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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

(covering its work during 1967)

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CHAPTER XXIII

UNITED STATES VIRGIN ISLANDS, BRITISH VIRGIN ISLANDS, ANTIGUA, DOMINICA,
GRENADA, MONTSERRAT, ST. KITTS-NEVIS-ANGUILLA, ST. LUCIA, ST. VINCENT,
BERMUDA, BAHAMAS, TURKS AND CAICOS ISLANDS, CAYMAN ISLANDS, FALKLAND
ISLANDS (MALVINAS) AND BRITISH HONDURAS

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* This document contains part II of chapter XXIII of the Special Committee's report to the General Assembly. The general introductory chapter will be issued subsequently under the symbol A/6700 (Part I). Other chapters of the report have been reproduced as addenda.

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III. PRELIMINARY CONSIDERATION BY THE SPECIAL COMMITTEE
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Introduction

652. At its 488th meeting on 20 February 1967, the Special Committee decided to consider the Territories of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent in its plenary meetings. The Special Committee considered these Territories at its 489th to 497th, 500th, 501st and 504th to 506th meetings between 21 February and 23 March 1967. At the conclusion of its consideration of these Territories, the Special Committee referred them to Sub-Committee III for further consideration. In the course of the detailed and intensive consideration the Sub-Committee gave these Territories, it availed itself of the opportunity of hearing certain individuals who wished to give information to the Sub-Committee. An account of Sub-Committee III's consideration of these Territories and of the conclusions and recommendations reached by it are set out in Sub-Committee III's report (see annex).

A. WRITTEN PETITIONS AND HEARINGS

Written petitions

653. The Special Committee circulated the following written petitions:

<u>Petitioner</u>	<u>Document No.</u>
<u>Grenada</u>	
Mr. Eric M. Gairy, Leader of the Opposition in Grenada	A/AC.109/PET.573 and Add.1
Mr. Eric M. Gairy, Leader of the Opposition in Grenada, and Mr. Sylvester	A/AC.109/PET.573/Add.2
Mr. M.A. Caesar	A/AC.109/PET.580 and Add.1-3
<u>St. Kitts-Nevis-Anguilla</u>	
Two petitions from Mr. Ronald Webster	A/AC.109/PET.574
Mr. Atlin Harrigan	A/AC.109/PET.575

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Petitioner

Document No.

St. Vincent

Two petitions from Mr. E.T. Joshua
Chief Minister of St. Vincent

A/AC.109/PET.584

Hearings concerning Grenada

654. The Special Committee heard the following petitioners at the meetings indicated below:

Mr. Eric M. Gairy, Leader of the Opposition
(A/AC.109/PET.573) (Mr. Gairy's statement
was read by his colleague Mr. Caesar) 489th meeting

Mr. Michael Caesar (A/AC.109/PET.580/Add.2) 493rd meeting.

655. Mr. Caesar, speaking on behalf of Mr. Eric M. Gairy, Leader of the Opposition in Grenada, said that when Mr. Gairy had addressed the Committee on 7 September 1966 (A/AC.109/SR.463), he had stated that the political and constitutional situation in Grenada was volcanic. The people had been demonstrating in large numbers and calling for general elections before the new constitution came into force, not only because the Government had failed to implement its election pledge to take Grenada into unitary statehood with Trinidad and Tobago within one year after the last elections, but also because it had begun discussions with the United Kingdom Government on a new constitution without first consulting the people. Under that new constitution, Grenada would be granted full internal self-government and its status changed to that of a State in association with the United Kingdom.

656. When Mr. Gairy had attended the Windward Islands Constitutional Conference in May 1966, as Leader of the Opposition, he had signed the report of the Conference with certain reservations regarding portions of the text of the proposed constitution. Recent newspaper reports stating that the United Kingdom Minister for Commonwealth Relations had informed the United Kingdom Parliament that Mr. Gairy had fully agreed to the constitution were obviously false. He read out a letter addressed to the West Indian, a leading Grenada newspaper, and signed by the President of the Grenada Trade Union Council. It stated that Mr. Gairy had not agreed to clauses in the proposed constitution dealing with the Senate, the House of Representatives, transitional provisions and the need for a referendum on certain issues. It also pointed out that assurances had been given by the United Kingdom Colonial Secretary at that Conference that the question of elections

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before the implementation of the constitution would be discussed. That had not happened. The Grenada opposition leaders had strenuously objected to the inclusion of a clause dealing with transitional provisions without a general election first being held. Mr. Gairy had accordingly reserved the opposition party's position on that clause, and on the other clauses dealing with the composition of the legislature, and his reservations were recorded in the report of the Windward Islands Conference 1966, published in United Kingdom Command Paper No. 3021. The letter had urged the Minister for Commonwealth Relations to take immediate steps to correct the misunderstanding and had concluded that what was proposed for Grenada was the dissolution of the existing legislature and its replacement by an entirely new and differently composed legislative body with different functions. 657. Mr. Gairy himself had immediately sent a cable stating that the Minister had been misinformed and that he himself had never agreed that the constitution should be implemented without elections, adding that the situation in Grenada was still volcanic and that several protest demonstrations were being organized. Mr. Gairy's reservations to the draft constitution had related to four points, two concerning the internal organization of the legislature and two concerning transitional provisions and the question of arrangements for association. Regarding the transitional provisions the opposition party had rejected the proposed draft, first because it would transform the elected one-chamber legislature into a two-chamber legislature without the people being consulted; secondly, because it would mean that the provision of the existing constitution governing the life of the present one-chamber legislature would still be in effect after the new constitution providing for a two-chamber legislature had been enforced; thirdly, because the people of Grenada would be denied their fundamental right to elect the first two-chamber House of Representatives in Grenada in accordance with the democratic principles of self-determination.

658. Mr. Gairy had rejected the provision stating that there was no need for a referendum in connexion with a bill terminating the association between the United Kingdom and Grenada and giving constitutional effect to arrangements under which Grenada joined with an independent commonwealth country in the Caribbean. In

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Mr. Gairy's view, the real question was whether the people themselves had accepted or rejected the constitution. So far, they had not exercised that right.

659. The people of Grenada believed that the primary objective of the Special Committee was to ensure full implementation of the principles of self-determination and to assist oppressed peoples of the world in their struggle to rid themselves of the problems of colonialism in all its forms. Although the Committee did have a very successful record, they very much regretted that, despite the information which Mr. Gairy had provided in September, the Committee had not been able to give Grenada the urgent and necessary attention it deserved. Unfortunately, the United Kingdom Government now claimed that the matter was an internal affair and that therefore it could not postpone the enforcement of the new constitution. The people of Grenada could hardly believe that the administering Power was really incapable of delaying the enforcement of what were its own instructions, unless it was deliberately fanning the flames of civil disorder in Grenada. There were already reports of clashes with the police and of assaults upon clergymen. Indeed, the situation was such that all members of the opposition party had resigned from the Legislative Council because the people of Grenada were not to be given an opportunity to exercise their right to elect a new government of their choice. By the stroke of a pen, the structure of the legislature was to be changed and the power of full internal control thrust upon a Government committed to a course of action which ran counter to the wishes of the people.

660. Mr. Gairy had been asked by the people of Grenada to request the Special Committee to intercede with the United Kingdom Government on their behalf with a view to postponing the enforcement of the proposed constitution until general elections were held. Any attempt to implement the constitution without general elections would be a most unfortunate miscarriage of justice on the part of the United Kingdom Government which would be held responsible for whatever might transpire in Grenada.

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661. At its 493rd meeting, the Special Committee heard Mr. Michael Caesar concerning Grenada.

662. Mr. Caesar said that enforcement by the United Kingdom Government of the new constitutional arrangements granting internal self-government and a new status as States in association with the United Kingdom to each of the six Territories under discussion was already half-completed, and it seemed impossible for the Special Committee to consider the question fully before it was too late. The situation had been brought about by the United Kingdom Government, which had refused to allow United Nations missions to visit the Territories, had submitted very lengthy background information while in the process of enforcing its own decisions, and had refused to postpone the enforcement of its decisions in order to give the Special Committee time to study them.

663. The United Kingdom representative and others had placed great emphasis on the fact that no proposals for individual independence had been put forward at the London Constitutional Conference. Yet it had been generally agreed, and the people of the Territories had recognized as early as 1945, that individual independence was impracticable. The former West Indian Federation had therefore been established, but it had subsequently been dissolved by the United Kingdom Government against the wishes of the people of all the constituent Territories. Both the Federal Prime Minister and the Federal Leader of the Opposition had visited London in March 1962 to protest against the manner in which the United Kingdom Government was preparing to dissolve the Federation, and Mr. Dennis Healey, then a member of the House of Commons, had stated that the United Kingdom Government had chosen to destroy all existing co-operation between the individual Territories without first seeking to achieve any agreement among the unit Governments about what should be put in its place.

664. Immediately following the dissolution of the Federation, the people of the eight Territories concerned had declared their wish to form a new Federation as an independent State within the Commonwealth. The question had been debated until 1965, when the United Kingdom had cited as an obstacle to the establishment of such a Federation the fact that, in September 1962, the newly-elected Government of Grenada had stated its intention of seeking association with Trinidad and Tobago, rather than membership of a new Federation. However, the previous Government of

Grenada had been dissolved by the United Kingdom Government, after only eighteen months in power, on the basis of a report by a Commission of Inquiry on which the opinion of the electorate had not been sought. Thus, the decision to change the elected Government of Grenada in 1962 had been made by the United Kingdom Government, and not by the people of Grenada. During the 1962 elections, the United Kingdom Government had used tricks; the people had been told that their Government had been dissolved, their Constitution suspended and all grants-in-aid discontinued, and that they must elect a new Government. Since it was that new Government which had stated its preference for association with Trinidad and Tobago, there could be no doubt that the first obstacle to the "Little Eight" Federation had been created by the United Kingdom Government. It was clear from the way in which the question of unitary statehood with Trinidad and Tobago had been presented to the electorate, and from the fact that after four years the Government had failed to fulfil its promise, that the only purpose had been to give the United Kingdom Government time to work out and enforce its new proposals for associated statehood, which would permanently divide the Territories into separate States.

665. It was clear, therefore, that there had been an alternative to the new arrangements for "the West Indies Associated States" - namely, independence within a Federation - but that the people had not been allowed a choice. Whatever advantages, if any, the new arrangements might have, they would divide the people of the Territories against their expressed wishes; each new State would have, for instance, its own national anthem and flag. Even if the Special Committee was confronted by a fait accompli, it should condemn the United Kingdom Government's trickery in no uncertain terms. The people of the Territories were eagerly awaiting the Committee's decision, which would help them in their determination to continue the struggle against colonialism, to achieve unity and to take their rightful place among the free nations of the world.

666. In answer to questions from members of the Special Committee, the petitioner said that when elections had been called in 1962, the existing Government of Grenada had already agreed to form a federation with the other Caribbean Territories. With the change of government, however, the question of unitary statehood with Trinidad and Tobago, had arisen, although it had not been clearly presented to the people nor fully understood by them because of the situation

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created by the United Kingdom Government in dissolving the existing Government, suspending the Constitution and calling elections. The question of associated statehood had been decided upon later by the United Kingdom Government and the Government of Grenada, although the latter had been given no mandate to discuss the question of association, much less to enforce association arrangements. Nevertheless, the people of Grenada did not oppose the association arrangements as such, as was clear from the petition he had presented on behalf of the leader of the opposition party, but they opposed the procedure by which the arrangements were to be implemented. He thought that if a referendum were held immediately, the people, because of the current circumstances in Grenada, would decide upon associated statehood. However, the fact remained that the United Kingdom Government, in implementing the arrangements, had violated the principle of self-determination. If the people of Grenada were asked whether they wished to endorse the new arrangements for association with the United Kingdom or to unite with other Territories within a federation, they would choose the latter alternative. He also said that the results of the 1962 elections did not represent the wishes of the people because they had been held in abnormal circumstances created by the United Kingdom.

B. STATEMENTS BY MEMBERS

667. Commenting on the statement made on behalf of Mr. Gairy, the representative of the United Kingdom drew the attention of the Special Committee to the statement which his delegation had made when the Committee had heard Mr. Gairy on a previous occasion (A/AC.109/SR.463). The main event of significance since that hearing had been the resignation of the members of the opposition party in the Legislative Council. As the Minister of State for Commonwealth Affairs had made clear in the House of Commons on 14 February 1967, the resignations did not change the position with regard to the timing of elections in Grenada.

668. The points raised by the petitioner did not in any way affect the acceptability of the new association arrangements which were due to come into force in Grenada on 3 March. At the Windward Islands Conference in 1966, Mr. Gairy had expressed reservations about portions of the internal constitution for Grenada which had been agreed to at the Conference. The reservations, however, did not

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affect the proposal that Grenada should become a State in association with the United Kingdom, to which the petitioner and his party had fully agreed, as had the representatives of the Government party. When the report of the Conference had been debated in the Legislative Council, however, Mr. Gairy had again maintained that there should be elections before Grenada became an associated State, despite the fact that he had signed the Conference report; he had, moreover, voted for the resolution of the Legislative Council approving that report. Furthermore, when Mr. Gairy had appeared before the Committee in September he had not opposed the association arrangements. The statement made by the United Kingdom Minister for Commonwealth Affairs to which Mr. Gairy's petition had referred was thus fully accurate. He drew attention to a United Kingdom Commonwealth Office press release which stated that when Mr. Gairy had discussed the matter in London recently with the Minister for Commonwealth Affairs, the Minister had informed him that she had not been accurately quoted. While she was aware of the fact that Mr. Gairy had made certain reservations to the report of the Conference, she had reminded him that by signing the report he had signified his agreement that Grenada should proceed to associated statehood. The timing of a general election had been fully discussed at the Conference in 1966 and it had been made clear that the United Kingdom Government considered that it could not properly interfere in something which was an internal matter. The Chief Minister of Grenada had already announced that elections must be held before 15 January 1968.

669. Regarding the timing of the elections, the position under both the existing constitution and the new constitution was exactly the same as in most countries with a two-party parliamentary system: the Constitution laid down the maximum length of time between elections. Since the last election in Grenada had been held in September 1962, under the Constitution the legislature must be dissolved at the end of 1967 and elections held not later than January 1968. There were two circumstances in which elections could be held earlier; first, if the existing Government were defeated in the legislature on a vote of confidence and, secondly, if the Chief Minister decided for any reason to advise the Head of State in Grenada to dissolve the legislature earlier than was constitutionally necessary. There was no constitutional provision in Grenada, any more than there was in the

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United Kingdom, which would allow the Opposition Leader to decide when elections should be held, and the resignation of the four opposition members of the Legislative Council did not change the situation. It was too late for by-elections to be held under the present Constitution, and under the new constitution the Premier would have to advise the Governor, as was the case with all other internal matters, to issue writs for by-elections which would be needed.

670. The petitioner had called for elections to enable the people of Grenada to pronounce themselves on the new association arrangements and on the new constitution. However, that had in fact already been done; both parties in Grenada and their elected leaders had indicated that they agreed in principle to the new system. The petitioner had also argued that the present Government had no mandate to take Grenada into associate statehood. However, under the association arrangements, it would be perfectly possible for Grenada to enter into a union with Trinidad and Tobago, or with any other country, at a later stage, if that was the wish of the peoples and the Governments concerned. The question whether there was an early election or whether the life of the legislature should run its full course as laid down in the Constitution was therefore a purely domestic matter. It was quite legitimate for any opposition leader to argue in favour of early elections; however, there could surely be no opposition to the constitutional principle that it was for the Government and not the opposition to decide when elections should be held.

671. Commenting on the petitioner's own statement, the representative of the United Kingdom said that he had already dealt with the constitutional questions raised by the petitioner. The petitioner's use of the term "enforcement" in connexion with the introduction of Grenada's new status was quite unwarranted; both political parties in Grenada had fully endorsed the new arrangements and had participated in the Constitutional Conference which had devised them. Moreover, the leader of the opposition party in Grenada had signed the Conference report on the association proposal and had voted for the proposed new arrangements, when they had been debated in the Grenada legislature.

672. The petitioner had referred to the break-up of the former West Indies Federation and had expressed the hope that some of its members might form a new federation. However, that question was not before the Committee at the present

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stage. The same was true of the events which had taken place in Grenada in 1962, which were now matters of public record, rather than of current political relevance to Grenada on the eve of statehood.

673. The petitioner had not made it clear what he was advocating or what his attitude was to the mandate of the present Government of Grenada. If the petitioner wanted separate independence for Grenada, a new federation or union with Trinidad and Tobago, those were options which remained available to the peoples concerned under Grenada's new status. In that connexion, he was happy to hear that the people of Grenada were not opposed to the association arrangements, even though some of them seemed to have reservations regarding the methods used. Grenada's accession to associated statehood would therefore not prejudice or prevent any future development that the petitioner might wish to advocate, provided, of course, that the people of Grenada themselves shared his view.

674. Finally, the petitioner had given the impression that there had been undue haste in the introduction of the new arrangements in the Territory. However, the United Kingdom delegation had given early notification to the Special Committee, in September 1966, and had subsequently made full information available to the Committee. Moreover, the original proposal for association had been circulated to the Committee in December 1965.

675. In his general statement, the representative of the United Kingdom said that, during the week beginning 27 February 1967, Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla and St. Lucia would assume a new status as States in association with the United Kingdom. St. Vincent, where there had been certain special problems, would assume the same status not later than 1 June 1967. With the introduction of the new constitution in each of those Territories, the islands would be known as "the West Indies Associated States". The new arrangements represented a departure in the United Kingdom's decolonization policies. While the status of association was not completely without precedent in the world, certain features of the proposed arrangement with the six Territories in question were quite new. He would therefore explain them at some length and he hoped to be able to supplement the information which he was now giving by circulating the relevant United Kingdom White Papers to members of the Committee.

