the formation in southern Africa of a military entente between South Africa, Portugal and the minority régime in Southern Rhodesia".^{122/}

^{115/} General Assembly, Twenty-first Session, Annex No. 8, (Part I); (A/5800/Rev.1, Chapter XIV, Annex, paras. 53-64).

^{116/} Resolution 2232 (XXI).

^{117/} Official Records of the General Assembly, Twenty-second Session, Annexes, a.i. 23, (A/6700/Add.8, Chapter XIV, paras. 194).

^{118/} Resolution 2357 (XXII).

^{119/} Resolution 2326 (XXII).

^{120/} A/7200 (Part II), 7 November 1968, Chap.IV, Annex, p.43, para.9.

^{121/} Ibid., p. 39, para. 19 (b).

^{122/} Ibid., para. 19 (c).

The Special Committee has reaffirmed these views in 1969 and thereafter.

The Special Committee and the General Assembly have since 1966 frequently requested that colonial Powers dismantle their military installations and bases in colonial Territories. 123/In the Programme of Action for the Full Implementation of the Declaration, 124/for instance, the Assembly resolved that "Member States shall carry out a sustained and vigorous campaign against all military activities and arrangements by colonial powers in Territories under their administration, as such activities and arrangements constitute an obstacle to the full implementation of resolution 1514 (XV)".

Allegations that some Members of the North Atlantic Treaty Organization (NATO) were supplying arms to Portugal for use in its African wars, led the Special Committee and the General Assembly to condemn the policies of some Member States of NATO "which contribute to the creation in southern Africa of a military - industrial complex" and which "encourage the colonial and racist régimes in southern Africa to suppress the aspiration of the peoples" of the area for self-determination and independence. 125/

Following the unilateral declaration of independence by the white minority régime in Southern Rhodesia in November 1965 the Special Committee, the General Assembly and other organs of the United Nations including the Security Council have called attention to, and condemned, the growing military co-operation between South Africa, the Smith régime in Southern Rhodesia and up to 1974 the Salazar/Caetano régime in Portugal. 126/Member States have been urged to intensify their efforts to oppose such collaboration. 127/

123/ See, for instance, General Assembly resolutions 2326 (XXI), 2465 (XXIII), 2528 (XXIV), and 2708 (XXV) and Special Committee resolutions of 22 June 1966 and 27 June 1967 contained in documents A/AC.109/188 and 251.

124/ Resolution 2621 (XXV).

125/ Resolutions 2787 (XXVI), 2955 (XXVII), 3070 (XXVIII), 3246 (XXIX) and 3382 (XXX).

126/ See, for instance, General Assembly resolution 2326 (XXII).

127/ See point 3(c) of the Programme of Action for the Full Implementation of the Declaration (resolution 2621 (XXV)) - Annex IV below.

The Security Council has imposed a mandatory embargo on the supply of arms and military equipment to the illegal régime in Southern Rhodesia,^{128/} and has "solemnly called upon all States to cease the sale and shipment of arms, ammunition of all types and military vehicles to South Africa".^{129/} Two years after the Angolan war broke out the Security Council "requested" all States to refrain from offering Portugal any assistance "which would enable it to continue its repression of the people of the Territories under its administration" and "take all measures to prevent the sale and supply of arms and military equipment for this purpose" to the Portuguese Government.^{130/}

In spite of these efforts by the United Nations the Special Committee in its report ^{131/}to the thirtieth session of the General Assembly concluded that the colonial Powers and minority racist régimes had continued to defy the resolutions of the General Assembly calling for the immediate and unconditional withdrawal of all military bases and installations from colonial territories. Such activities, in the Special Committee's views, were aimed at subjugating the colonial peoples and at repressing their liberation movements in their fight for independence. It considered that strategic military considerations were an important factor in prolonging colonial rule in many parts of the world particularly in the smaller Territories. The increased military activities by the colonial Powers and their allies were not only an impediment to the decolonization process but it interfered with the economic development of the Territories concerned, both through the extensive alienation of land for military purposes and by drawing the population away from productive activities. Consequently the Special Committee condemned "in the strongest possible terms" the military co-operation between South Africa and the Smith régime in Salisbury, declared that the existence of British and United States military installations in the Caribbean and Bermuda were "a threat to the sovereignty, independence and territorial integrity of States in the (Latin American) region", "strongly condemned the military and naval activities of the United States on Guam that are detrimental to the inherent rights of the peoples of this Territory to self-determination and independence" and called upon the Government of the United Kingdom to withdraw from the agreement with the United States on the establishment of military installations in the Indian Ocean. The Special Committee also condemned "the imperialist countries, principally those of NATO for their continued military collaboration with the colonialist and racist régimes in southern Africa".^{132/}