676. A detailed explanation of his Government's proposals and the processes by which they had been worked out had been given to Sub-Committee III in September 1966 and was summarized in document A/6300/Add.10, chapter XXII, annex, paragraphs 139-169. He had made clear in that statement that the new arrangements were to be brought into effect early in 1967. His delegation had also kept the Secretariat fully supplied with relevant material, and many of the basic documents were reproduced in the working paper (see paragraphs 133 to 143 above).

677. The first point he hoped to establish was that, under the new arrangements, the six Territories would enjoy a full measure of self-government. They would be completely autonomous in their internal affairs and his Government's obligations under Chapter XI of the Charter would thus be fully discharged. Secondly, the Territories would enter into a strictly voluntary association with the United Kingdom, an association under which each Territory would be entirely free to declare itself independent, in accordance with the agreed constitutional processes, at any time it might wish to do so. Similarly, each island would be entirely free to sever its association with the United Kingdom and enter into an association with any other State. Thirdly, the new arrangements had been worked out in full consultation with the people of the particular Territory concerned and had been freely and willingly accepted by the people. Clearly, therefore, everything that had been done and was to be done was fully in accordance with his Government's obligations under the United Nations Charter and with the relevant General Assembly resolutions.

678. Antigua and St. Kitts-Nevis-Anguilla (as well as Montserrat) formed part of the Leeward Islands, while Dominica, St. Lucia, St. Vincent and Grenada formed part of the Windward Islands. None of the six Territories had a population larger than about 94,000, and it had therefore been felt that the best hope of their future lay in association together. The Federation of the West Indies, including the Territories now under consideration and several other Caribbean territories, had come into being in January 1958 and a date for the Federation's independence (in May 1962) had been set, but it had been dissolved in 1962 following the withdrawal of Jamaica and Trinidad and Tobago. Discussions had followed concerning a possible new federation to include Barbados, the six Territories now under consideration and Montserrat - though Grenada had withdrawn from the negotiations in 1962, declaring its intention to seek association with Trinidad and Tobago. By

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the end of 1964, a considerable measure of agreement had been reached but there had still been serious disagreements on a number of fundamental matters. In April 1965, Antigua had withdrawn from the discussions. Barbados had consequently decided to proceed to separate independence, and had become independent in November 1966. It had thus become evident that there was no immediate prospect of securing agreement on a federation in which the smaller Territories would become fully independent. The United Kingdom Government and many of the territorial Governments had made it clear that they still regarded some form of association between the Territories as the best course, but it had become obvious that, for the time being, some other way forward would have to be found.

679. Throughout the period which he had described, the six islands had already been largely self-governing, but the arrangements in force had not constituted full internal self-government.

680. The economic background against which the United Kingdom Government and the Governments of the six Territories had been considering the question of constitutional advance was fully described in his delegation's statement to Sub-Committee III (A/6300/Add.10, chapter XXII, annex, paras. 146-149). The six Territories had received over \$US28 million in the last ten years in development grants, and there had been other forms of aid such as budgetary grants (\$3.5 million last year). The total amount of United Kingdom aid to the six Territories in the financial year 1965-1966 had been around \$US6.25 million, and in 1966-67 it was likely to be about \$US9.15 million. In 1966, the United Kingdom, the United States and Canada had sponsored a Tripartite Economic Survey of Barbados and the Leeward and Windward Islands. The main recommendation of the Survey had concerned the need for full regional economic co-operation. The United Nations Development Programme (UNDP) had been asked to sponsor a study of a possible regional development bank which would also include the independent Commonwealth countries in the Caribbean. The island Governments had also agreed to form a regional development committee with which the Governments which had sponsored the Tripartite Economic Survey would be associated.

681. Reverting to the question of the constitutional proposals, he said that the islands had strong links with the United Kingdom, both of sentiment and economic interest, and were anxious to preserve those links. However, several of the island Governments had requested greater control over internal affairs. The United

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Kingdom Government had therefore sought to devise a new relationship between Territories which would be consistent with their political maturity but enable them to continue such links with the United Kingdom as they might wish to preserve. Under new proposals put to the Territories in the autumn of 1965, it had been suggested that each Territory should become a State in association with the United Kingdom, each with full control over its internal affairs, the right to amend its own constitution and the power to end its association with the United Kingdom. The United Kingdom would accept responsibility for the defence and external affairs of the Territories as long as the association continued. The States would continue to be eligible to receive United Kingdom aid. The Governments of the Territories had indicated their general acceptance of the proposals as a basis for negotiation, and in the case of each Territory a conference had been held with the Government of the Territory and members of all parties represented in the elected legislatures. At the first Conference, with Antigua, it had been agreed that, although the United Kingdom Government should have the ultimate responsibility in defence and external affairs, it would proceed throughout in consultation with the Government of Antigua, and the United Kingdom Government promised to delegate to Antigua a substantial amount of authority over Antigua's external relations. Full agreement had also been reached on an outline of the new internal Constitution of Antigua, under which the Antigua Parliament would be free to amend or replace the Constitution, which would be fully democratic and include safeguards for human rights. The Governor would exercise the powers of constitutional Head of State, acting in all respects on the advice of his ministers, and would not be in any way subject to the United Kingdom Government's instructions. The House of Representatives, like the existing Legislative Council, would be elected by universal suffrage, and executive authority would be exercised by a Cabinet under a Premier who commanded a majority in the House. The Senate would have limited delaying powers and its composition would represent broadly the position of the parties in the lower House. There would be certain entrenched clauses of the Constitution which could be amended only after approval by a two-thirds majority in a referendum. However, it had been agreed that there would be no need for a referendum in connexion with a bill that terminated the association between the United Kingdom and Antigua and brought into effect arrangements under which Antigua joined with other Commonwealth countries either by union or federation. There would also be no need for approval by

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referendum if Antigua were joining in some other form of constitutional association with an independent Commonwealth country in the Caribbean under which the latter country would take over the United Kingdom's responsibilities for the defence and external relations of Antigua. Apart from that, Antigua would be free to terminate the association with the United Kingdom at any time by means of the same procedure as would be applied for amending the entrenched clauses of the Constitution.

682. At the Conference with the representatives of the four Windward Islands, the Windward Islands delegates had called for a closer association in the economic sphere between the United Kingdom and the Territories. However, the United Kingdom delegation had been obliged to point out that such problems lay outside the scope of the Conference. The Windward Islands delegates had accepted that position and the Conference had gone on to work out a series of agreements, covering both the internal constitutions of the Territories and the arrangements for association between each Territory and the United Kingdom, on very similar lines to those worked out in the case of Antigua. The only important difference was that several Windward Islands delegations had asked for assurances that the United Kingdom's power to terminate the association unilaterally would not be exercised in an arbitrary or sudden way. The United Kingdom Government had given an undertaking - which also applied to Antigua and St. Kitts-Nevis-Anguilla - that the United Kingdom would not terminate the association without giving six months' notice of its intention to do so, and would be willing to hold a conference with the Territory concerned at which all the implications of termination could be discussed. The United Kingdom Parliament's approval would be sought for any proposal to terminate the association on the United Kingdom side. The Territories themselves were of course free to terminate the association unilaterally regardless of the views of the United Kingdom Government or Parliament.

683. The conference with representatives of St. Kitts-Nevis-Anguilla had also reached full agreement on lines similar to the two previous conferences. At all three conferences, it had been agreed that there should be certain joint arrangements for the courts of the six Territories. In September 1966, a conference had been held in St. Lucia to discuss arrangements for a regional Supreme Court. The conference had reviewed the statutory provisions to be made for the Supreme Court and approved the draft text of an agreement on administrative arrangements for the Court.

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684. The arrangements agreed on at those conferences had been subject to the approval of the six legislatures concerned. The proposed arrangements had been approved by a formal resolution in each Territory. In Antigua, Dominica, St. Lucia, Grenada and St. Kitts-Nevis-Anguilla, the relevant resolutions had been adopted unanimously. In St. Vincent, the resolution had been passed without a division, although the opposition members had left the Legislative Council before the vote in protest against the unwillingness of the St. Vincent Government to defer the introduction of the new arrangements while certain election petitions were pending. However, it should be noted that the opposition speakers in the debate had not attacked the association arrangements as such and that both Government and opposition leaders had signed the report of the relevant conference in London.

685. In four of the Territories, there had been an additional form of indirect consultation concerning the arrangements in the form of general elections held after the announcement of the United Kingdom's new proposals. In Antigua, a general election had been held in November 1965 at which it had been made clear that the government party, if elected, would seek to negotiate a relationship with the United Kingdom involving increased internal self-government while leaving responsibility for defence and external affairs in the hands of the United Kingdom. The party had won all ten seats in the Legislature and the policy had thus been clearly endorsed by the electorate. In Dominica, elections had been held in January 1966, and the Dominica Labour Party, which had stated that it would seek to negotiate a new relationship with the United Kingdom on the basis of the new proposals, had won ten out of eleven seats. The opposition party had also accepted the new arrangements. In St. Kitts-Nevis-Anguilla, elections had been held in July 1966 and members of all the parties winning seats at the elections had signed the report of the London Conference. In St. Vincent, representatives of both parties had signed the report of the relevant conference. The close results of the general election in August 1966, with election petitions contesting the results in several constituencies, had led to internal political difficulties. Those difficulties had now been resolved following discussions in London between the United Kingdom Ministers and the Chief Minister and Leader of the Opposition in the Territory. It had been agreed in those talks that certain features of the St. Vincent Constitution as agreed at the London Conference should be somewhat

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modified, that an independent boundary commission should delimit the constituencies, that fresh elections should be held not later than December 1968, and that St. Vincent should proceed to associated statehood not later than 1 June 1967.

686. In Grenada and St. Lucia, the position was slightly different. The Grenada legislature's term ran until the end of 1967 and the St. Lucia legislature's term until July 1969. In each Territory, both government and opposition parties had accepted the new arrangements, except that the Grenada opposition had made reservations on a number of points of detail in the proposed internal constitution. In both cases, the responsibility for recommending the date of new elections if held earlier than the time specified by the Constitution rested explicitly with the Chief Minister. The opposition in Grenada had pressed for fresh elections before the new association arrangements came into effect, and that had been resisted by the elected Grenada Government.

687. The third Territory in which particular difficulties had arisen was St. Kitts-Nevis-Anguilla, where there had been some anxiety in the island of Anguilla about the relationship between Anguilla and the island of St. Kitts. The Anguilla member of the Legislative Council had attended the Constitutional Conference in London and signed the Conference report without reservation. He had subsequently been re-elected as member for Anguilla. It had been agreed at the Conference that a new system of local government should be set up in both Nevis and Anguilla and that that should be provided for in the new constitution. It had been agreed that the local legislature should decide upon the details of the system but that under the constitution there should be separate councils, one for Nevis and one for Anguilla. At least two thirds of each council would be elected. Suitable provisions had accordingly been included in the draft constitution. The special interests of Anguilla were thus fully protected. The recent difficulties in Anguilla had arisen mainly from a misunderstanding about the intentions of the St. Kitts-Nevis-Anguilla Government. It was the hope of the United Kingdom Government and of the St. Kitts-Nevis-Anguilla Government that the publication of the St. Kitts-Nevis-Anguilla Constitution would serve to reassure the people of Anguilla. He would add that the principle of association with the United Kingdom had been fully accepted by the elected representative of the Anguillian people.

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688. The West Indies Bill to enable the six Territories to assume a new status of association with Britain and generally to give effect to the conclusions of the three London Conferences had passed through Parliament and received the Royal Assent on 16 February 1967. A number of Orders in Council under the West Indies Act would be brought into effect shortly to determine the dates on which the new associations would come into being, and to establish the Constitution of the Territories. The posts of Administrator in each of the six Territories would be abolished under the new Constitution, and a United Kingdom Government representative would in future be the channel of communication between the associated States and the United Kingdom Government. Further details on the agreements between the United Kingdom and the Territories governing the exercise of British responsibility for external affairs and defence, and on the agreed provisions for the internal constitutions of the Territories, were contained in the conference reports and White Papers which his delegation would circulate as soon as possible.

689. Thus, the six Territories would be fully self-governing. Each Territory's association with the United Kingdom would be entirely voluntary. The West Indies Act laid down that the legislature of any associated State might at any time terminate the status of association, unilaterally and by its own legislation; it was thus open to the associated States in future to proceed either to a declaration of independence or to some form of association with one or more other countries in the area. All those arrangements, both for the internal constitutions of the Territories and for the terms of their association with the United Kingdom, had been worked out in the fullest detail by consultation with the representatives of the peoples of the Territories, and had been fully accepted by those peoples. Indeed, the prime consideration throughout had been action in consultation with the people of the islands. He hoped that when the Special Committee had digested the large amount of information relevant to the matter, it would feel that the people of the Territories deserved to be congratulated for the hard work that had gone into their new status.

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690. The representative of Mali said that he did not fully understand the relationship between the Governor and the Government of Antigua. If the Government should be out-voted in Parliament, would the Governor fall together with the ministers?
691. The representative of Syria remarked that the United Kingdom representative had seemed to give little weight to the reservations of Mr. Gairy, the Leader of the Opposition in Grenada. He asked for clarification of those reservations.
692. The representative of the Union of Soviet Socialist Republics said that it was clear from the petitioner's statement that the talks on the future status of Grenada had taken place solely between representatives of the Government and the opposition, and that no attempt had been made to ascertain the views of the people. The last time the Special Committee had discussed the question of Grenada, the United Kingdom delegation had said that there was no special procedure for consulting the people. His delegation was dissatisfied with that statement, and asked the United Kingdom representative what procedure there was for finding out the wishes of the people in regard to the future status of Grenada.
693. The representative of Iraq asked whether the financial assistance referred to by the United Kingdom representative came only from the United Kingdom Government or from other Governments as well. He would also like to know what part of such assistance was spent on the salaries of United Kingdom or other foreign officials in the Territories.
694. The United Kingdom representative had emphasized the right of the Territories to break away from the association whenever they wished, but he had placed no such emphasis on the way in which the association had been decided upon. He had referred to the two-thirds majority that was required to break away from the association. But four members of the legislative body had resigned over the question of association, leaving the six government members. He wondered whether six members out of ten constituted a two-thirds majority of the electorate or of public opinion in the Territory.
695. The representative of Iran asked whether any organic relationship was envisaged for the six Territories which were to be associated with the United Kingdom. Secondly, he would like to know whether the people of the Territories had ever had the opportunity to opt for independence as an alternative to free association with

- the United Kingdom, and whether they had been educated as to the values to that alternative before their representatives were consulted about their future status.
696. The representative of Uruguay pointed out the importance of ensuring that a Territory's emergence from colonial status was effected in accordance with the will of the majority, since the United Nations thereafter ceased to have any jurisdiction. Should the Territories under discussion opt for some form of association, declaration of absolute independence would thereafter be a matter for each associated government to decide, in accordance with the respective constitutions. But if there were special quorums laid down in those constitutions, and the principle of the simple majority was not observed, the decision might be in the hands of minorities and the freedom of the peoples concerned might be restricted. He would like an explicit assurance from the United Kingdom on that point.
697. The representative of Tunisia noted that the United Kingdom representative had made no reference to the United Nations when speaking of the Territories under consideration, and asked whether the Organization might not be invited to come and observe on the spot the decolonization process being carried out by the United Kingdom.
698. The representative of Bulgaria said that he, too, would like to know more about the procedures used to ascertain the wishes of the peoples of the Territories, and whether they had had an opportunity to opt for independence.
699. The representative of Venezuela noted that the Territories constituting the association would enjoy full internal self-government. He would like to know how their external affairs would be conducted.
700. The Chairman, speaking as the representative of the United Republic of Tanzania, said that in most of its Territories the United Kingdom had provided for elections before the passage from self-government to independence. Having negotiated a new status for the Territories under discussion, why had the United Kingdom Government not arranged for elections so that the people could express their views?
701. The United Kingdom representative had said that if the associated States wanted to opt for another status, a two-thirds majority would be required. Why, then, had it not been necessary for the United Kingdom Government to institute a two-thirds majority referendum on the assumption of the new status? He asked

whether the United Kingdom Government could not postpone the coming into effect of the new status until the Special Committee had had time to report to the General Assembly.

702. The representative of the United Kingdom, in reply to the preceding questions concerning the new status of association about to come into force between the United Kingdom and five of the six Eastern Caribbean Territories, said that the answers to some of the questions could be found in the documents which his delegation hoped to supply to the Special Committee very shortly. Thus, the question asked by the representative of Mali concerning the precise relationship between the Governor and the Premier and ministers of each of the associated States once they had assumed their new status was answered in the reports of the three London Constitutional Conferences dealing with the internal Constitutions of the Territories. The Governor of each associated State would not in any way be subject to the control of the United Kingdom Government, whose relations with the associated States would be conducted through a separate officer, the United Kingdom Government representative. The Governor of Antigua, for example, would be a purely constitutional head of State, exercising his powers solely on the advice of the Premier and the ministers, and his position would be strictly analogous to that of the Queen in the United Kingdom or the Governor-General in Australia or Sierra Leone.

703. Similarly, the question asked by the representative of Syria about the reservations made by Mr. Gairy, the former Leader of the Opposition in Grenada, to the agreed arrangements for the internal Constitution of Grenada, could be answered by referring to the report of the Windward Islands Conference (Command Paper 3021). Page 11 of that report stated that Mr. Gairy's reservations related to paragraphs 5, 6, 11 and 17 of appendix IV, where the outline of the Constitution of Grenada was set out; those paragraphs dealt with the Senate and the House of Representatives, transitional provisions for the Legislature and provisions for union with another Commonwealth country without a referendum.

704. The representative of Uruguay had asked about safeguards to ensure that no change in the status of any island would be made by a minority Government, without

satisfactory evidence of a widespread desire for the change among the population. Such safeguards were also described in the three Conference reports. For example, paragraph 20 of the Antigua Conference report (Command Paper 2963) stated that termination of the association by Antigua would require a two-thirds majority in the House of Representatives and a two-thirds majority in a referendum; however, no referendum would be required where the association was terminated for the purpose of effecting any form of constitutional association with an independent Commonwealth country of the Caribbean or with one or more other associated States in a new independent unit. While it was now generally accepted that association with Commonwealth neighbours in the Caribbean would not be practicable at present, nevertheless hope was still cherished that such a union might be possible in the future; the requirement of a two-thirds majority in a referendum had therefore been dropped for such cases, with the full agreement of the representatives of the Territories at the three Conferences. A Government which gained only a minority of the votes cast might hold a majority in the Legislature but was unlikely to hold a two-thirds majority of the lower House; there was, therefore, an adequate safeguard against the risk mentioned by the representative of Uruguay.

705. The answer to the question asked by the representative of Venezuela, concerning the external relations of the new associated States, was, very broadly, that the United Kingdom Government would be responsible for the external affairs of each of the associated States but would delegate authority in appropriate fields to the State Governments as far as possible. The detailed arrangements for the administration of external affairs were set out in Secretariat working paper (see paragraphs 135 to 137 above). Under their delegated powers, the State Governments could apply for full or associate membership in United Nations specialized agencies or similar organizations, negotiate and conclude certain types of trade agreements with other countries, arrange visits for commercial purposes, negotiate and sign agreements of purely local concern with any Commonwealth country or United Kingdom Territory in the area, and make various arrangements in matters of foreign aid and other external affairs.

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706. The answers to the questions asked by the representative of Iraq about aid to the Eastern Caribbean were not readily available in New York at the moment, but inquiries had been made and he hoped to have the information available shortly.

707. The organic relationship between the six associated States and the United Kingdom, about which the representative of Iran had inquired, would be controlled and defined by the West Indies Act, the separate Constitution Orders containing the Constitutions of the Territories, the Order establishing the West Indies Associated States' Supreme Court, Orders concerning appeals to the Privy Council and compensation and retirement benefits, and a number of agreements between the United Kingdom Government and the States concerning defence and external affairs. Those agreements would be supplemented by dispatches such as those set out in the Conference reports.

708. The representative of Iran had also asked whether the people of the Territories had had the opportunity to opt for independence as the alternative to free association. The answer was that once the association arrangements were in force, the people of each State would have the right to decide at any time in favour of independence. The alternative to the proposed association arrangements would have been the indefinite continuance of the islands' colonial status; that would no doubt have been unwelcome to the members of the Special Committee and would certainly have been unacceptable to the United Kingdom Government, as indicated in paragraph 9 of the report of the Windward Islands Conference (Command Paper 3021).

709. The Chairman, speaking as the representative of the United Republic of Tanzania, had asked why the United Kingdom Government had not arranged for a general election or a referendum before any change was made in the status of the Territories. It was indeed true that in a number of other colonial Territories, especially where the proposal to proceed to independence was a matter of local controversy, elections had been held before any final decision had been taken to grant independence. In the case of the six Eastern Caribbean Territories, however, no political party had sought independence and all had agreed in supporting the new association arrangements; furthermore, the decision taken was not final and irrevocable. The provisions for consultation of the whole people concerning their future, through referenda and through their elected legislatures, were embodied in

the association arrangements themselves; the advocates of independence would be free under the Constitutions of the States and under the association arrangements to seek support in the Legislature and among the people for constitutional arrangements that would bring about independence.

710. He hoped that his explanation had also answered a number of questions raised by the representatives of the Soviet Union, Iraq, Iran and Bulgaria and by the Chairman.

711. With regard to the specific point raised by the representative of Iraq concerning Grenada, it was true that the six Government members of the Grenada Legislature had not constituted two thirds of the ten-member Legislature; however, the resolution endorsing the new association arrangements had been approved in that Legislature before the resignation of the Opposition members, not by a two-thirds majority but unanimously. The adoption of the resolutions in the other Legislatures had also been unanimous.

712. In four of the six Territories, elections had been held in the context of proposals for the association of the new States with the United Kingdom. In each case, either a party favouring the proposed arrangements had been returned to power with a substantial majority, or else both the Government and the Opposition had supported the arrangements; in the two Territories where no election had been held, there had been similar agreement between the Government and Opposition parties. It was clear, therefore, that the people of each Territory supported the proposed association arrangements.

713. Lastly, in connexion with the questions put by the representative of Tunisia, the United Kingdom Government had always fully recognized the legitimate interest of the United Nations and the international community in that Government's discharge of its responsibilities, under the Charter and otherwise, to the peoples of its dependent Territories. His Government had always co-operated fully with the Special Committee and had provided full and detailed information concerning United Kingdom policies and their execution, in relation to the Eastern Caribbean Territories as to others. Detailed information about the association proposals had been provided in the United Kingdom statement in Sub-Committee III on 8 September 1966; that statement had been incorporated into the Sub-Committee's

report to the Special Committee and the Committee's report to the General Assembly; in addition, substantial amounts of information had been available to the Committee and the Secretariat in the form of published documents and other sources. In any event, the Territories were open societies which could be freely visited by anyone, so that it would be impossible to misrepresent the true situation in the Territories or to prevent certain kinds of information from reaching the United Nations.

714. Lastly, the Chairman, speaking as the representatives of the United Republic of Tanzania, had asked whether any of the proposed arrangements might be postponed while the Special Committee considered the matter. It would be very difficult to justify any such postponement to the peoples of the Territories; they knew that all the proposals had been explained to the Special Committee in September 1966 and that in five of the six Territories the new arrangements were scheduled to come into force within a few days. The preparations for the celebration of their new status could clearly not be halted at the eleventh hour. Moreover, virtually all the relevant legislation either had been passed and completed or else was about to come into effect. However, the entry into force of the new association arrangements, with the incomparably wider range of choice open to the people of the new States, need not in any way prevent the Special Committee from continuing its study of the situation in the Eastern Caribbean, and his delegation would be glad to co-operate fully in that study.

715. The representative of the United Republic of Tanzania said that the first statement made by the United Kingdom representative had given his delegation some cause for concern, particularly since it had glossed over some of the conflicts which existed between the aspirations of the people of the Territories and the plans of the administering Power. The pertinent questions which had been put to that representative were evidence of the Committee's anxiety. The United Kingdom representative had again failed to deal with the matters which were of primary concern to the Committee, namely the obligations of the administering Power under the Charter towards its colonized peoples, the responsibility of the United Nations vis-à-vis such peoples and, most important of all, the legitimate aspirations of the colonized peoples to take their rightful place in the world community by their own free choice.

716. The United Kingdom representative had stated categorically that, under the new arrangements, the Territories would attain a full measure of self-government. He himself, however, emphatically rejected that argument. The conclusions and recommendations of the Special Committee regarding the six Territories (A/6300/Add.10, para. 469) had reaffirmed that it was for the people of the Territories, and for them alone, to express themselves freely on the form of political status they wished to adopt in order to achieve the objectives of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Those conclusions had also reaffirmed the right of the people of the Territories to exercise their right of self-determination in complete freedom and in full knowledge of the various forms of political status open to them and had expressed the belief that, particularly in the case of small Territories, the United Nations should take appropriate steps to ensure that the people of the Territories were enabled to express themselves freely on their future status and in full knowledge of the options available to them. At the present meeting, however, the United Kingdom representative had stated that no arrangements had been made to consult the people as a whole because no irrevocable decision was being taken.

717. The United Kingdom representative had also stated that certain difficulties had arisen in Grenada because the opposition party disagreed with certain provisions in the new constitution and had called for elections before the new arrangements came into effect. The administering Power, however, denied responsibility for the holding of elections in Grenada. That situation was reminiscent of other colonial situations in which the United Kingdom had sought to impose its innovations against the wishes of the peoples involved. The Tanzanian delegation continued to maintain that it was the duty of the administering Power to enable the peoples of colonial Territories as a whole to exercise their right to express their wishes fully and freely. That was a cardinal and inalienable right embodied in both the Charter and the Declaration contained in General Assembly resolution 1514 (XV), and it had not been safeguarded in Grenada. Also implicit in the Charter and the Declaration was the duty of the administering Power to ensure that the United Nations had a part

to play in the exercise of that right. It seemed, however, that the administering Power was neither prepared nor willing to fulfil its obligation to call for elections in the Territories. Moreover, as the petition presented by the leader of the opposition party in Grenada had pointed out, the enforcement of the proposed arrangements would not only be unconstitutional but would deny to the people of Grenada their fundamental right to elect the first two-chamber legislature in their history in accordance with the principle of self-determination.

718. It was important to know, therefore, why the United Kingdom was refusing to change its position. Under the present Constitution, the term of the legislature expired in October 1967, and fresh elections would normally have to be called by the administering Power. However, under the new arrangements, the existing executive and administrative authority was to continue in office for a further five years, which would mean that the people of the Territory would not be consulted on their constitutional status, or fully informed about the situation, for a period of ten years. Indeed, the opposition party had resigned from the legislature to demonstrate the people's opposition to such a denial of their legitimate rights. The United Kingdom Government had therefore not fulfilled its obligation under the Charter and under the Declaration.

719. The United Kingdom representative had also observed that there were certain problems relating to Anguilla and had hoped that the publication of the St. Kitts Constitution, including the local government provisions for Anguilla, would serve as a reassurance to the people of that Territory. If that meant that the provisions it wished to bring into effect in the near future were not even published, then the situation was indeed very serious.

720. His delegation was also apprehensive about the economic aspects of the situation in the six Territories. The United Kingdom had taken pains to emphasize the importance of its economic channels to the Territories and, while he did not wish to discuss the kind of economic aid involved, it was disturbing that so much emphasis was being placed on that aspect at the present stage. His delegation had always maintained that the right of peoples to self-determination should not be

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restricted by any economic considerations; the economic viability of any Territory was a matter for the people of that Territory alone. Economic interests had often been used in colonial Territories in the past as a "big stick" to intimidate peoples struggling for their legitimate aspirations.

721. The Special Committee itself also had obligations in respect of the Territories under consideration and was in duty bound to ensure that colonial Powers fulfilled their obligations and that colonized peoples attained self-determination. The situation in the six Territories showed that there were basic contradictions between the people and the colonial authorities which were the result of the attempts of the administering Power to deny the peoples their right to self-determination. The Special Committee should therefore immediately call upon the administering Power to refrain from taking any action to implement its plans which would further jeopardize the legitimate right of the peoples concerned to self-determination, and should also call upon the United Kingdom to consult the people of the Territories as a whole on their future status, through an election or a plebiscite. In that connexion, the Special Committee, as the representative of the United Nations, should decide that it had a part to play in such consultations.

722. The representative of Uruguay said that he wished to give some further clarification of what he had said previously. He had pointed out that, if the peoples of the Territories could not subsequently choose, by a simple majority, to abandon associated status and to assume complete independence, the freedom of the peoples concerned might be restricted. The United Kingdom representative, in his reply, had stressed that a decision in favour of complete independence would require a two-thirds majority in the House of Representatives and a two-thirds majority in a referendum. That was precisely his point: those provisions would tend to protect the status quo and limit the possibility of self-determination. There would be no objection to any particular arrangements between a Territory and the former colonial Power provided that, under the Constitution, the indigenous people could opt for complete freedom by a simple majority, but, if not, their freedom of choice would be restricted. With a two-thirds majority requirement, a minority could block any decision in favour of complete independence. He thought that that should be a matter of concern to all, and it would be helpful if the point could be clarified.

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723. The past decisions of United Nations bodies were favourable to the concept of association provided that the arrangement was freely chosen by the indigenous people and that their act of choice was supervised by the United Nations. It was not enough to say that no opposition had been expressed to the proposed arrangements; General Assembly resolution 1514 (XV) required not merely the absence of opposition but the existence of a positive desire for a particular arrangement. If such a desire was shown to exist, and provided that the associated States could choose complete independence at any time by a simple majority, the Committee might well be happy to support an association arrangement.

724. The representative of Iraq wished to associate himself with the remarks made by the representative of the United Republic of Tanzania, and particularly with his emphasis on the need for compliance with relevant United Nations resolutions. United Nations resolutions had repeatedly stressed that the unity of colonial Territories must not be disrupted, whereas the remarks of the United Kingdom representative seemed to leave the door open to fragmentation of the Territories. The Tanzanian representative had also commented on the great stress placed by the United Kingdom representative on its economic assistance to the Territories. He would welcome more detailed information from the United Kingdom representative regarding that assistance. In that connexion, the United Kingdom representative had asserted at the previous meeting that the Territories had strong links with Britain, both of sentiment and of economic interest. He would welcome an explanation of that statement, because he did not know what bonds of sentiment could exist between a former colony and the colonial Power.

725. The United Kingdom representative had also referred to provisions permitting any Territory to terminate its association with the United Kingdom and to join in some form of association with an independent Commonwealth country in the Caribbean. He wondered what the procedure would be if one of the Territories wished to associate itself with a country which was neither a member of the Commonwealth nor situated in the Caribbean. Moreover, he noted that, according to information to be found in the Secretariat working paper, one particular country which was not a member of the Commonwealth was placed in a privileged position as far as scientific and cultural relations were concerned. He would like to know why that exception had been made.

726. The representative of Iran said that he appreciated the comprehensive statement made by the United Kingdom representative in answer to the questions put to him. However, that representative had laid stress on the fact that the decision in favour of association was not irrevocable. But the basic question related to the sovereign rights of the people. It might be possible to agree that the restriction on the sovereign rights of the people inherent in colonial status would be somewhat alleviated as a result of the new status. He noted, however, that the United Kingdom representative had refrained from asserting that the people of the Territory had exercised their right of self-determination. Had they exercised that right by choosing association with the United Kingdom, or had they merely advanced to a higher stage of political development? He would like to know whether the United Kingdom representative considered that the decision constituted an exercise of the right of self-determination. In regaining its full sovereign rights, a people might choose to join with another State, but the people must have an opportunity to exercise their right of self-determination in absolute freedom, and there must be some kind of impartial international presence to ensure that that was so.

727. The representative of Syria said that he shared the preoccupations of the representative of Uruguay. A question relating to the destiny of a people should be put to a popular referendum. The United Nations Charter and General Assembly resolution 1514 (XV) spoke of "self-determination" and of the "freely expressed will and desire" of the people. He therefore attached importance to the reservations of the opposition in the case of Grenada. The reservations did not relate to minor matters but, according to the United Kingdom representative, concerned such matters as the Senate, transitional provisions for the legislature and the provisions for union with another Commonwealth country without a referendum. These matters were at the very basis of the proposed constitutional arrangements, arrangements which were perhaps intended, as the Uruguayan representative had suggested, to consecrate the status quo. He wondered why the simple procedure of self-determination was not applied and why complex procedures were laid down instead.

728. The representative of Venezuela said that he would like to put to the United Kingdom representative a further question concerning the external relations of the future associated States. The document quoted in the Secretariat working paper

(see para. 137 above) gave a list of the limited matters in which authority was delegated by the United Kingdom Government to the Government of the particular Territory. In paragraph 2 (f) it was indicated that the Government of the Territory would have authority to negotiate and sign agreements for financial and technical assistance or of a cultural or scientific nature with any member of the Commonwealth or the United States of America or with any international organization of which the United Kingdom was a member. He wondered why the provision discriminated in favour of the United States and excluded, for example, Spanish-speaking countries in the same region.

729. The representative of the United States of America said that her delegation heartily welcomed the initiative taken by the United Kingdom Government and by the Governments of the six Caribbean Territories in drawing up plans for the proposed West Indies Associated States. The new arrangements had been devised through amicable consultations between the Governments involved and appeared to be a workable and appropriate solution to the special problems facing the small Territories. Equally important was the fact that the arrangements had been worked out in consultation with the elected representatives of the people of the islands concerned, and were therefore in accordance with the desires of the people.

730. The negotiations had been conducted by representatives elected through universal adult suffrage who had accepted the methods proposed for amending the new Constitutions. Moreover, the fact that members of opposition parties had attended the constitutional conferences had ensured that all views would be taken into account before definite arrangements were made. That the new arrangements were voluntary was also demonstrated by the fact that no proposal for individual independence had been put forward at the conferences. Furthermore, the representatives of the Windward Islands had requested that the United Kingdom should not terminate the association in an arbitrary or sudden manner, thus showing that there was a desire for continued close association with the United Kingdom.

731. The reservations expressed in the Special Committee on behalf of the leader of the opposition party in Grenada were, in her view, of essentially internal

political interest. While there might possibly be some disagreement concerning the internal aspects of the Constitution for Grenada, that Constitution could be amended if a large enough proportion of the electorate so desired, and, in any case, elections would be held in Grenada by January 1968. In conclusion, she said that the formation of the West Indies Associated States represented a new and constructive approach to the problem of the small Territories.

732. The representative of the Union of Soviet Socialist Republics pointed out that the question under consideration had important implications not only for the six Territories concerned but also for many other small Territories. After careful study of the Secretariat document on the six colonial Territories under discussion and of the statement by the United Kingdom representative, his delegation could not but conclude that the United Kingdom had worked out its plans for the future status of the Territories without consulting the people. The future status of any colonial Territory must be settled in accordance with the freely expressed will of its people. It was claimed that the approval of the people had been secured through the legislative organs of the six Territories. But those organs had been elected under the colonial system and were controlled by the United Kingdom administration. The fact that representatives of those organs had been invited to comment on the proposed constitutional reforms could not, therefore, be regarded as tantamount to participation of the people. He reminded the Committee of what Mr. Gairy, the leader of the opposition in Grenada, had said about the demonstrations in Grenada when the territorial government had begun Constitutional discussions with the United Kingdom Government without consulting the people.

733. The situation was complicated by the long-standing refusal of the United Kingdom to co-operate with the United Nations and to allow a mission of the Special Committee to visit the Territories in order to ascertain the views of the inhabitants concerning their future status. The United Nations had therefore been unable to ensure that the peoples of the Territories would be given an opportunity to exercise their sovereign will in conditions of relative freedom. The new status, which would come into effect shortly, had thus been worked out without the approval of the people and in circumvention of the United Nations.