^{128/} Resolution 232 (1966).

^{129/} Resolution 181 (1963).

^{130/} Resolution 180 (1963).

^{131/} A/10023 (Part IV), Chapter VI.

^{132/} Ibid.

F. Requests to Specialized Agencies and other International Organizations

The Special Committee has also worked with various of the specialized agencies of the United Nations. At its twentieth session in 1965 the General Assembly in its resolution concerning the implementation of the Declaration on decolonization, requested the specialized agencies of the United Nations system to withhold assistance of any kind to the governments of Portugal and South Africa until they had renounced their policy of colonial domination and racial discrimination. 133/ In another resolution relating specifically to territories under Portuguese administration the Assembly appealed to all the agencies, and particularly to the World Bank and the International Monetary Fund (IMF) to refrain from granting any kind of assistance to Portugal. 134/

In 1966 the Special Committee during its meetings in Africa reiterated the above-mentioned requests and adopted a series of resolutions which contained appeals or requests to the specialized agencies and other international institutions within the United Nations family, with regard to Southern Rhodesia, South West Africa and Territories under Portuguese administration, as well as Aden, Basutoland, Bechuanaland and Swaziland. In particular the Special Committee expressed its appreciation to those international institutions and specialized agencies which were co-operating with the United Nations in implementing the General Assembly resolutions addressed to them but expressed deep disappointment at the granting of new loans and the extension of credits to the governments of South Africa and Portugal by the World Bank and the IMF, and urged them to co-operate with the United Nations. 135/

Since 1967 the General Assembly has discussed as a separate item the Implementation of the Declaration on Decolonization by the specialized agencies and other institutions associated with the United Nations, while the Special Committee has established since 1973 a Working Group to deal with this question. In a series of resolutions and recommendations the Special Committee and the Assembly have reiterated appeals to the agencies and in particular to the World Bank and the IMF to refrain from granting any form of assistance to South Africa, the illegal régime in Southern Rhodesia and up to 1974 to Portugal. 136/

133/ Resolution 2105 (XX).

134/ Resolution 2107 (XX).

135/ Official Records of the General Assembly, Twenty-first Session, Annexes, a.i.23, Addendum(A/6300/Rev.1, para. 261.)

136/ General Assembly resolution 3300 (XXIX) draws the attention of the specialized agencies and institutions to the steps towards decolonization undertaken by the new government of Portugal "thus enabling these organizations to resume their co-operation with the present government of Portugal".

They have also appealed to the United Nations High Commissioner for Refugees, the specialized agencies and international organizations concerned to assist the refugees from the colonial Territories as well as to the Governments concerned in the preparation and execution of projects beneficial to the refugees. Moreover the specialized agencies and international organizations associated with the United Nations have been requested to extend in co-operation with the OAU all the necessary moral and material assistance to the peoples struggling for their liberation from colonial rule as well as to the national liberation movements of the respective Territories. The Economic and Social Council has been entrusted, in consultation with the Special Committee, with the task of co-ordinating the policies and activities of the specialized agencies and other institutions in implementing the relevant General Assembly resolutions. ^{137/}For this purpose, consultations were held between the President of the Economic and Social Council and the Chairman of the Special Committee.

Since 1969, the General Assembly has invited the Secretary-General to continue to assist the specialized agencies and international institutions concerned in working out appropriate measures for implementing the resolutions of the General Assembly, with respect to the aid to be given by these institutions.

G. Foreign Immigrants and Mercenaries

The Special Committee has also concerned itself with the problems posed by the policies of some colonial Powers and régimes of encouraging the systematic influx of foreign immigrants into the colonial territories of southern Africa, Angola, Mozambique and Southern Rhodesia in particular, as well as by the dislocation, deportation and transfer of indigenous inhabitants and has called the General Assembly's attention to this issue. In 1965 the Assembly expressed its concern about these policies and called upon the colonial Powers to discontinue that policy. ^{138/}In subsequent resolutions both the Special Committee and the General Assembly, noting the defiance of certain states, have repeatedly condemned such practices. In its programme of action for the full implementation of the Declaration on Decolonization the General Assembly requested Member States to adopt the necessary steps to prevent "the systematic influx of foreign immigrants into colonial Territories, which disrupts the integrity and social, political and cultural unity of the peoples under colonial domination". ^{139/}As recently as November 1975, the General Assembly has

^{137/} See General Assembly resolutions 2311 (XXII), 2426 (XXIII), 2555 (XXIV), 2704 (XXV), 2874 (XXVI), 2980 (XXVII), 3118 (XXVIII) and 3300 (XXIX).

^{138/} Resolution 2105 (XX).

^{139/} Resolution 2621 (XXV), para. 3(4) - Annex IV below.

demanding the cessation of the influx of foreign immigrants into Southern Rhodesia 140/ has called on all Governments to prevent or discourage the emigration to that Territory of any individuals under their jurisdiction. 141/

The use of mercenaries against movements for national liberation and independence has been condemned by the Special Committee and the General Assembly as criminal acts and governments have been asked to enact legislation making the recruitment, financing and training of mercenaries in their territory a punishable offence and prohibiting their nationals from serving as mercenaries. 142/ The "basic principles of the legal status of the combatants struggling against colonial and alien domination and racist régimes" 143/ proclaimed by the General Assembly in 1973 state that the use of mercenaries against national liberation movements is a criminal act and that the mercenaries should accordingly be punished as criminals.

H. Problems of Small Territories

The principles set out in the Declaration apply no less to small territories in the Caribbean, Atlantic or Pacific oceans. The Special Committee and the General Assembly have recognized that these Territories because of their size, geographical location, population and limited natural resources, present special problems but that nonetheless the Declaration is entirely applicable to them.

In 1964, Sub-Committee III of the Special Committee, a sub-committee which concerned itself with various Caribbean island Territories, emphasized that the Declaration applied to all dependent Territories, irrespective of their size, population or other factors. It recognized that small Territories presented "peculiar problems", but categorically emphasized that "it was for the people of the small Territories, and for them alone, to express themselves freely with regard to the form they wished to adopt to achieve the objectives of resolution 1514 (XV)". 144/ Sub-Committee II, which concerned itself with

140/ Resolution 3396 (XXX).

141/ Resolution 3397 (XXX).

142/ See resolutions 2465 (XXIII), 2548 (XXIV), 2708 (XXV) and 3314 (XXIX).

143/ Resolution 3103 (XXVIII). See Annex V below.

144/ General Assembly, Twenty-fourth Session, Annex No. 8 (Part I), Chap. XXV, Annex, pp. 501-2, paras. 100-102.

islands in the Pacific Ocean, in its report on the Cook Islands, Niue and the Tokelau Islands, asserted its view that "the question of size, isolation and limited resources shall not in any way delay the application of that resolution to these Territories". ^{145/}

When the General Assembly considered the results of the election in the Cook Islands held under United Nations supervision and the resulting constitutional arrangements, it deemed that the islands had attained "full internal self-government" and that therefore it was no longer necessary to transmit information under Article 73 (e).^{146/} The resolution expressly took note of the fact that "under the Constitution which came into force on 4 August 1965, the people of the Cook Islands have reserved their right to move to a status of complete independence". Further, it reaffirmed "the responsibility of the United Nations, under General Assembly resolution 1514 (XV), to assist the people of the Cook Islands in the eventual achievement of full independence, if they so wish, at a future date".