734. The fact that the United Kingdom would retain control over external affairs and defence, which were principal attributes of sovereignty, clearly showed that there could be no question of the Territories being independent. Moreover, there were other provisions in the proposed arrangements indicating that the United Kingdom Government would retain the right to direct interference in the domestic affairs of the Territories (see paragraph 136 above). The contention that the Territories would enjoy full internal self-government and that the United Kingdom Government had accordingly discharged its obligations under the United Nations Charter was thus meaningless. If in addition it was borne in mind that the executive head of all the so-called associated states was to be appointed by the Queen, that the Territories would continue to be economically independent on the metropolitan country, and that there would still be military bases in the Territories the measures taken by the United Kingdom Government could certainly not be regarded as putting an end, as claimed, to the colonial relations between those Territories and the United Kingdom. On the contrary, with the introduction of the new status the former colonial dependence would be continued in a new form.

735. The Special Committee should accordingly state that the peoples of the Caribbean Territories had not had an opportunity to exercise their right to self-determination and independence, that the Declaration on the Granting of Independence was fully applicable to the Territories, and that the United Kingdom was responsible to the United Nations for complying with the Declaration and with other decisions on the Territories - in particular resolution 2252 (XXI), which it had completely ignored. The Committee's decisions should also reflect the right of the United Nations to supervise the situation in the Territories for the purpose of assisting their peoples to exercise the right to self-determination and independence.

736. In view of its far-reaching implications, the situation in the Caribbean Territories confronted the Special Committee with a most important task: to recommend to the General Assembly that colonial Powers carry out a series of preparatory measures to ensure that the people of the Territories under their administration had an opportunity to express freely and without hindrance their

wishes concerning their future. The measures must be such as effectively to frustrate all attempts by colonial Powers to use various forms of association, integration and so forth as a means either of annexing small Territories completely or of maintaining their former rule under a new label. Failing such measures in the Caribbean the United Kingdom would have no difficulty in securing a solution in its own interest. There could be no guarantee that other colonial Powers would not follow suit and apply their own versions of decolonization having nothing to do with the true interests of the peoples under their rule. It was no accident that the United States representative had praised the measures taken by the United Kingdom in the Caribbean Territories as a model for the solution of similar problems in the future.

737. The working out of the measures he had suggested would demand great efforts from the Special Committee, since the colonial Powers could be expected to put up stubborn resistance. But such measures were obviously essential. In his delegation's view, the key points were the following:

- (1) Assurance to the indigenous population of all democratic rights and freedoms.
- (2) Withdrawal of the metropolitan country's armed forces and the elimination of foreign military bases.
- (3) Abrogation of all agreements with dependent Territories which could directly or indirectly entail a limitation of their future sovereignty, or which aimed at ensuring special rights and privileges for metropolitan countries, their citizens and enterprises in the Territories.
- (4) Refraining from activities designed to violate the national unity and territorial integrity of a Territory.
- (5) Repeal of all laws, regulations and practices permitting racial discrimination in the political, economic and other spheres of life in colonial Territories.
- (6) Preparation and conduct by the United Nations of elections, on the basis of direct universal suffrage and in accordance with the principle of "one man, one vote", and the creation of representative authorities in the colonial Territories.

738. The representative of Bulgaria said that it was clear from recent developments in the six Caribbean Territories, and from the statements made by the representatives of the administering Power and the leader of the opposition party in Grenada, that the Territories had reached an important stage in their development. In view of the special obligations which the United Nations and the Special Committee had towards the Territories and their peoples under the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples, it was essential to ensure that the development of those Territories took place in conditions which were in conformity with the democratic principles of the Declaration, the aspirations and interests of the peoples concerned, and their right to self-determination.

739. While it had been stated that as the "West Indies Associated States" the Territories would become self-governing under a new status of association with the United Kingdom, he could not really believe that the new constitutional arrangements, including the provision that the peoples involved were free to change their status at any time, would in fact discharge the obligation which the administering Power had under Chapter XI of the Charter. The main conclusions and recommendations relating to the Territories which the Special Committee had formulated as early as 1964, to the effect that the provisions of the Declaration should be applied in the Territories in accordance with the freely expressed will of the population, remained valid and had been reaffirmed in General Assembly resolution 2232 (XXI). In his view, constitutional conferences were not the best way of ascertaining the wishes of the people with a view to implementing paragraphs 2 and 5 of the Declaration. The consultations envisaged in the Declaration should not be mere formalities but the first sovereign act of a people exercising their right to self-determination. It was for the people themselves to appoint representatives to draft a new constitution for their new, independent and sovereign State. Any solution to the problems of the small Territories must ensure the correct implementation of the Declaration's provisions regarding the right to self-determination. Moreover, it was the duty of the administering Power and of the Special Committee to recommend measures to ensure that the peoples concerned could fully and freely exercise that right.

740. It was clear that political, economic and social conditions in most colonial Territories, including the small Territories, hampered the exercise of the right

to self-determination. Furthermore, the increasing influence of foreign monopolies, which deprived the local population of the possibility of participating in economic life, as well as the existence of foreign military bases and the military arrangements of the colonial Powers, were serious obstacles to the implementation of the Declaration. He regretted that effective co-operation between the Special Committee and the administering Power regarding the six Caribbean Territories had not been possible and that the administering Power had not even agreed to allow a mission to visit the Territories.

741. In conclusion, he observed that the United Nations should not content itself with passively endorsing the decisions of the administering Power, but should, in the spirit of the Charter and of the Declaration, recommend measures that would enable the peoples of colonial Territories freely and fully to decide their future for themselves.

742. The representative of Chile said that his delegation recognized the special difficulties involved in the decolonization of small Territories. The small islands of the Caribbean, in view of their limited population, relative isolation and lack of economic resources, could hardly be viable as independent entities. It was for that reason that attempts had been made to establish federations in the area. In the modern world, where the trend was towards integration and the creation of larger economic units, "mini-States" were something of an anachronism. Colonialism, however, was also an anachronism and the problem of the economic viability of small Territories should not be used as a pretext to deny peoples the right to self-determination, in accordance with General Assembly resolution 1514 (XV).

743. It was possible that some of the alternatives to independence mentioned in resolution 1541 (XV) might have practical advantages for particular Territories and might appear desirable as transitional arrangements preceding complete independence; however, according to principle VII in the annex to resolution 1541 (XV), free association with another State should be the result of a free and voluntary choice by the peoples of the Territory concerned, expressed through informed and democratic processes, and the people of the Territory should retain the freedom to modify the Territory's status through the expression of their will

by democratic means and through constitutional processes. In the case of the islands under consideration, he regretted that the association agreements with the United Kingdom had not been based on a referendum in which the peoples of the islands had specifically chosen association with the former administering Power in preference to independence or integration. If that procedure had been followed, the people would have exercised their right to self-determination, as in the case of the Cook Islands.

744. He did not doubt the statements of the United Kingdom delegation that the Government and opposition representatives in the various islands had consented to association with the United Kingdom, nor that the arrangement might be materially advantageous to the islands. However, consultation of the people might have led to the same result as that achieved by consulting political leaders and would have been more in accordance with the principle of self-determination. The importance of a United Nations presence before and during such a referendum had also been stressed by the Special Committee and the General Assembly. Reconciliation of those principles with the political reality of the association agreements presented a particularly delicate problem and his delegation would wish to give careful study to any draft resolution or consensus on the subject before taking a final position.

745. The representative of Italy said that in its consideration of the present item the Committee was breaking new ground. In the case of the Territories which it had considered in the past, the Committee's task had been theoretically rather simple, even though it had sometimes been complicated by lack of co-operation on the part of the administering Power. In each case, the two main parties to the problem had been the United Nations on the one hand and the administering Power on the other, and the people of the Territory had been left somewhat in the background. The six Territories under discussion, however, had been discussing their future over a long period and had made much progress towards self-government. There existed territorial Governments, established through democratic procedures on the basis of general elections, and there was no reason to believe that the legislative assemblies of the Territories did not represent the will of the peoples. The new status of association with the United Kingdom had been freely negotiated with the representatives of the Territories and approved by them. The legislative assembly of each Territory had accepted the

proposals unanimously, and, in the case of four Territories, the decisions had been further endorsed in recent elections. That was the background against which the situation must be considered.

746. His delegation might have wished that all the Non-Self-Governing Territories in the area had joined together in a federation, that a referendum had been held in each Territory before the introduction of the new arrangements, that the procedures laid down for subsequent modification of the Territories' constitutional status had been different, and that all the Territories had been economically independent and had not had to rely on financial assistance from the United Kingdom. But the point was not whether the situation was ideal. The Committee's responsibility was to establish beyond reasonable doubt that the new arrangements had been freely accepted by the people of the Territories through their elected representatives and had not been imposed upon them. He believed that that was the case. None of the petitions addressed to the Committee indicated any real opposition to the association arrangements. The case presented by the petitioner from Grenada did not indicate that the majority of the people of Grenada were opposed to the arrangements. In the case of Anguilla, there appeared to be some opposition to union with St. Kitts and Nevis; he hoped that the documents circulated at the present meeting would shed some light on that matter.

747. In conclusion, he said that while sharing some of the misgivings voiced by his colleagues, he felt that the constitutional arrangements agreed upon were along the lines set forth in the past by the Committee with regard to small Territories - it being understood that the populations concerned were free to change their constitutional status in the future as they desired. He wished to emphasize that his delegation considered that the best solution for the Territories in the area lay in some form of federation or association among themselves, and he hoped that some such arrangement would come into being in the near future.

748. The representative of Afghanistan said that the statements of the United Kingdom representative had shed light on some aspects of the question which had previously not been clear to his delegation. However, there were still points which remained somewhat obscure. His delegation was uncertain, for example, as to the effectiveness of the methods by which the population of the Territories had been

consulted concerning the proposed new status for their homelands. Had the administering Power taken adequate measures to ensure that the wishes of the peoples of the Territories were respected? Could the Committee be sure that the peoples of the Territories had fully exercised their right to self-determination? Had the question of the economic viability of the new States been sufficiently taken into account? To what extent would it be possible for the new States to receive assistance from the United Kingdom if they subsequently chose complete independence? Could it be assumed that, before the adoption of the new arrangements, all avenues had been explored by the administering Power, in co-operation with all parties concerned, to find ways of bringing about a new union among the Territories and establishing a single economically and administratively viable State? In his view, those questions could have been answered and the Committee would have been in a better position to take a decision if a United Nations visiting mission had been sent to the Territories to ascertain the facts. The problem before the Committee was a colonial problem, and it was essential that the provisions of General Assembly resolution 1514 (XV) should be carefully applied. The administering Power was solely responsible for the unconditional implementation of the relevant United Nations resolutions and for guaranteeing the progress of the Territories towards genuine independence.

749. The representative of Syria said that, although the statement by the United Kingdom representative had shed some light on the background to the situation in the Caribbean islands under discussion, the Committee still felt that the arrangements made fell short of meeting the requirements of the Declaration on the Granting of Independence to Colonial Countries and Peoples. Were the islands' resources subject to the foreign exploitation mentioned in paragraph 1 of the Declaration? Who controlled the agriculture and the various industries in the Territories? With reference to paragraph 2 of the Declaration, how had the new status of "association" with the administering Power been agreed upon? The Committee had been told that the political parties and the elected representatives of the people had concurred, but to what extent were they representative and what had their mandates been when they were elected? What did the masses of the people feel about the new status? Those questions remained

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unanswered. One thing that was certain was that the elections in question had not taken place under United Nations supervision.

750. Contrary to paragraph 3 of the Declaration, economic and political difficulties were being invoked as a pretext for delaying the independence of the Territories. Special stress was being placed by the administering Power on the fact that the Territories were not economically viable. Yet the administering Power claimed to have fulfilled its obligations under Chapter XI of the Charter. How could it be explained that throughout the years of colonial rule nothing had been done to develop the resources of the Territories? The tripartite survey which had been carried out and the approach which had now, belatedly, been made to the United Nations Development Fund seemed tantamount to a confession that the Territories had been neglected in the past.

751. In view of those cardinal questions, his delegation found itself unable to assess the intentions of the administering Power and the measures which it was taking. Their ultimate effects were hard to predict, and the expectation that they would ameliorate the plight of the inhabitants was highly dubious.

752. The representative of Mali said that the Committee should give serious consideration to the measures it was entitled to propose regarding the full and proper application of the historic Declaration on the Granting of Independence to Colonial Countries and Peoples in the six Caribbean Territories. The wind of change which had blown through the world after the Second World War had shaken the foundations of the colonial empires set up against the will of the peoples of the "third world". The successes achieved in recent years in the struggle for self-determination and independence had given confidence to the peoples of the small territories, and the new developments in the six Caribbean Territories were but a logical development of that courageous struggle.

753. On 27 February, Antigua and St. Kitts-Nevis-Anguilla had become States in association with the United Kingdom, and the other Caribbean Territories would assume the same status within a few days. Such developments certainly represented a step forward and the Committee should thank the United Kingdom for having made some concessions. According to the United Kingdom representative, the associated status offered to the six Territories, together with substantial economic assistance, would bring progress to the islanders. But he himself failed to

understand why they had never been consulted. Admittedly, the Governments of the Territories and the leaders of the various opposition parties had participated in the Constitutional Conference; but that should not necessarily exclude popular consultations on the future of the associated States, particularly since the United Kingdom had stated that a two-thirds majority in a referendum would be required for any State to withdraw from the association. He therefore could not agree with the United Kingdom representative that the Territories would be completely autonomous in their internal affairs and that the United Kingdom Government had fully discharged its obligations under Chapter XI of the Charter. The Charter imposed precise obligations upon administering Powers with respect to the peoples of Non-Self-Governing Territories. Moreover, the administering Power was not applying the principle enunciated in paragraph 2 of the Declaration, namely that all peoples had the right to self-determination and that by virtue of that right they freely determined their political status and freely pursued their economic, social and cultural development.

754. His delegation continued to think that, while some progress had been achieved, the six Territories still remained colonies, and it believed that the Special Committee would share that opinion by continuing to examine the situation in those Territories in the light of Chapter XI of the Charter. It hoped that the United Kingdom would soon fully discharge its obligations to the peoples of the Territories by enabling them freely to express their views according to their own aspirations.

755. The representative of the United Kingdom said that many members of the Committee had asked why the United Kingdom Government had not held referenda, or other means of direct consultation, to ascertain the wishes of the people of the six Territories regarding association with the United Kingdom. In reply, he pointed out, first, that his delegation had already described the exhaustive consultations which had taken place with the elected representatives of all political parties in the Territories - representatives who had been elected by universal suffrage. A referendum was not the only possible method of consultation and, moreover, it was not necessarily the best in all circumstances, since it was difficult to offer a simple "yes - no" alternative to peoples when detailed and complicated proposals were involved. Consultations had therefore been carried

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out with the people through their elected representatives and the results had been confirmed unanimously by the legislatures in each of the islands, and, in four out of six of the Territories, by recent general elections.

756. Secondly, a referendum implied a choice between two alternatives; however, the option to become independent was inherent in the proposals for association. None of the peoples of the Territories desired immediate independence, although they were free to become independent whenever they wished under the new arrangements. Therefore, the only possible alternative to association would have been continued colonial status - something which the United Kingdom Government itself had made clear it was not prepared to offer to the peoples of the Territories.

757. Thirdly, the new association arrangements were essentially a form of free and democratic choice which was permanently available. Under the new status the peoples of the Territories were to assume full control over their own destinies. It was surely not being suggested that formal popular consultations had to be held with colonial peoples before they were granted self-government; the Special Committee had never called for a popular referendum on the granting of independence to a colonial Territory. There was therefore no reason to demand a referendum before granting a new status which included full freedom to choose independence at any time and, moreover, gave the peoples concerned a wider area of choice for the future than full independence itself.

758. The representative of the United Republic of Tanzania said that the United Kingdom representative had again made it clear that the peoples concerned had not been offered a choice. He himself had pointed out that the United Kingdom Government had not fulfilled its obligations under the Charter and under the Declaration. Moreover, the situation in Grenada was becoming more and more serious, and an appeal had been made to the Committee to take urgent action because, according to the Leader of the Opposition in Grenada, the situation was volcanic.

759. The representative of the United Kingdom stressed that he had not said that the peoples of the six Territories had been offered no choice - rather the reverse. Under the new arrangements, the peoples involved had complete freedom to decide upon their own future. With regard to Grenada, he pointed out that no political party in that Territory was opposed to the new association arrangements.

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760. The representative of Sierra Leone said that his delegation constantly bore in mind the principle that the people of any Territory under colonial domination had an inalienable right to self-determination and independence. While his delegation recognized that the administering Power had made efforts to achieve that goal in the six Caribbean Territories, it had been disturbed by the United Kingdom representative's emphatic statement that upon the attainment of statehood under the present arrangements the Territories would have attained a full measure of independence. His delegation had the impression that the administering Power was not prepared to go all the way, and he could therefore not agree that the Territories would be attaining a full measure of independence, in accordance with the Charter and with General Assembly resolution 1514 (XV).

761. The spirit of the Charter required complete sovereignty for all peoples under colonial domination; under the present arrangements, that did not seem to be the case with the six Caribbean Territories. If that was so, it was the sacred duty of the Special Committee not only to press for the complete independence of the six Territories but also to seek suitable means for the immediate and full implementation of the Declaration contained in General Assembly resolution 1514 (XV) in those Territories.

762. It might be well for the Special Committee to await the reports of its Sub-Committees on small Territories, so that the broad question of the future status of such Territories could be given more serious consideration than hitherto. In view of the current situation, such a procedure should not seriously affect the interests of the six Caribbean Territories.

763. The representative of Yugoslavia said that his delegation had always felt that the United Nations bore a special responsibility towards the small Territories. The General Assembly did not distinguish between the fundamental rights of peoples to freedom and independence in small territories and large territories; the principles embodied in General Assembly resolution 1514 (XV) were applicable to all Non-Self-Governing Territories, irrespective of size, population and circumstances. While it was true that the peoples of the small Territories were encountering difficulties in their struggle for independence, they had an inalienable right to express themselves freely regarding their rights under that resolution and the United Nations should assist them to do so. However, in the

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six Caribbean Territories the United Nations had not been able to fulfil all its obligations and it was regrettable that it had not been possible to send visiting missions there.

764. The six Territories were soon to change their status, although the people as a whole had not been consulted. No one could have questioned the new arrangements had the people of the Territories been given an opportunity, under United Nations supervision, to express their views. His delegation could therefore not support the new arrangements since it was not convinced that they reflected the wishes of the peoples concerned; the fact that there had been no opposition on the part of political parties was no substitute for the free expression of the wishes of the people.

765. He, too, thought that the administering Power had failed to fulfil its obligations to the peoples of the six Territories. Although the new arrangements did represent some degree of progress, the United Kingdom continued to have an obligation to the peoples of the Territories and to the United Nations.

766. The representative of Tunisia said that, in replying to questions put by members of the Committee, the United Kingdom representative had confined himself to providing information - something which was hardly adequate in the circumstances. Admittedly, much could be said about the meaning of the obligations of the administering Power towards the Territories, the difference between the nature of Security Council resolutions and General Assembly resolutions, and about the relative merits of the various forms of popular consultation. However, the fact remained that many problems could have been prevented if the United Nations had been more closely involved in the process of decolonization of the six Territories, as it had been, for example, in the case of the association arrangements between New Zealand and the Cook Islands.

767. Certainly, the problems of the six Territories were very complex, and statehood in association with the United Kingdom might well be the best solution. The Leader of the Opposition in Grenada had not questioned the principle of association as such. However, as the Soviet Union representative had so rightly pointed out, the methods used by the United Kingdom to implement the arrangements might set a precedent for the decolonization of other dependent Territories and mean that administering Powers would refuse to co-operate with the United Nations.

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The Special Committee would be failing in its duty if it endorsed the methods used by the United Kingdom. He therefore considered that the administering Power had not fully fulfilled its obligations towards the Territories, particularly since the United Nations had not been involved in the preparation of the new arrangements. It was to be hoped, however, that the new constitutional arrangements would not stand in the way of a popular consultation to determine the wishes of the peoples concerned.

768. The representative of the United States of America said that her delegation continued to believe that the formation of the West Indies Associated States represented a realistic and effective solution to the problems of the six small Caribbean Territories; indeed, few members of the Committee had presented evidence to the contrary. Nevertheless, it was important to ensure that the proposed arrangements reflected the desires of the people involved. The association arrangements had been drawn up after painstaking consultation with the elected representatives of the Territories, but without referenda as such. In four of the six Territories, elections had been held in the context of the association proposals. In the light of the debate in the Committee, and the helpful evidence presented by Mr. Caesar, there seemed to be no reason to question the United Kingdom assertion that the association arrangements were in accord with the present desires of the peoples concerned. Moreover, no critical reaction had been heard from five of the six Territories which had had an opportunity to express themselves through the communications media and through their political organizations and Mr. Caesar's criticisms regarding Greanda had concerned matters of procedure rather than the association proposals as such.

769. Her delegation was satisfied that the elected representatives of the people of the Territories had been given ample opportunity to express their preference for alternative arrangements. Although Mr. Caesar had stated that the Government conducting negotiations for Grenada had had a mandate to arrange for unitary statehood with Trinidad and Tobago, she herself was not clear about the exact nature of that mandate and the extent to which it should be considered binding. In any case, it did not seem that union with Trinidad and Tobago would now be favoured over the association arrangements in Grenada, and, moreover, the people would now be in a position to decide their future for themselves. The alternatives

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which the people of the six Territories could consider included those spelled out in General Assembly resolution 1541 (XV), a resolution which was particularly applicable to small Territories.

770. If the Committee was to give further consideration to the question of the six Territories, she would support the view that the question should be referred to Sub-Committee III.

771. The representative of Poland said that the problems of the six Caribbean Territories did not seem to have been solved in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. The primary objective of the Special Committee was to ensure the full implementation of the principles of that Declaration, and he agreed that the Committee should give serious consideration to the future status of the small Territories in question. It was quite obvious that politically the six Caribbean Territories were still far from self-government and independence. Two cardinal attributes of sovereignty, namely foreign relations and defence, had been reserved to the United Kingdom. Therefore, the Territories could not be said to have attained a full measure of self-determination and independence in accordance with the Charter and the principles of the Declaration.

772. Another point raised during the discussion had been the course of action taken by the United Kingdom to implement the association proposals. Free association as the term was understood by the Polish delegation meant that the peoples of the Territories concerned should take a decision directly through the process of a referendum conducted in an atmosphere of complete freedom and with full knowledge of the various possibilities open to them. That was particularly important since association could lead to serious restrictions of the sovereign rights of the people of the associated Territory. The new arrangements had been devised at constitutional conferences attended by representatives of the United Kingdom Government and of the Governments and political parties of the Territories; however, the legal mandate of the representatives of the Territories was still open to question. Despite those shortcomings, the representatives of the Territories had relinquished a considerable part of the sovereignty of the Territories with regard to defence and external affairs.

773. Admittedly, it might be argued that lack of resistance in the Territories concerned to the new arrangements could be construed as consent. However, as the representative of Uruguay had pointed out, there must be a demonstration of the peoples' will in favour, rather than a mere absence of opposition. The Committee should therefore not endorse the proposed arrangements but should recommend measures to enable the peoples of the six Territories freely to decide upon their future.

774. The representative of Australia said that the fundamental question before the Committee was whether the six Caribbean Territories had attained a full measure of self-government in accordance with the Charter. Principle VII, contained in General Assembly resolution 1541 (XV), set out the requirements which should govern association between an administering Power and a Non-Self-Governing Territory.

775. He had no doubt that the first requirement, namely that free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed through informed and democratic processes, had been fulfilled. No one could contend that the decision to be associated with the United Kingdom had not been voluntary; it had been made by a majority of the freely elected legislatures of the Territories, i.e., a majority of those bodies representing the opinion of the people, which in his view constituted "informed and democratic processes". While it might be argued that a clearer choice should have been given between independence, integration and association, it was a fact that the peoples of the Territories had not wished to seek independence and that all attempts to obtain integration through federation had been unsuccessful. Thus the only alternative to voluntary association would have been continuation of colonial status.

776. Principle VII also required that Territories in association should be free to modify the status of the Territory through the expression of their will by democratic means and through constitutional processes. That requirement was fulfilled by the constitutional provisions enabling each of the Territories to have its independence, subject to a two-thirds majority. Admittedly, as had been pointed out by the representative of Uruguay, that might mean that a minority could prevail over the wishes of the majority; however, no constitutional instrument was perfect and, moreover, such a situation was unlikely. In addition,

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a two-thirds provision for alteration of the Constitution could hardly be considered harmful to democratic constitutional processes since it was included in the constitutions of many independent States to prevent precipitate and irrevocable action on important questions. The General Assembly, too, required a similar two-thirds majority for important questions.

777. The other requirements expressed in Principle VII, namely that the associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes of the people, had also been met by the administering Power. His delegation was therefore convinced that the association arrangements for the six Territories constituted a genuine act of self-determination.

778. The problems of the small Territories were so profound and complex that the Committee should be as flexible as possible in its approach and be cautious about introducing new and more stringent requirements which might delay or even halt the process of decolonization. It should, in particular, avoid laying down arbitrary preconditions which might prejudice the wishes of the people. The representative of Chile had drawn attention to the efforts made to establish a federation in the Caribbean in which the chances of economic viability and continued prosperity for the Territories might have been greater. However, although the United Kingdom's attempts to bring the Territories into federation had failed, the possibility of federation still remained open; moreover, there was nothing to suggest that the administering Power had attempted to prevent the formation of such a federation. Petitioners from Grenada had continually spoken about their wish to associate with Trinidad and Tobago; so far, however, the people of Trinidad and Tobago had not given their approval, although it was quite possible that they would do so at some future date. Since federation had proved impossible, the United Kingdom appeared to have done the next best thing: in entering into an association with each of the Territories it would continue to provide economic and other assistance and would also assume many of the

international responsibilities of the Territories in accordance with the wishes of their Governments. It seemed, therefore, that the United Kingdom had done as much as it possibly could in what were difficult circumstances.

779. The representative of the United Kingdom said that he would now reply to the questions raised in the course of the debate on the Eastern Caribbean islands.

780. The representative of Iraq had asked whether any share of the aid received by the Territories came from sources other than the United Kingdom, and how much of the aid at present provided by the United Kingdom Government was devoted to the support of officials from outside the Territories. Some aid had been given in recent years by the United Nations and the Government of Canada as well as by the United Kingdom Government; in addition, the Territories had benefited directly from a number of schemes begun during the period of The West Indies Federation, financed by the United States Government and recently completed. Only 1.6 per cent of all United Kingdom aid given in 1966 represented payments of any kind to British or other non-indigenous officials. The representative of Iraq had further suggested that the amount of United Kingdom development aid for the current three-year period (1965 to 1968) of \$13 million might be inconsistent with the figures for total United Kingdom aid to the Territories for the individual financial years 1965/66 and 1966/67; however, the latter figures represented the total amount of aid in the form of capital assistance, both grants and loans, budgetary help and technical assistance - whereas the figure of \$13 million represented only development aid in the form of grants under the Colonial Development and Welfare Acts. There was thus no inconsistency.

781. The representative of Iraq had inquired about the position of the Territories with regard to association with non-Commonwealth countries in the Caribbean, or indeed generally with countries outside the Caribbean. Under the new arrangements the associated States would be entirely free to devise unions or associations with any other sovereign State, provided the necessary constitutional requirements were fulfilled. The only difference was one of procedure: the requirement for

approval by a two-thirds majority in a referendum would not arise if the proposal concerned a Commonwealth country or a territory in the Caribbean.

782. The Venezuelan representative had drawn attention to the delegation of executive authority by the United Kingdom Government (see para. 137 above), which would authorize the associated States to negotiate certain agreements with any member of the Commonwealth or the United States of America, but which confined that authority to such countries; he had suggested that that might restrict the dealings of the associated States with their Spanish-speaking neighbours. But it was also stated in the document that "the British Government will give sympathetic consideration to any request by the Government of the Territory for authority to take action on individual questions of external relations not covered by this despatch". An extension of the existing authority to cover agreements with Governments other than those at present specified was thus not necessarily precluded.

783. A number of representatives, notably those of Uruguay and Syria, had criticized the requirements incorporated in the Constitutions of the associated States for two-thirds majorities in order to effect major constitutional changes. It had been suggested that simple majorities would be sufficient. But in many parts of the world the two-thirds majority requirement was a generally accepted safeguard against hasty, arbitrary or ill-considered constitutional change. Indeed, far from the principle of a simple majority being universally accepted for the purpose of determining major constitutional change, a requirement for a substantially larger majority - whether two-thirds, or, in some cases, three-fourths - was enshrined in the constitutions of many of the countries represented on the Special Committee. Article 18 of the United Nations Charter contained a very similar provision. One reason why the framers of those constitutions had decided against a simple majority was clearly a desire to protect the basic freedoms and human rights enshrined in those documents. He appreciated the Uruguayan representative's concern at the possibility that a minority might be able to block major changes, but that was a risk which many other sovereign

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countries had taken in defence of basic human freedoms. While the associated States would not be completely independent, they would have full authority - unlike United Kingdom colonial territories - to amend their own constitutions and to change their own status. It was for that reason that the safeguards had been thought necessary. Furthermore, the two-thirds majority requirement had been accepted without reservation by all the West Indian delegations at the Constitutional Conferences, and had been subsequently endorsed by the six elected legislatures.

784. The representative of Iran had asked whether and when the Territories would have an act of self-determination. The answer was that in the elaboration of the new arrangements there had been not one single act of self-determination but rather continuous exercises of self-determination on several levels: at the level of the general populations, self-determination through the democratic processes of elections and all the other channels of political activity available in a democracy; self-determination through decisions of the elected legislatures, each of which had approved the new arrangements; and self-determination exercised by the elected parties and Governments of the Territories in their conferences and other consultations with the United Kingdom Government. Moreover, self-determination would not cease when the new arrangements came into effect, since they provided a permanent machinery for its continuing exercise.

785. The petitioner from Grenada had been asked whether the Grenada Government had received a mandate from the electorate for association with the United Kingdom. His delegation had two comments. First, in four out of the six Territories general elections had been held in the context of proposals for full self-government and association with the United Kingdom; in each case, the result had been an overwhelming endorsement of the proposals. In the remaining two Territories, one of which was Grenada, there had been no recent elections but the political parties - Government and Opposition - had participated in drawing up the new association arrangements and had fully accepted them; their leaders had signed the Conference reports and the legislatures had voted unanimously for

the formal resolutions endorsing them. The question of a mandate through a general election had not therefore arisen in those two Territories, since there was no dispute between the parties on that issue.

786. Secondly, under British constitutional forms a Government was elected by the people to govern according to its own best judgement; it was not tied down to a specific mandate, and its accountability lay in the power of the electorate to reject it at the next elections if it used its powers in an unacceptable way. Popular opinion on great issues of political importance naturally influenced Governments in many ways, not only at election time but also between elections, through all the media of communication, through the party organizations and through all the other institutions of representative democracy. It certainly could not be argued, just because in two Territories there had been no elections after the formulation of the association proposals, that there was therefore no evidence of popular acceptance of those arrangements. On the contrary, the evidence was overwhelming. There had been ample time and opportunity for any opposition to the proposals to make itself felt; nothing of the sort had occurred in any of the Territories. The people had expressed, freely and without pressure of any kind, through their own elected representatives of all parties, their willing approval of the new status.

787. The representative of Sierra Leone had suggested that the six Caribbean Territories were not achieving full independence within the meaning of resolution 1514 (XV). But it was necessary to look into the basic United Nations texts. First of all, there was Chapter XI of the Charter, which defined a dependent Territory or colony as one whose people had "not yet attained a full measure of self-government": the touchstone of decolonization was, therefore, "a full measure of self-government". Secondly, there was resolution 1541 (XV), which laid down the principles to be used in determining whether there was an obligation to transmit information under Article 73 e of the Charter - which was

no mere technical matter, because if there was no such obligation, then the Territory concerned was not a Non-Self-Governing Territory under Chapter XI of the Charter. Resolution 1541 (XV) expressed the view that full self-government could be achieved by sovereign independence, free association or integration with an independent State; principle VII of the resolution described the characteristics of free association, and the new arrangements in the Caribbean Territories were fully consistent with those characteristics. Finally, there was resolution 1514 (XV), which was very familiar to all members of the Special Committee. As the representative of Uruguay had demonstrated, resolutions 1514 (XV) and 1541 (XV), adopted within hours of one another, must be interpreted so as to avoid inconsistencies between the two. Resolution 1541 (XV) laid down some of the alternative methods of decolonization in addition to full sovereign independence; paragraph 5 of resolution 1514 (XV) called for immediate steps for the transfer of all powers to the peoples of colonial Territories "in accordance with their freely expressed will and desire". That paragraph could have only one meaning: all powers must be offered to the people and those which they wished to assume and exercise for themselves directly must be transferred to them. In cases where they freely decided to request some other authority to exercise certain limited powers on their behalf, that fundamental recommendation in resolution 1514 (XV) was nevertheless satisfied, especially if, as in the present case, they had the opportunity to assume full powers themselves.

788. In its statement on 21 February (see para. 677 above) his delegation had sought to establish three points. First, that under the new arrangements the six Territories would have full self-government; second, that their association with the United Kingdom was completely voluntary and could be terminated by either side at any time by what was described in principle VII of resolution 1514 (XV) as "democratic means and through constitutional processes". Third, the new status of the Territories had been worked out in a process of prolonged and comprehensive consultation with the peoples and had been freely accepted by them, again through democratic means and due constitutional processes. He believed that his delegation had produced overwhelming evidence to bear out those three points.

789. The representative of Syria noted that the representatives of the United States of America, Australia and the United Kingdom had spoken of the status of association as though it were full association such as that referred to in resolution 1541 (XV). Yet the administering Power itself spoke, in other respects, of a lesser degree of association in which the six islands would leave their defence and foreign affairs in the care of the administering Power. Was that a true association, and would the islands be represented in the United Kingdom Parliament? Or would the United Kingdom Parliament legislate for them, at least in the fields of defence and foreign affairs, without their consent?

790. The next point to which he took exception was one made tacitly by the representative of Italy, and openly by the representative of Australia: that the islands were strictly limited to a choice between maintenance of the colonial status and association. He asked those representatives why the Islands should not be given a choice of association, federation or independence, as they wished.

791. The more his delegation heard about the so-called constitutional arrangements, the more confused it felt. It continued to have strong misgivings.

792. The representative of Italy said that he had spoken of a possible opposition between the ideas of association and federation only in connexion with the petitioner's statement that he would have preferred federation with Trinidad and Tobago. But Trinidad and Tobago was an independent and sovereign country, and unless there was a positive will on the part of that country to form a federation with Grenada, that alternative could not be submitted to the people of Grenada in a referendum. It followed that, even if the United Kingdom Government and the Government of Grenada could be persuaded to postpone the entry into force of the present arrangements, the only choice that could be presented in a referendum would be between association and simple colonial status.

793. The representative of the United Kingdom said that if the Syrian representative studied the text of his delegation's statement he had just made he would find that the association arrangements were indeed fully consistent with resolution 1541 (XV). Secondly, the detailed mechanics for the exercise of the United Kingdom's ultimate responsibilities for defence and external affairs were set out fully in his earlier statements and in the documents provided; those

responsibilities would be undertaken always after full consultation, and with the maximum delegation of responsibility. The Syrian representative had asked why the people had not been offered the choice of independence; but such choice was an intrinsic element in the new status and was permanently open to each of the Territories.