In 1965 ^{147/} and in subsequent years the General Assembly has requested the Special Committee to pay particular attention to the small Territories. In its Programme of Action for the Full Implementation of the Declaration on Decolonization ^{148/} the Assembly declared that the question of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration and directed the Special Committee to continue to give full attention to this question.

As a result, the Special Committee, through the work of Sub-Committees II and III, has devoted an increasing amount of time to the problems of small islands and territories. The Special Committee has insisted on the need to speed up the implementation of resolution 1514 (XV) by enabling the peoples of these Territories to freely determine for themselves their future political status and form of government. It has stressed the importance of increased

^{145/} General Assembly, Twenty-fourth Session, Annex No.8, (Part I), Chapter XV, Annex, p. 371, para. 46.

^{146/} Resolution 2064 (XX).

^{147/} Resolution 2105 (XX).

^{148/} Resolution 2621 (XXV).

development assistance and of educational advancement as important means of enhancing the economic potential of these territories and the capacity of the inhabitants to exercise their inalienable right to self-determination. The Special Committee has, when the situation has so demanded, requested the administering Power concerned to carry out specific reforms in the constitutional, political, electoral, educational and other fields and has strongly opposed any attempt aimed at the partial or total disruption of the national unity or territorial integrity of these Territories and, on some occasions, has welcomed steps towards the economic and eventual political union of two or more small territories.

Since the adoption of the Declaration fifteen territories, with populations of less than one million, in the Special Committee's list of non-self-governing territories have become independent and joined the United Nations. 149/ Two have become fully self-governing. 150/ In addition two small Trust Territories have become independent without joining the United Nations. 151/

149/ They are: Bahamas, Barbados, Botswana, Cape Verde, Comoros, Equatorial Guinea, Fiji, Gambia, Grenada, Guinea-Bissau, Guyana, Malta, Mauritius, São Tomé and Príncipe and Swaziland.

150/ Cook Islands and Niue.

151/ Nauru and Western Samoa.

TABLE I

List of Non-Self-Governing Territories Enumerated in General
Assembly Resolution 66 (I) of 14 December 1946

Australia

Papua

Belgium

Belgian Congo *

Denmark

Greenland **

France

French Equatorial Africa *
French Establishments in India *
French Establishments in Oceania **
French Guiana **
French Somaliland **
French West Africa *
Guadeloupe and Dependencies **
Indo-China *
Madagascar and Dependencies *
Martinique **
Morocco *
New Caledonia and Dependencies**
New Hebrides under Anglo-French
Condominium
Reunion **
Saint-Pierre et Miquelon **
Tunisia *

Netherlands

Curacao **
Netherlands Indies *
Surinam **

New Zealand

Cook Islands
Tokelau Islands

United States

Alaska **
American Samoa
Guam
Hawaii **
Panama Canal Zone **
Puerto Rico **
Virgin Islands

United Kingdom

Aden (Colony and Protectorate)
Bahamas
Barbados
Basutoland
Bechuanaland Protectorate
Bermuda
British Guiana
British Honduras
British Somaliland Protectorate*
Brunei
Cyprus*
Dominica
Falkland Islands
Fiji
Gambia
Gibraltar
Gold Coast (Colony and Protectorate)*
Grenada
Hong Kong
Jamaica
Kenya (Colony and Protectorate)
Leeward Islands
Malayan Union*
Malta***
Mauritius
Nigeria *
North Borneo
Northern Rhodesia
Nyasaland
St. Helena and Dependencies
St. Lucia
St. Vincent
Sarawak
Seychelles
Sierra Leone
Singapore
Swaziland
Trinidad and Tobago
Uganda Protectorate
Western Pacific-High Commission Territories
(Gilbert and Ellice Islands Colony
British Solomon Islands Protectorate
Pitcairn Islands).
Zanzibar Protectorate

* Territories that achieved independence or were united with a neighbouring State prior to the adoption of the Declaration.

** Territories which did not become independent but were taken off the list between 1946 and 1960 by the administering Power with or without the assent of the General Assembly.