794. The representative of Australia said that he would not attempt to answer the representative of Syria, but would simply refer him to the verbatim record of his statement.

795. The representative of Sierra Leone said that one of the points he had emphasized in his statement at the previous meeting was that the Territories would not achieve full sovereign independence under the new arrangements. He noted that the United Kingdom representative had himself admitted as much in the course of his statement at the present meeting.

796. The representative of Uruguay said that the debate had touched on a great many questions, including the validity of General Assembly resolution 1514 (XV) and 1541 (XV). In that connexion, he quoted from a statement he had made in the Security Council at its 1287th meeting, on the occasion of Guyana's admission to the United Nations (S/PV.1287, pp. 22-26). In that statement, he had drawn attention to the changes brought about by the General Assembly through the adoption of resolution 1514 (XV), and had referred to the booklet Las Naciones Unidas y la Descolonización by former Ambassador Velazquez, in which it was pointed out that, even if it might be argued that resolution 1514 (XV) went beyond the letter of the United Nations Charter, it was in keeping with its spirit.

797. Resolution 1514 (XV) undoubtedly had its roots in the provisions of Chapters XI and XII of the Charter. According to Article 73, Members of the United Nations having responsibilities for the administration of Non-Self-Governing Territories accepted the obligation, inter alia, to develop self-government, to take due account of the political aspirations of the peoples of the Territories, 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. According to Article 76, the objectives of the Trusteeship System included that of promoting the political, economic, social and educational advancement of the inhabitants and their

progressive development toward self-government or independence. Resolution 1514 (XV) also reflected the provision in Article 55 (c) of the Charter concerning the promotion of universal respect for human rights and fundamental freedoms for all without distinction as to race, colour, sex, language or religion, and the reference in Article 1 (2) to the principle of self-determination of peoples. Resolution 1514 (XV) thus had its legal and political basis in the text and the spirit of the Charter.

798. In that connexion, it was argued in Las Naciones Unidas y la Descolonización that one of the distinctive features of resolution 1514 (XV) was its stress on the need for the act of self-determination to take place in complete freedom, without any prior conditions, so that the popular will could be authentically expressed beyond all shadow of doubt. It was further suggested that the resolution seemed to open the door to United Nations supervision over the procedures of popular consultation - and not only in the case of integration with an independent State, as provided by resolution 1541 (XV). He himself, in Sub-Committee III, had firmly maintained that there was no incompatibility between resolutions 1514 (XV) and 1541 (XV). He referred members to document A/AC.109/SC.4/SR.52, page 8, in which he was recorded as arguing that the concept of self-government, in the case of small Territories, could take any of the forms defined in General Assembly resolution 1541 (XV), and that the procedure proposed in the case of the United States Virgin Islands was consistent with resolution 1541 (XV), which the Sub-Committee had a duty to interpret in conjunction with resolution 1514 (XV) in the case of Territories to which both resolutions were applicable. In the case of small Territories which would not be economically viable as independent States, complete independence would have no real meaning. Different arrangements were therefore required to allow them to emerge from colonial status.

799. In speaking of self-determination, resolution 1514 (XV) implied the holding of a referendum. The United Kingdom representative had argued that elections could be just as valid an act of self-determination as a referendum. Neither the Charter nor resolution 1514 (XV) stated how self-determination was to be exercised, but the latter text did specify that the freely expressed will and desire of the people must be respected. The question of the procedure followed

might be of secondary importance if one could be sure that the people's elected representatives had had a clear mandate to consent to the association of the Territories with the administering Power under the conditions laid down in the agreements. The ideal course was clearly a referendum held under United Nations supervision. As he had argued in his previous statement, it was not enough to say that no opposition had been expressed to the proposed arrangements; there must be a positive desire in favour. The United Kingdom representative seemed to agree with that view, since he had referred to the elections which had taken place. The difficulty for the Committee was that, as a result of electoral acts which the United Nations had not had an opportunity to supervise, it was faced with a *fait accompli*. What attitude was the Committee to take? As a lawyer, he was in favour of strictly juridical solutions. However, he realized that international law was in a state of development and was not clearly defined; moreover, there were no sanctions by which it could be enforced. Since the Committee was not a law court, what was it to do if resolution 1514 (XV) had in fact been ignored by the United Kingdom? In that regard, he referred members to another statement which he had made in the Security Council (S/PV.1274, p. 12). He had drawn attention in that statement to the dangers of legal dogmatism and had urged that, without compromising principles, peace should be sought through understanding, goodwill and negotiation. That applied also in the task of decolonization. In the same statement he had referred to a comment by de Visser, a former judge of the International Court of Justice, who had pointed to the danger of trying to make international law an absolutely autonomous system and of closing one's eyes to political and social factors.

800. The difficulty was that, now that the *fait accompli* had occurred, the United Kingdom could not take into account any decision the Committee might take. In substance, the actual solution which had been adopted might be acceptable to the majority of the members of the Committee, and in keeping with the position taken on the question of small Territories by Sub-Committee III, the Fourth Committee and the General Assembly itself. With regard to the procedure which had been followed, however, there had been no United Nations supervision to ensure that the wishes of the people concerning their status had been freely expressed. Should the Committee, in those circumstances, take a decision which would be tantamount

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to a declaration of war against the United Kingdom? He did not think so. Although it could be said that the procedure followed had not been in conformity with resolution 1514 (XV), he felt that a solution could be sought in consultation with the new Governments of the Territories to which powers had been transferred by the United Kingdom. The political leaders of the islands, whether they belonged to the Government or opposition parties, could be invited to a conference and agreement might be reached on the holding of a referendum so that the act of decolonization could be brought into line with the norms established by the United Nations. The matter could be referred to Sub-Committee III, which would report back to the Special Committee. In that way a realistic and sensible solution could be found to the problem facing the Committee.

IV. PRELIMINARY ACTION TAKEN BY THE SPECIAL COMMITTEE

801. At the 495th meeting on 3 March 1967, of the Special Committee, the representative of Sierra Leone introduced a draft resolution (A/AC.109/L.378) on the six Territories sponsored by Afghanistan, Iraq, Mali, Sierra Leone, Syria, United Republic of Tanzania and Yugoslavia.

802. The operative part of the draft resolution read as follows:

"1. Deeply regrets the failure of the administering Power to implement the relevant General Assembly resolutions, and in particular resolution 1514 (XV);

"2. Reaffirms that General Assembly resolution 1514 (XV) continues to apply to these Territories and calls upon the administering Power to expedite the decolonization of these Territories in conformity with the Declaration contained therein;

"3. Requests its Sub-Committee III to examine the situation in these Territories in all its aspects including the possibility of sending a visiting mission and to report to the Special Committee at an early date."

803. The representative of Sierra Leone said that the draft resolution incorporated certain broad principles which seemed to have emerged from the discussion. He did not think that there would be any disagreement with the contents of the four preambular paragraphs. Operative paragraph 1, regretting the failure of the administering Power to implement the relevant General Assembly resolutions, particularly resolution 1514 (XV), reflected a position taken by a substantial number of representatives in the debate. The administering Power itself had confined itself to claiming that the Territories had achieved a "full measure of self-government" but that was not the same as independence, even though the United Kingdom delegation had laid much stress on the new status of the Territories. As had been observed in the debate, it was not in the interest of the United Nations to interpret the Charter narrowly, and the spirit of the Charter and of the United Nations resolutions should always be taken into account.

804. Operative paragraph 2 re-emphasized that General Assembly resolution 1514 (XV) continued to apply to the Territories, and called on the administering Power to expedite their decolonization. Although it could be conceded that a change had taken place in the status of the islands, questions had been raised in the Committee concerning the validity of the change, in view of the method of consultation which

had been used and the fact that there had been no guarantee of freedom of choice, a guarantee such as only the United Nations could provide.

805. Operative paragraph 3 asked Sub-Committee III to examine the situation in the Territories and to consider the possibility of sending a visiting mission. Sub-Committee III, which had already studied the case of the Caribbean islands, would be empowered to make recommendations on such questions as how the people of the islands could exercise self-determination, how their economic viability could be ensured, and how the United Nations could help them to move towards independence at an early date.

806. The representative of Syria said that the representative of Sierra Leone had ably demonstrated the need for the adoption of a resolution on the Territories under discussion. The arrangements introduced by the administering Power clearly fell far short of the goals of resolution 1514 (XV). That fact particularly needed to be stressed in the light of the United Kingdom's surprising claim that it had fulfilled its obligations under Article 73 e of the Charter. The draft resolution should help to close the gap between the goals set forth in that Article and the actual state of affairs in the islands.

807. The representative of the United Kingdom said that his delegation would require further time to study the draft resolution; however, on first reading, the text seemed highly controversial. While asking Sub-Committee III to examine the situation further, it seemed to prejudge many of the main points which Sub-Committee III would have to consider. His delegation emphatically repudiated the suggestion that the six Territories under discussion had not been decolonized. His statement at the previous meeting on the question of resolution 1514 (XV) had not been taken into account, nor did the draft seem to contain any reference to the United Kingdom fulfilment of its Charter obligations in respect of Non-Self-Governing Territories. He would suggest that no vote should be taken on the draft resolution at the present stage, and that it should be referred to Sub-Committee III, which should be given an opportunity to consider the whole matter thoroughly.

808. The representative of the United Republic of Tanzania said that, despite the remarks of the United Kingdom representative, the validity and applicability of resolution 1514 (XV) could not be called in question. He was not surprised that the

United Kingdom delegation should contend that the adoption of the resolution would be tantamount to prejudging the issue. However, the Committee had a mandate to consider all territories that had not achieved independence, whatever the administering Power might assert as to their status. It was undoubtedly correct to state that the United Kingdom had not complied with the provisions of resolution 1514 (XV) in respect of the Territories under discussion. If resolution 1514 (XV) was valid, and covered any Territory that had not achieved independence, it followed that the United Kingdom must be called upon to decolonize the six Territories. The reason why it was proposed that the case should be referred to Sub-Committee III was that there were other matters to be considered, such as the preference which had been given to certain of the countries in the area as far as economic relations were concerned.

809. The representative of Italy said that he would like to receive some clarification from the sponsors concerning certain points. His first question applied to operative paragraph 1. The crucial element in decolonization, at least as far as small Territories were concerned, was self-determination, or the consultation of the populations of the Territories as to their future. Therefore, a failure to implement resolution 1514 (XV) could take two forms: the administering Power might refuse outright to allow the population of a Territory to exercise its right of self-determination, or it might recognize the right to self-determination in principle and try to circumvent it in practice, for example, through the manipulation of elections. He wondered whether the sponsors could indicate which of those possible forms of non-implementation was in question. Or did they consider that complete independence could be granted to the Territories, taking into account their small size and population, quite apart from the fact that the populations concerned had indicated no desire for separate independence:

810. His second question concerned operative paragraph 2, and particularly the second part of the paragraph. He wondered whether the sponsors were suggesting that no decolonization at all had taken place in the Territories. In similar resolutions in the past, some formula such as "further decolonization" had been used. He wondered what kind of measures the sponsors considered that the administering Power should adopt in order to comply with the second part of operative paragraph 2.

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811. Finally, he would like to ask some questions about operative paragraph 3. If the assumptions set forth in operative paragraphs 1 and 2 were accepted, how could those paragraphs be reconciled with operative paragraph 3, and what would be the mandate of Sub-Committee III when the Special Committee had already adopted a radical decision on the situation in the Territories? As a member of Sub-Committee III, Italy feared that the mandate might be so restricted by operative paragraphs 1 and 2 as to make it almost unworkable.

812. The representative of Venezuela said that his delegation was familiar with the problems under discussion, not only because it was represented in Sub-Committee III but also because of Venezuela's geographical proximity to the islands. It could not be said that the new arrangements for association with the United Kingdom represented a backward step in the political evolution of the Territories. When Sub-Committee III had discussed the Territories in 1966, the situation had been discouraging. Negotiations with a view to a federation had broken down and one of the larger islands in the area had decided to seek separate independence. A formula had now been found which, although it might not be completely compatible with resolution 1514 (XV), was an important step forward and fully in accord both with the provisions of Article 73 e of the Charter and with General Assembly resolution 1541 (XV). While his delegation supported resolution 1514 (XV) without any reservations, it believed that a solution of the type envisaged in resolution 1541 (XV), which complemented resolution 1514 (XV), should be perfectly acceptable. Was it right to deplore a positive step forward in the lives of peoples who had been under colonialism for more than a century and a half, because that step did not correspond strictly to resolution 1514 (XV)?

813. It was quite correct to point to one shortcoming in the agreements which had been concluded between the administering Power and the representatives of the Territories. Significant decisions of the kind in question required popular consultation. The people had had no opportunity to express their preference among the alternatives open to them. Professor Rousseau, an unquestioned authority in the field of international law, had stated that a referendum was an indispensable element in self-determination. Nevertheless, Professor Rousseau had also remarked that a political solution was sometimes more practical than a strictly legal solution. He feared that the discussions in Sub-Committee III would be unduly restricted if the Committee was to state that resolution 1514 (XV) alone was applicable to the Territories.

814. His delegation had the highest respect for resolution 1514 (XV); however, in the case of small Territories lacking adequate resources, it was essential to find solutions which would ensure their well-being.

815. The representative of the United Kingdom said that the issue before the Special Committee was of great importance to the future work of the United Nations and his country in the field of decolonization. It was not just the future of the Caribbean islands that was at stake; the question was how the best interests of peoples in many other small Territories could be served. Thirty-one of the Territories on the Committee's agenda had populations of less than 100,000. What was done in the case of the Caribbean islands might affect the rest, and the Committee therefore had an obligation to give the whole matter careful thought before reaching any conclusion.

816. In the past twenty years colonialism had been largely liquidated, and his own country had played a leading part in that revolutionary development. Ninety-nine per cent of the people of the Commonwealth now lived in independent countries. The United Kingdom was now dealing with the remaining 1 per cent. Though the percentage was small, the difficulties were varied and great. Each remaining colonial Territory presented a unique problem and demanded careful study. The problem to which the Special Committee must now direct its attention was that of countries too small, too poor or too isolated to stand alone as independent States. Not only were they unable to stand alone; often their peoples did not wish them to do so. There were perhaps thirty countries, many of them small islands, in that category. Their populations were small, but that was no justification for indifference; the problem of the right policy to be pursued in those remaining Territories was of the utmost concern to the United Kingdom, and he trusted that the Special Committee would consider the matter with full regard to the United Nations Charter and the purposes declared by the General Assembly.

817. Since the first West Indian Federation Conference at Montego Bay in 1947, the United Kingdom had worked to bring the West Indian colonies to self-government and independence as one united federation. At the last moment, when the date for independence had already been settled, a plebiscite had been called in Jamaica and the federation had been rejected by a narrow majority. Since then, Jamaica, Trinidad and Tobago, Guyana and Barbados had been admitted to the United Nations

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as separate and independent States. Having served in the Caribbean for nearly ten years, he regarded the collapse of the proposed West Indian Federation as the failure of a fine conception.

818. At the time of that failure, five years previously, there had been many Caribbean islands still under United Kingdom administration ranging in population from nearly 100,000 to less than 10,000. All had democratic institutions and long political experience, but many were clearly too small, too isolated or too poor to carry the superstructure of an independent State. The possibility that many of the smaller islands might form a federation of their own had therefore been exhaustively explored, but, as consultations had proceeded, it had become clear that the islands were not at present prepared to federate. While a closer association perhaps leading to a wider Caribbean federation might still be possible in future, and the door to such a federation had deliberately been left wide open, it had been necessary to respect the wishes of the peoples themselves. Federation having been ruled out, for the present at least, the United Kingdom had then embarked on a series of consultations with the elected leaders of the separate islands, including the leaders of opposition parties. The disagreements arising from many matters of local concern had been resolved, and on the main aims there had been throughout complete agreement between government and opposition leaders. Indeed, all six of the legislatures had voted unanimously for the proposed constitutional advance. The United Kingdom regarded the unanimous vote of a parliament freely elected under full adult suffrage as an ultimate and unassailable expression of the popular will. The wishes of the people thus represented had been accepted by his Government, and put into effect in all the islands concerned except St. Vincent, where the new arrangements would go into effect on 29 May.

819. The principles by which his country and the elected representatives of the islands had been guided in that enterprise were as follows. First, that the islanders should be enabled to manage their own affairs, that the colonial era should be ended, that "a full measure of self-government" should be attained. Second, that in all the arrangements to that end the interests and wishes of the people should be paramount, and that they should be given "a free and voluntary choice... through informed and democratic processes". Third, that in each Territory the people should be given "the right to determine its internal

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constitution without outside interference in accordance with due constitutional processes and the freely expressed wishes of the people". Fourth, that the peoples should be guaranteed the freedom to modify the status of their Territories - including the right to choose full independence - whenever they wished "through the expression of their will by democratic means". Those aims and principles, maintained throughout the consultations, had been laid down by the United Nations itself, in the Charter and in the General Assembly resolution establishing the principles of free association. To the first two criteria - self-government and free choice - the architects of that resolution had added two essential tests. Were the people free to change their constitution if they wished, and were they free to change their status of association at any time of their own free will? Those tests were the absolute guarantee that the people's wishes would be paramount now and in the future. The new constitutions in the Caribbean not only fully satisfied those tests, but incorporated full and permanent options for the future ranging from new federations or associations to full individual independence if ever the people of each territory should so desire. The United Kingdom could not more clearly have met the requirements which it, and indeed the Special Committee too, were bound to respect. No one who had studied all the documents and statements, particularly the speech made by the Minister of State, Mrs. Judith Hart, in the House of Commons on 31 January 1967, could doubt that those aims and principles had guided both the representatives of the United Kingdom and the representatives of the islands at every step.