*** Information discontinued in 1947; resumed in 1959.

TABLE II

Territories placed under the United Nations Trusteeship
System between 1946 and 1950

Australia

Nauru a/
New Guinea

Belgium

Rwanda-Urundi

France

Cameroons under French administration
Togoland under French administration

Italy

Somaliland under Italian administration

New Zealand

Western Samoa

United Kingdom

Cameroons under British administration
Tanganyika
Togoland under British administration

United States

Trust Territory of the Pacific Islands b/

a/ Administered by Australia on behalf of Australia, New Zealand and the United Kingdom.

b/ Designated as a strategic area under Article 82 of the Charter.

TABLE III

Preliminary list of Territories drawn in 1962 to which the Declaration on the Granting of Independence to Colonial Countries and Peoples applied *

Territory	Area		Population (midyear 1962 estimates in thousands)
	(square kilometres)	(square miles)	
(a) Trust Territories			
AUSTRALIA			
1. New Guinea	240,870	93,000	1,485
2. Nauru <u>a/</u>	21	8	5
UNITED STATES			
3. The Trust Territory of the Pacific Islands <u>b/</u>	1,813	700	81
(b) The Territory of South West Africa			
SOUTH AFRICA			
4. South West Africa	823,264	317,863	545
(c) Territories which have been declared by the General Assembly to be Non-Self-Governing Territories within the meaning of Chapter XI of the Charter of the United Nations, but on which information is not transmitted by the administering Powers concerned <u>c/</u>			
PORTUGAL <u>d/</u>			
5. Angola, including the enclave of Cabinda.	1,246,700	481,352	4,950
6. Mozambique	771,125	297,654	6,750
7. Guinea, called Portuguese Guinea	36,125	13,947	549
8. The Cape Verde Archipelago	4,033	1,557	211
9. São Tomé and Príncipe and their dependencies	964	372	64
10. Macau and dependencies	16	6	169
11. Timor and dependencies	18,990	7,332	528
UNITED KINGDOM <u>e/</u>			
12. Southern Rhodesia	389,362	150,333	3,880
(d) Non-Self-Governing Territories on which information is transmitted by the administering Powers concerned			
AUSTRALIA			
13. Cocos (Keeling) Islands	13	5	1
14. Papua	234,498	90,540	540
FRANCE AND UNITED KINGDOM			
15. New Hebrides <u>f/</u>	14,763	5,700	63
NEW ZEALAND			
16. Cook Islands	234	90	18
17. Niue Island	259	100	5
18. Tokelau Islands	10	4	2
SPAIN			
19. Fernando Póo	2,034	785	67
20. Ifni	1,500	579	50
21. Río Muni	26,017	10,045	188
22. Spanish Sahara	266,000	102,703	25
UNITED KINGDOM			
23. Aden	287,684	111,075	1,220
24. Antigua	442	171	58
25. Bahamas	11,396	4,400	111

* General Assembly Official Records, Eighteenth Session, Annexes, addendum to agenda item 23 (A/5446/Rev.1), pp.288-289.

TABLE III (cont.)

Territory	Area		Population (midyear 1962 estimates in thousands)
	(square kilometres)	(square miles)	
UNITED KINGDOM (continued)			
26. Barbados	431	166	232
27. Basutoland	30,344	11,716	708
28. Bechuanaland	574,980	222,000	335
29. Bermuda	53	20	46
30. British Guiana	214,970	83,000	598
31. British Honduras	22,963	8,866	96
32. British Virgin Islands	153	59	8
33. Brunei	5,765	2,226	90
34. Cayman Islands	259	100	8
35. Dominica	789	305	61
36. Falkland Islands	11,961	4,618	2.6
37. Fiji	18,272	7,055	421
38. Gambia	10,369	4,003	316 ^{e/}
39. Gibraltar	6	2	27
40. Gilbert and Ellice Islands	905	349	48
41. Grenada	344	133	90
42. Hong Kong	1,031	398	3,410
43. Kenya	582,646	224,960	8,676
44. Malta	316	122	329
45. Mauritius	2,096	809	702
46. Montserrat	83	32	13
47. North Borneo	76,115	29,388	470
48. Northern Rhodesia	746,256	288,130	2,550
49. Nyasaland	119,311	46,066	2,950
50. Pitcairn Island	5	2	0.4 ^{h/}
51. St. Helena	419	162	5
52. St. Kitts-Nevis-Anguilla	396	153	60
53. St. Lucia	616	238	92
54. St. Vincent	389	150	82
55. Sarawak	125,206	48,342	770
56. Seychelles	404	156	44
57. Singapore	581	224	1,740
58. Solomon Islands	29,785	11,500	128
59. Swaziland	17,363	6,704	275
60. Turks and Caicos Islands	430	166	6
61. Zanzibar	2,643	1,020	320
UNITED STATES OF AMERICA			
62. American Samoa	197	76	21
63. Guam	549	212	70
64. United States Virgin Islands	344	133	36