820. The United Kingdom had kept the Special Committee fully informed of its intentions. No one could question his delegation's readiness to co-operate fully with the Committee or its anxiety to place the full facts before it. But it was now faced with a draft resolution (A/AC.109/L.378) which deeply regretted what the United Kingdom had done. There was no acknowledgement of the purposes his country had pursued, no recognition of the processes of democratic consultation, no respect for the wishes of the peoples concerned, no welcome for the self-government achieved, no approval of the right given to the peoples concerned to change their constitutions and to proceed if they so wished to full independence, and no reference at all to the provisions for

free association which had been explicitly authorized by the General Assembly. The only reaction in the draft resolution was regret. What deduction was his delegation to draw from the draft resolution? Was it to assume that the sponsors rejected the explicit provisions of Assembly resolution 1541 (XV) and the free expression of the peoples concerned? Did the sponsors wish to stipulate that all the remaining colonial Territories, however small, poor or isolated, must be required to abandon their own freely expressed aims and be forced into independence whether they wanted it or not? Any such arrogant intention would certainly be rejected by the peoples concerned.

821. Beyond expressing deep regret, the draft resolution proposed that Sub-Committee III should consider the whole question further. His delegation had already stated its readiness to co-operate with the Sub-Committee. But if the draft resolution were to be adopted, the United Kingdom would see no justification for further discussion in the Sub-Committee or in the Special Committee. If the Special Committee were to regret what had been done, and thus treat the wishes of the people with contempt, his delegation's co-operation with the Committee on those important issues would be at an end. He was not asking any member of the Committee to abandon his views. But the issues were of far-reaching consequence, and he therefore appealed to the Committee to allow further time for reconsideration of the whole problem.

822. The representative of Finland said that the Special Committee was faced with the complex question of how best to help the peoples of small, isolated Territories to fulfil their aspirations for the future. His delegation felt that the new arrangements outlined for the Caribbean Territories represented a reasonable and practical approach at the present stage. It was its understanding that the association agreement had not met with any real opposition either in the Territories concerned or in the Special Committee. Those arrangements were obviously an important step away from colonialism and towards independence in one form or another. It was not so much the results but the procedure that had been criticized in the Committee. Several delegations had asked why the peoples of the Territories had not been given the opportunity of expressing their choice through a referendum. His delegation would also have preferred a referendum, but it seemed that arrangements had been freely entered into by the elected

representatives of the Territories, and that the latter represented the will of the people. He noted that under the new agreements the Territories might opt for full independence if they chose.

823. Draft resolution A/AC.109/L.378 failed to recognize that the new arrangements represented a step in the right direction. The suggestion that the question should be examined by Sub-Committee III was valuable, but the Sub-Committee should be enabled to proceed without the restrictions imposed by the rest of the draft. While appreciating the aims of the sponsors, his delegation would prefer not to vote on the draft resolution but to see the question referred to Sub-Committee III.

824. The representative of the United Republic of Tanzania said that the Committee had reached a stage where it should discuss small colonial Territories with particular care so as to ensure that it was not instrumental in selling out the interests of future societies. He rejected the United Kingdom representative's suggestion that the sponsors of the draft resolution had failed to give sufficient thought to the issues or had shown arrogance towards the peoples of the Caribbean Territories. It was the colonial Powers that showed arrogance. He had not been surprised to hear the United Kingdom representative lament the failure of plans for a West Indian federation. The people of the area had passed judgement on those colonial machinations when they had had an opportunity to express themselves; the result had been the emergence of sovereign independent States such as Jamaica, Trinidad and Tobago, Barbados and Guyana.

825. The representative of Sierra Leone said that he had always had great faith in the United Nations in general and in the Special Committee in particular. Peoples under colonial rule looked to the Organization to bring them to freedom and independence. With those thoughts in mind, he wished to reply to various points which had been raised in the debate. First, he wished to say that he stood by his previous statement, when he had acknowledged that the administering Power had made efforts in the direction of self-determination and independence for the six Caribbean Territories; nor had he suggested that the problems in that regard were simple.

826. Objections had been raised to the second clause of operative paragraph 2 of draft resolution A/AC.109/L.378, in which the administering Power was called upon to expedite the decolonization of the Territories concerned in conformity with General Assembly resolution 1514 (XV). As he understood it, it was argued that Her Majesty, the Queen, by an Act of Parliament, had divested herself of all jurisdiction over the internal affairs of the six Territories in question, and that the Territories had consequently been decolonized. That might possibly be the case de jure, but was it the case de facto? The constitutional text in respect of each Territory stated that executive authority was to be vested in Her Majesty and exercised on her behalf by the Governor, who would be appointed by Her Majesty and hold office during Her Majesty's pleasure. There was nothing in the text which indicated that the Premier, his Cabinet or the people of the Territory had any say in the appointment or removal of the Governor. That did not seem consistent with the basic principle that any association of the kind which had been established should be on the basis of absolute equality. In operative paragraph 6 of resolution 742 (VIII), the General Assembly had stated its view that self-government could be achieved by association with another State if it was done "freely and on the basis of absolute equality". According to operative paragraph 5 of the same resolution, the validity of any form of association between a Non-Self-Governing Territory and another country depended on the freely expressed will of the people "at the time of the taking of the decision". In the present case, the will of the people had not been expressed at the time of the decision. In those Territories where elections had taken place, the people as a whole had been consulted after the agreements had been reached, and in two Territories they had not yet been consulted. In order to have removed all doubt, the administering Power should have complied with the terms of resolution 742 (VIII), as had been done in the case of the Cook Islands.

827. Those reasons alone would justify the adoption of the draft resolution. However, there was also the matter of defence arrangements. The Governments of the Territories were not to grant access to their territory or territorial waters to the forces or agents of any other Government without the consent of the United Kingdom. He would like to make three points in that regard. Firstly, the provision appeared to deprive the island Governments of the free exercise of the rights involved in a full measure of self-government. Secondly, there was not even

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a provision to the effect that consent to such an arrangement would not be unreasonably withheld. Thirdly, one would expect an association which was based on absolute equality to require consultation rather than to place one partner in a position of subservience. Clearly, the principle of absolute equality was disregarded. Was there not then a case for deep regret?

828. The Special Committee had been asked by the General Assembly to seek suitable means for the immediate and full implementation of resolution 1514 (XV) in those territories which had not yet attained independence or a full measure of self-government. That was what the draft resolution sought to do.

829. The representative of the Ivory Coast said that his delegation had never compromised on colonial questions and had always given its full support to the cause of small Territories. However, in the case of the Territories under discussion, he found the situation confusing. In view of the new arrangements which had been introduced in the Territories, there was no need, in his view, for the Committee to take an immediate decision on the substance of the problem. The question should be referred to Sub-Committee III, which could study all the legal aspects of the new arrangements. Moreover, the Committee had not had an opportunity to ascertain the views of the islanders themselves about the problems raised. Without taking a position on the substance of the question, he felt that it was wrong, on the basis of present information, to reject whatever steps might have been taken by the administering Power in the direction of the decolonization of the Territories. He agreed that the process of decolonization had not been completed and that resolution 1514 (XV) consequently still applied to the Territories; but he did not think that the Committee should proceed to adopt a resolution such as that contained in document A/AC.109/L.378. He would propose that the question should be referred to Sub-Committee III for detailed study. If that proposal was rejected, his delegation would unfortunately find it very difficult to support the draft resolution before the Committee.

830. The representative of the United Kingdom said he was sure that the representative of Sierra Leone recognized the particular force of the decisions of a free and sovereign parliament elected by adult suffrage, particularly when such decisions had been approved unanimously. He would ask that representative to consider carefully whether the United Kingdom had acted within the framework of

General Assembly resolution 1541 (XV); it was his own contention that the United Kingdom and the elected representatives of the Territories had carefully borne that resolution in mind. Moreover, the Committee also had an obligation to pay special attention to it.

831. He did not think that the representative of Tanzania, upon reflection, would wish to maintain his accusation that the endeavours to establish a federation in the Caribbean area had been the result of the machinations of the United Kingdom Government. He himself knew from personal experience that the proposals for a federation had come from the people themselves and from their elected representatives; the efforts made to establish a federation had been made in accordance with the freely expressed wishes of the people and had not been initiated by the United Kingdom Government, although it had fully supported and encouraged them. When, eventually, one of the entities which formed part of the federation had indicated its unwillingness to continue as a member, the United Kingdom Government had readily accepted the wishes of the peoples involved. The Committee could not disregard the wishes of the people, freely and unanimously expressed through the elected leaders of both majority and minority parties, in free parliaments. The Tanzanian representative had talked of "selling out" the interests of the colonial peoples. However, the question before the Committee was whether it wished to repudiate the wishes of the people expressed through a free parliamentary system.

832. He had accused neither the Committee nor the sponsors of arrogance. He had merely said that, if the Committee were to treat the wishes of the people of the Territories with contempt, that would be regarded by them as arrogance. In all processes of decolonization it was essential that the freely expressed wishes of the people should be taken into account, and in the six Caribbean Territories the wishes of the people had been freely expressed.

833. He agreed with the representative of the Ivory Coast that further time should be allowed for consideration of the draft resolution. Certainly, the question was not simple; all factors must be considered and due attention paid to the methods employed for consulting the people. The Committee would be losing nothing if it

gave further time to Sub-Committee III for consultations, not only with the members of the Committee, but with other interested Member States. The future of the United Nations might well be affected by the status attained by the thirty or more scattered colonial Territories which remained on the Committee's agenda. He therefore proposed that, before proceeding to a vote on the draft resolution, the Committee should refer the question of the six Territories to Sub-Committee III for further consideration.

834. The representative of the United Republic of Tanzania observed that the United Kingdom representative had indicated that the United Kingdom had sought to create a federation in the Caribbean and had nearly succeeded, and that only when a plebiscite had been called in Jamaica had the federation been rejected by the people. While he did not wish to interpret the actions of the people, he would assume that they had rejected the proposals because they did not agree with them.

835. Draft resolution A/AC.109/L.378 provided that the question would subsequently be transmitted to Sub-Committee III. Adoption of the draft resolution would merely reflect the mandate given to the Committee by the General Assembly, namely to consider all Territories that had not yet attained independence; such Territories were covered by General Assembly resolution 1514 (XV), and that fact was reflected in the first two operative paragraphs of the draft resolution. The third operative paragraph met the wishes of the many delegations which had requested that the question should be referred to Sub-Committee III. He would therefore strongly recommend that the Committee adopt the draft resolution, which would in no way prejudice consideration of the question by Sub-Committee III.

836. The representative of Uruguay said that there were a number of basic texts which referred to the issue before the Committee and they should be considered as a whole. It was incorrect to consider that the only text that should govern the Committee's deliberations was General Assembly resolution 1514 (XV). Admittedly, that resolution was a basic instrument of the international community from which all others flowed, but that did not mean that other texts should not be applied where appropriate.

837. The present debate concerned very small Territories and colonial issues affecting a number of islands which economically, demographically and geographically had limited importance. The total population of all the islands, large and small, which the Committee was now considering, amounted to 480,000. Only a few hours after adopting resolution 1514 (XV), the General Assembly had realized that an additional resolution was necessary to cover very small Territories which could not accede to independence by themselves and which might fall prey to Powers seeking to impose some new form of colonialism upon them. Furthermore, United Nations concern with small territories had not begun when resolution 1514 (XV) had been adopted; General Assembly resolution 742 (VIII) had laid down a list of factors to be taken into account in deciding whether a territory had or had not attained a full measure of self-government. General Assembly resolution 1541 (XV) had referred to that resolution, and to resolution 1467 (XIV) which had established a Special Committee of Six on the Transmission of Information under Article 73 e of the Charter, and had stated that the principles proposed by the Committee should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation existed to transmit information under Article 73 e of the Charter. Principle III, in the annex to resolution 1541 (XV), indicated that the obligation to transmit information constituted an international obligation and should be carried out with due regard to the fulfilment of international law. Under principle VI, a Non-Self-Governing Territory was said to have reached a full measure of self-government by, inter alia, free association with an independent State. Principle VII stated that free association should be the result of a free and voluntary choice by the peoples of the Territory concerned expressed through informed and democratic processes, should respect the individuality of the cultural characteristics of the Territory and its peoples, and retain for the peoples of the Territory the freedom to modify the status of that territory through the expression of their will by democratic means and through constitutional processes. It added that the associated Territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes

of the people, without precluding consultations as appropriate or necessary. Therefore, the principles governing free association enabled the associated State to exercise its will and to choose complete political independence whenever it wished to do so. Since only General Assembly resolution 1514 (XV) was mentioned in draft resolution A/AC.109/L.378, the impression might be created that there was only one rule to be followed in respect of decolonization. That would contradict the recommendations of the General Assembly that the small Territories should seek a form of federation or free association which would enable them to develop fully and independently.

838. The fact that resolution 1514 (XV) was not the only relevant text, and that certain Territories were considered exceptions, was clear from what had happened with the former Territories of Basutoland and Bechuanaland. In that connexion, he had stated in the Security Council (S/PV.1306) that the accession to independence of Lesotho and Botswana constituted a further affirmation of the spirit of decolonization which was rapidly transforming the political map of the world. He had pointed out that the Sub-Committee set up to study the measures necessary for securing the territorial integrity and sovereignty of Basutoland, Bechuanaland and Swaziland had done all that was necessary to promote the achievement of secure and effective independence in the two countries that were ready and able to enjoy independence, namely Basutoland and Bechuanaland. Both of those Territories were located in a region of southern Africa which was politically in the hands of a non-African minority. The Sub-Committee had therefore taken into account General Assembly resolutions 1817 (XVII) and 1954 (XVIII) according to which any attempt to annex Basutoland, Bechuanaland or Swaziland, or to encroach upon their territorial integrity in any way, would be regarded by the United Nations as an act of aggression violating the Charter of the United Nations. He had further stated that there was an urgent need to adopt international guarantees that would effectively protect countries exposed to neighbours whose expansionist aims and objectives were notorious and whose policies of apartheid were repudiated by all civilized people.

839. It was therefore clear that General Assembly resolution 1514 (XV) was not the only resolution applicable to the small Territories. Accordingly, he could not agree that draft resolution A/AC.109/L.378 should refer only to resolution 1514 (XV) and make no mention of the other relevant resolutions. In his view, further consultations should be held before a vote was taken on the draft resolution; Sub-Committee III should give further consideration to the question not only because of its implications for the six Caribbean Territories but also because it might serve as a precedent for similar Territories which had yet to be decolonized. The Committee should certainly be enthusiastic about its task of decolonization, but it should also proceed with caution.

840. In his previous statement, he had drawn attention to the disadvantages of a de facto situation and had indicated that the Committee could not take a decision that might be tantamount to imposing a casus belli upon the administering Power. That view had acquired added significance because of the request made by the representative of the United Kingdom to refer the item to Sub-Committee III. No one could deny that Uruguay was tirelessly and fearlessly devoted to the cause of decolonization. However, it did feel that the special features of each particular case must be weighed and that, in view of its great responsibilities, the Special Committee must act with prudence. For that reason, the Committee should suspend its debate on the six Caribbean Territories and refer the item to Sub-Committee III for further consideration.

841. The representative of Tunisia said that he realized that one consideration which had led the submission of a draft resolution was the time factor. The sponsors had been anxious to see the Committee take a decision before the new arrangements came into force. Another consideration was the United Kingdom delegation's statement that, after the new provisions came into force, the administering Power would not consider itself obliged to transmit any further information to the United Nations or to co-operate with the Special Committee. However, as far as the first consideration was concerned, the arrangements had now entered into force for all the Territories except St. Vincent. Secondly, he understood from the statement of the United Kingdom representative at the present meeting that the United Kingdom delegation was ready to continue to co-operate with the Special Committee and to provide it with all necessary information for the study of the question now before it. He was therefore led to wonder whether there was still an urgent need to adopt a draft resolution before the submission

of the question to Sub-Committee III. Without prejudice to the position of his delegation on the draft resolution, he wondered whether the United Kingdom delegation could assure him that it would continue to co-operate with the Committee in the study of the question before it and provide all information necessary for that study.

842. The representative of Madagascar said that his delegation had always given its enthusiastic support to all measures adopted in the Committee to hasten decolonization. In the present case, however, he felt that the question should be considered on its merits, free from doctrinaire considerations. The issue was whether certain constitutional changes introduced in certain Territories represented progress in the direction of decolonization. His delegation considered that the best path to independence was the granting of a greater measure of self-government to the elected representatives of the population. The steps taken by the administering Power seemed clearly to constitute a step forward towards self-determination and self-government, and called not for regret but for appreciation or at least for some kind of objective assessment. Many countries had acceded to independence following a process in which they had gradually been given more power over local affairs, a process which had itself stimulated their desire for independence. He was convinced that it would not be long before the population of the islands under discussion would ask for independence, and he was convinced that the United Kingdom would grant that independence when it was requested.

843. He recalled that the constitutional arrangements were not completely in line with resolution 1514 (XV). As the representative of the United Kingdom had said, there was much still to be done. Improvements were perhaps needed, as for example with regard to the appointment of the Governor, to which reference had been made. It was precisely because of the need for improvements that his delegation supported the proposal of the representative of the Ivory Coast that the question should be referred to Sub-Committee III.

844. The representative of the United States of America said that his delegation had no objection to the proposal in the draft resolution that the question should be referred to Sub-Committee III. It disagreed, however, with the statements in operative paragraphs 1 and 2, as well as with the generally negative tone of the draft resolution. Besides referring the question to the Sub-Committee, the draft resolution also appeared to suggest what the outcome of the Sub-Committee's consideration should be. His delegation shared the view expressed by numerous speakers that the association represented a positive step forward. No one had challenged that view, and it therefore seemed inappropriate to begin the operative part of the draft resolution with an expression of deep regret. Furthermore, his delegation had never accepted the view that independence was the only means of terminating non-self-governing status. It continued to believe that the various alternatives set forth in General Assembly resolution 1541 (XV) were also applicable. In their consultations with the United Kingdom Government, the elected representatives of the Territories under discussion had shown no preference for independence over the present arrangements. In any event, now that they were self-governing, the people of the Territories would have a full opportunity to make future choices for themselves, and could opt for independence whenever they desired. It was not for the Committee to dictate the people's choice. The draft resolution, with its emphasis on a supposed failure to implement resolution 1514 (XV), seemed to suggest that the only acceptable solution was independence. If the matter was to be referred to Sub-Committee III for further examination, it should be done without any such prior findings.