- a/ Nauru was administered by Australia on behalf of Australia, New Zealand and the United Kingdom
- b/ The Trust Territory of the Pacific Islands is designated as a strategic area under Article 82 of the Charter.
- c/ In addition, French Somaliland and the Comoro Archipelago were added to the list in 1965 and 1972 respectively. Oman was also added in 1965 as a non-self-governing Territory under the United Kingdom.
- d/ General Assembly resolution 1542 (XV).
- e/ General Assembly resolution 1747 (XVII).
- f/ Administered jointly by France and the United Kingdom as a condominium.
- g/ According to the 1963 census.
- h/ According to estimate of 1961.

TABLE IV

MEMBERSHIP OF THE SPECIAL COMMITTEE SINCE ITS ESTABLISHMENT

	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975
<u>Afghanistan</u>					X	X	X	X	X	X	X	X	X	X
<u>Australia</u>	X	X	X	X	X	X	X					X	X	X
<u>Bulgaria</u>		X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Cambodia</u>	X	X	X	X										
<u>Chile</u>		X	X	X	X	X	X					X	X	X
<u>China</u>											X	X	X	X
<u>Congo</u>												X	X	X
<u>Cuba</u>														X
<u>Czechoslovakia</u>											X	X	X	X
<u>Denmark</u>		X	X	X	X								X	X
<u>Ecuador</u>							X	X	X	X	X			
<u>Ethiopia</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Fiji</u>										X	X	X	X	X
<u>Finland</u>						X	X							
<u>Honduras</u>							X	X	X					
<u>India</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Indonesia</u>											X	X	X	X
<u>Iran</u>		X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Iraq</u>		X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Italy</u>	X	X	X	X	X	X	X	X	X					
<u>Ivory Coast</u>		X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Madagascar</u>	X	X	X	X	X	X	X	X	X	X				
<u>Mali</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Norway</u>								X	X					
<u>Poland</u>	X	X	X	X	X	X	X	X	X	X				
<u>Sierra Leone</u>		X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Sweden</u>										X	X	X		
<u>Syrian Arab Republic</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Trinidad and Tobago</u>										X	X	X	X	X
<u>Tunisia</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>Union of Soviet Socialist Republics</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>United Kingdom of Great Britain and Northern Ireland</u>	X	X	X	X	X	X	X	X	X					
<u>United Republic of Tanzania^{a/}</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X
<u>United States of America</u>	X	X	X	X	X	X	X	X	X					
<u>Uruguay</u>	X	X	X	X	X	X								
<u>Venezuela</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	
<u>Yugoslavia</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X

a/ In 1964 Tanganyika (a member of the Special Committee in 1962 and 1963) and Zanzibar united to form the United Republic of Tanzania.

TABLE V

Trust and Non-Self-Governing Territories that have achieved independence since the adoption of Resolution 1514 (XV)

<u>Africa</u>	<u>Date of Admission to the United Nations</u>
Algeria	8 Oct. 1962
Angola a/	-
Botswana	17 Oct. 1966
Burundi	18 Sep. 1962
Cape Verde	16 Sep. 1975
Comoros	12 Nov. 1975
Equatorial Guinea	12 Nov. 1968
Gambia	21 Sep. 1965
Guinea-Bissau	17 Sep. 1974
Kenya	16 Dec. 1963
Lesotho	17 Oct. 1966
Malawi	1 Dec. 1964
Mauritius	24 Apr. 1968
Mozambique	16 Sep. 1975
Rwanda	18 Sep. 1962
São Tomé and Príncipe	16 Sep. 1975
Sierra Leone	27 Sep. 1961
Swaziland	24 Sep. 1968
Uganda	25 Oct. 1962
United Republic of Tanzania b/	14 Dec. 1961
Zambia	1 Dec. 1964

a/ Angola became independent on 11 November 1975 and had not yet applied to United Nations membership by 7 December 1975.

b/ The former Trust Territory of Tanganyika which became independent in December 1961 and the former Protectorate of Zanzibar which achieved independence in December 1963 united into a single state in April 1974.

TABLE V (cont.)

	<u>Date of Admission to the United Nations</u>
<u>Asia</u>	
Democratic Yemen	14 Dec. 1967
Oman	7 Oct. 1971
Singapore	21 Sep. 1965
<u>Caribbean</u>	
Bahamas	18 Sep. 1973
Barbados	9 Dec. 1966
Grenada	17 Sep. 1974
Guyana	20 Sep. 1966
Jamaica	18 Sep. 1962
Surinam <u>c/</u>	4 Dec. 1975
Trinidad and Tobago	18 Sep. 1962
<u>Europe</u>	
Malta	1 Dec. 1964
<u>Pacific</u>	
Fiji	13 Oct. 1970
Nauru <u>d/</u>	-
Papua New Guinea	10 Oct. 1975
Western Samoa <u>e/</u>	-

c/ By resolution 945(X) the General Assembly accepted the cessation of the transmission of information regarding Surinam following constitutional changes in the relationship between the Netherlands, Surinam and the Netherland Antilles which were embodied in the Charter of the Kingdom of the Netherlands.

d/ Nauru which became independent on 31 January 1968 has not applied for United Nations membership.

e/ Western Samoa became independent on 1 January 1962 and has not applied for United Nations membership.

TABLE VI

Trust and Non-Self-Governing Territories that have become integrated or associated with independent States since the adoption of Resolution 1514 (XV)

<u>Territory</u>	<u>Remarks</u>
Cameroons under British Administration	The northern part of the Trust Territory joined the Federation of Nigeria on 1 June 1961 and the southern part joined the Republic of Cameroon on 1 October 1961.
Cook Islands	Fully self-governing in free association with New Zealand since August 1965.
Goa and Dependencies	Nationally united with India in December 1961.
Ifni	Returned to Morocco in June 1969.
Niue	Fully self-governing in free association with New Zealand since August 1974.
North Borneo	North Borneo and Sarawak joined the Federation of Malaya in 1963 to form the Federation of Malaysia.
São João Batista de Ajuda	Nationally united with Dahomey (now Benin) in August 1961.
Sarawak	Sarawak with North Borneo joined the Federation of Malaya in 1963 to form the Federation of Malaysia.
West New Guinea (West Irian)	United with Indonesia in 1963.

TABLE VII

Territories listed as under Trust or Non-Self-Governing
on 14 December 1975

Australia

Cocos (Keeling) Islands

France

French Somaliland

New Hebrides (condominium with the
United Kingdom)

New Zealand

Tokelau Islands

Portugal

Portuguese Timor

Spain

Spanish Sahara

United Kingdom of Great Britain and
Northern Ireland

Antigua

Belize

Bermuda

British Virgin Islands

Brunei

Cayman Islands

Dominica

Falkland Islands (Malvinas)

Gibraltar

Gilbert Islands

Montserrat

New Hebrides (condominium with France)

TABLE VII (cont.)

United Kingdom of Great Britain and
Northern Ireland

Pitcairn
St. Helena
St. Kitts-Nevis-Anguilla
St. Lucia
St. Vincent
Seychelles
Solomon Islands
Southern Rhodesia
Turks and Caicos Islands
Tuvalu

United States of America

American Samoa
Guam
Trust Territory of the Pacific Islands
United States Virgin Islands

Territory directly administered by the
United Nations a/

Namibia (formerly South West Africa)

a/ Illegally occupied by the Republic of South Africa.