845. The representative of the United Kingdom said that, in reply to the question asked by the representative from Tunisia, he wished to make clear his delegation's attitude with regard to co-operation with the Committee and the Sub-Committee. He did not wish to add to or subtract from what his delegation had already said on that point. If a draft resolution in the terms proposed was adopted, further participation or co-operation by his delegation on the matters under discussion, either in the Sub-Committee or in the Special Committee, would not be possible. If, however, his proposal was adopted and it was decided that the matter should be further considered by the Sub-Committee, he could give an assurance that his delegation would participate fully in the discussion in the Sub-Committee in order to assist it in reaching its conclusions.

846. The representative of Sierra Leone did not think that it was proper for the United Kingdom representative to attempt to influence the vote by a threat. The United Kingdom representative had also asked him to consider the new arrangements in the light of General Assembly resolution 1541 (XV). But resolution 1541 (XV) dealt with the principles which should guide Members in determining whether or not an obligation existed to transmit the information called for under Article 73 e of the Charter. In any case, the principle of equality, to which he had referred earlier, was enshrined in that resolution. According to principle V, if there were elements affecting the relationship between the metropolitan State and the Territory in a manner which arbitrarily placed the Territory in a position or status of subordination, they supported the presumption that there was an obligation to transmit information under Article 73 e. The substance of the case for the draft resolution was that the element of absolute equality was absent in the present arrangements.

847. The Chairman said that he also felt obliged to refer to the statement of the United Kingdom representative concerning the co-operation of his delegation with the Committee. The obligations of the United Kingdom and of other members of the Special Committee flowed from obligations under the Charter and under resolutions of the General Assembly, although it was natural for each delegation to interpret the Charter and United Nations resolutions for itself.

848. The representative of the United Republic of Tanzania said that he wished to associate himself with the remarks made by the representative of Sierra Leone and the Chairman. It would be a sad day for the Committee when its actions were determined by threats of non-co-operation from colonial Powers.

His delegation rejected the position of the United Kingdom Government concerning the Territories under discussion and considered that the action called for in the seven-Power draft resolution was correct and necessary. It was therefore strongly opposed to the United Kingdom proposal that the matter should be referred to Sub-Committee III without any action by the Committee, especially in view of the time that had already been spent debating the question. He proposed that the Committee should proceed to the vote on the draft resolution.

850. The representative of Iran said that, following consultations with other members of the Committee, he wished to propose certain amendments to the draft

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resolution which he hoped would meet the views of a number of delegations which had participated in the debate. Firstly, he proposed that operative paragraph 1 of the draft resolution should be deleted. That should satisfy those representatives who felt that there should be no expression of regret in view of the fact that there had been some advance in the Territories' status. Secondly, he proposed that present operative paragraph 2 should be amended to read: "Reaffirms that General Assembly resolution 1514 (XV) and other relevant resolutions continue to apply to these Territories". The administering Power had been asked to expedite decolonization in other relevant resolutions, and there was therefore no need for the last part of the paragraph. In present operative paragraph 3, he proposed the addition of the words "in the light of the recent constitutional developments" after the word "examine". The Sub-Committee must naturally study the situation in the light of the important constitutional developments that had taken place. He hoped that the sponsors of the draft resolution could accept those amendments, and that the United Kingdom delegation would find it possible to withdraw its proposal for referral of the question to Sub-Committee III. In that way the Committee might be able to come near to unanimity.

851. The representative of Sierra Leone said that the sponsors of the draft resolution accepted the amendments submitted by the Iranian delegation. They did so not because of the unfortunate threat which had been made by the United Kingdom delegation at a recent meeting, but in furtherance of the interests of the Committee and of the peoples of the Territories under discussion. He hoped that the United Kingdom delegation would find the amendments acceptable, and offer its full co-operation to the Committee and the Sub-Committee.

852. The representative of Italy said that the new text of the draft resolution (A/AC.109/L.378/Rev.1) resulting from the acceptance by the sponsors of the Iranian amendments went a long way to meet his delegation's point of view. He was glad to note that there was general agreement that the problem should be examined in detail by Sub-Committee III. However, the present wording of the draft resolution still left some doubt in his mind. He felt that the new operative paragraph 1, in reaffirming that resolution 1514 (XV) and other resolutions continued to apply to the Territories, was anticipating the conclusions of the Sub-Committee's deliberations. Resolution 1514 (XV) was certainly the Committee's main guiding resolution, but the question whether resolution 1514 (XV) and other relevant

resolutions had been implemented in the Territories, and to what extent, was one which had not yet been resolved. He therefore proposed that new operative paragraph 1 should be deleted and that new operative paragraph 2 should be amended to read "Requests its Sub-Committee III to examine the situation in these Territories in all its aspects in the light of recent constitutional developments and in the light of the provisions of General Assembly resolution 1514 (XV) and other relevant resolutions" (A/AC.109/L.381). That would give Sub-Committee III the widest possible mandate.

853. The representative of the United Kingdom said that in discussing the important question of the six Caribbean Territories the Committee should adopt an attitude of co-operation without prejudgement. Clearly, General Assembly resolutions 1514 (XV) and 1541 (XV) were complementary not contradictory and the Committee should take account of both. Free association was a permissible, acceptable, and duly authorized alternative to full independence. The stipulations on that subject in General Assembly resolution 1541 (XV) had been fully met after the widest consultation between the United Kingdom Government and the islanders and with the unanimous support of the legislatures of the Territories which had been freely elected under full adult suffrage. His delegation had asked whether the sponsors of the draft resolution (A/AC.109/L.378) rejected the explicit provisions of Assembly resolution 1541 (XV) and the free expression of the peoples concerned, and whether they wished to stipulate that all the remaining colonial Territories, however small, poor or isolated, must be required to abandon their own freely expressed aims (paragraph 820 above). Those important questions remained unanswered.

854. The revised draft resolution (A/AC.109/L.378/Rev.1) did not acknowledge the purposes which the United Kingdom Government and the elected legislatures of the islands concerned had pursued. It did not recognize the processes of democratic consultation which had been so fully and freely employed. It did not respect the wishes of the peoples concerned freely and plainly expressed. It did not welcome the self-government which the United Kingdom Government had granted by its policy and in conformity with its obligations under the Charter. It did not express

approval of the right given to the islanders to change their Constitutions and to proceed by their own free will, if they so wished, to full independence. And it made no reference at all to the provisions governing free association which were explicitly authorized by the General Assembly. Those shortcomings certainly deserved reconsideration.

855. His delegation continued to believe that the issues before the Committee had far-reaching implications not only for the Caribbean Territories but for other Territories as well. He urged the Committee not to make a final judgement at the present stage, but to allow further time for reconsideration of the question and for fruitful co-operation. Full discussion and full co-operation were still possible and still necessary, but without prejudgement. Mrs. Judith Hart, the Minister of State in the Commonwealth Office, who was primarily responsible for the matters now under discussion, would shortly be arriving in New York and was looking forward to holding informal discussions with many delegations in the United Nations. It would be a pity if the Committee took a decision which might preclude such discussions.

856. The Committee must bear in mind the wider question of the future of the scattered and often small colonial Territories that remained throughout the world. What it did in respect of the six Caribbean Territories must necessarily have some influence on its future decisions in respect of those remaining Territories. In proposing that the question should be referred to Sub-Committee III for further consideration, he was not asking any member of the Committee to alter the opinions he had expressed, although he hoped that in listening to further arguments representatives would keep an open mind.

857. While he welcomed the fact that the sponsors of the original draft resolution had taken account of the arguments put forward in the Committee and had made important changes in their revised draft (A/AC.109/L.378/Rev.1) they were still doing something which should not be done at the present stage, namely, making a prejudgement. The final recommendation to the General Assembly was entirely a question for the Committee itself. It would retain its full powers and full freedom of action. The amendment (A/AC.109/L.381) to the revised draft resolution submitted by the representative of Italy would be acceptable to his delegation.

858. It might well be that the draft resolution as it stood was not wholly satisfactory to any member of the Committee. After further reflection and consideration a fuller text might emerge that would more adequately reflect the general view. He was not asking for the withdrawal of any of the proposals before the Committee. The consequences of any decision the Committee might take were so far-reaching that it would be well to allow Sub-Committee III to review the entire matter. It had been his experience in the United Nations that, even in cases where opinions were very far apart, and even if only one member believed that there was advantage in further consideration of an issue, such a course would not be precluded. He therefore asked the Committee, in a spirit of the fullest co-operation, to give that opportunity to Sub-Committee III so that an attempt could be made to find a common basis for agreement.

859. He was certainly not offering threats, as had been claimed, but rather co-operation. He would certainly be sorry if the Committee were to reject that co-operation. He was quite ready to discuss the question at full length with Sub-Committee III before a conclusion was reached. He therefore hoped that further time for discussion would be allowed, that Sub-Committee III would be allowed to review the question, that the United Kingdom would not be prevented from co-operating with that Sub-Committee and that the Committee would reserve its judgement on the draft resolution and on the amendment to it.

860. The representative of Uruguay said that the Committee should deal with the matter before it with the required realism. It should be borne in mind, in particular, that free association or complete integration with another State, and political federation or economic union were perfectly legitimate methods of decolonization, the adoption of which might, in some cases, overcome otherwise insurmountable obstacles. General Assembly resolution 1541 (XV) should in no case be considered as contradicting the provisions of resolution 1514 (XV), of which it was, in fact, a natural corollary. It was accordingly most important to reaffirm the principle that resolution 1541 (XV) should probably be considered to apply not only to the six Territories with which the Committee was currently dealing but to various other Territories in a similar situation. It would be remembered that when the draft Declaration on the granting of independence was being discussed, some countries had objected to the fact that the text treated complete and immediate independence as the only acceptable goal, which seemed to them to be contrary to the provisions of the Charter concerning the attainment of self-government within broader

political associations. On that occasion the United States representative, in particular, had questioned the wisdom of embracing a principle the application of which might, in some cases, lead to undue territorial and political fragmentation, and had stated that full self-government within a broader political system was sometimes more appropriate than complete independence. Mr. Velazquez, a former Vice-Chairman of the Special Committee, commenting on those reservations in an important article in the Anuario Uruguayo de Derecho Internacional (vol. II, pp. 188 and 189), stressed the fact that the two resolutions (resolution 1514 (XV) and resolution 1541 (XV) had been adopted by the same Assembly session with only a few hours' interval and concluded from that that they could not be mutually contradictory. Mr. Velazquez had gone on to consider the hypothesis that independence, as defined in the text of resolution 1514 (XV) was to be considered as a first and absolutely indispensable step, after which - and only then - the Territory which had acquired independence could enter into such commitments as those concerning its association with another State. The hypothesis was, in short, that a people would have to possess, if only for a single instant, the sovereign and complete power of decision characteristic of independence before undertaking further commitments. However, Mr. Velazquez had advanced that hypothesis only to refute it immediately because, as he had said, if it were accepted, all acts of self-determination performed in various territories while they were still subject to colonial rule, in other words, almost all acts so far performed in the colonial sphere, even after the adoption of the Declaration on the granting of independence, would have to be considered null and void. In that way, purism, carried to the extreme, could eventually negate the very principles underlying the original concept. If that interpretation were accepted, the integration of Greenland with Denmark, for example, and of Surinan with the Netherlands, both of which had occurred prior to the Declaration on the granting of independence, and the integration decisions involving Malaysia, Zanzibar, Kenya and many other cases which had occurred since December 1960 would have to be considered invalid.

861. His delegation rejected that theory and believed that the political and historical facts of the current situation in the British West Indies, despite its obscurities, would have to be faced directly. In fact, a hostile attitude would have much more serious results than a more flexible but more constructive attitude, which would have the advantage of channelling decolonization in the direction desired by the United Nations, while working in harmony with the administering Power.

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862. Throughout the debate, his delegation had at all times tried to secure the adoption of a formula which gave equal weight to three fundamental factors: the desire for decolonization, political realism and devotion to the principles of law. The solution adopted at the London conferences were undoubtedly legitimate, since it met the interests of the people concerned. Moreover, it was in accordance with the conclusions and recommendations contained in the reports of Sub-Committee III for 1964, 1965 and 1966, which were adopted by the Special Committee, by the Fourth Committee and by the Assembly itself. The following passage was an extract from the conclusions and recommendations drawn up by the Committee in 1964, as reproduced in the report on its work during 1966:

"The Committee noted that these islands seemed to possess sufficient features in common... to make some form of union possible among some, if not all of them. The Committee stated that there appeared to be general agreement among the 'little seven' ... concerning immediate independence and the formation of some sort of federation." (A/6300/Add.10, para. 2)

Those same formulas of "union" and "federation" had served, in the London constitutional agreements, as a basis for free association between the small West Indian islands and the United Kingdom. The proposed relationship between the United Kingdom and the Territories in question was described in the following terms in the report of the Sub-Committee III on its work in 1966:

"The United Kingdom Government recognized that those requests... could not be met merely by the devolution of additional powers upon the local governments in a colonial context and had set out to devise a new relationship that would be consistent with the political maturity of the Territories but would enable them to continue voluntarily such links with the United Kingdom as they wished.... The United Kingdom Government had proposed that each Territory should become a State in association with the United Kingdom, with control of its internal affairs and with the right to amend its own constitution, including the power to end the association with the United Kingdom and declare itself independent." (Ibid., paras. 150 and 151)

Sub-Committee III had therefore taken that situation into account when it drew up its recommendations on completing its work.

863. In those circumstances, the formula agreed upon during the London constitutional conferences was not only not contrary to the principles governing decolonization but also demonstrated, to some degree, a desire to apply the recommendations made by Sub-Committee III and therefore, by the Special Committee, the Fourth Committee and the General Assembly.

864. It had to be pointed out, however, that the administering Power had not, in fact, organized a referendum to determine the wishes of the people concerning the new arrangements. The United Kingdom delegation had put forward the view that, under the Charter, the referendum was not the only means of applying the principle of self-determination. On that point it was apparently supported by Mr. Velazquez, from whose article in the Anuario Uruguayo de Derecho Internacional he had already quoted. In that article Mr. Velazquez pointed out that when the draft Declaration on the granting of independence was being discussed at the fifteenth session of the Assembly, the colonial Powers had been opposed mainly to paragraph 5 of that Declaration, which referred to immediate measures to be taken to transfer all powers to the people of Non-Self-Governing Territories. In his commentary on that question Mr. Velazquez said it was obvious that wherever such a transfer was mentioned in the Declaration, it could only refer to transfer to the representatives of the people, since modern constitutional law recognized no other system than that of representation, and he had added that the important thing was to ascertain what conditions should be met by those representatives so that the sovereignty transferred to them might be considered to have been transferred to the peoples themselves.

865. Without restating his own personal position, which was in favour of a referendum, he did not feel that the validity of Mr. Velazquez's reasoning could be denied, especially with regard to Territories dependent on the United Kingdom, a country where the will of the people was expressed only through elections, since the formula of a referendum was alien to the British system.

866. It should also not be forgotten that, according to all the versions of the facts, including those put forward by various petitioners, the people of the six Territories were apparently in favour of the system which had been adopted, so that if the people were consulted, a large majority would probably vote "yes".

867. With those considerations in mind the Uruguayan delegation had studied the various proposals which had been submitted on the question before the Committee. As it had not been possible to reach unanimous agreement on the seven-Power draft resolution (A/AC.109/L.378/Rev.1) or on the single paragraph proposed by the

representative of Italy (A/AC.109/L.381), a number of delegations had proposed the adoption of a new text in place of operative paragraph 1 of the seven-Power draft resolution which would read: "The Special Committee... 1. Reaffirms that the provisions of General Assembly resolution 1514 (XV) of 14 December 1960 and other relevant resolutions must be satisfied in these Territories;".* Such a wording would take into account both the principles and the facts: in adopting it, the Committee would remain faithful to resolution 1514 (XV) without ignoring the fait accompli. The adoption of that text would also make it possible to avoid an unfortunate conflict with the administering Power, whose firm desire to collaborate should be recognized. If the situation was considered objectively, it could be asserted that the United Kingdom had taken positive steps, during the conferences in London, towards the decolonization of and granting of self-government to the Territories in question. The Committee, for its part, had for several weeks stressed the need for full respect for the principles involved. It was true that it had done so because of its attachment to those principles, but it was also true that, by its insistence, it was, without wishing to do so, opposing their implementation. It would be absurd to attack a state of affairs over which those mainly concerned, namely the people of the Territories under consideration, were apparently rejoicing. In the opinion of the Uruguayan delegation, Sub-Committee III should try to seek a formula which would reconcile what had been accomplished under British law with the principles of international law, and should try to correct a situation which had already been firmly established instead of seeking, puritanically so to speak, to reverse the situation. Decolonization must follow its course and it would be absurd to delay it on the pretext of perfectionism. When, in any instance, that process had already escaped action by the Special Committee, the latter must try to channel and not hinder it.

868. Uruguay had no colonies and was therefore not motivated by any selfish interest in the present instance. It was merely seeking to promote the application of law with respect for political and historical situations which were based on the true

* Subsequently issued as document A/AC.109/L.387. In the course of the debate the text was orally amended by substituting the word "fulfilled" for the word "satisfied".

will of the people. For that reason, the Uruguayan delegation felt that it must submit its amendment, and urged the co-sponsors of the draft resolution to accept it.

869. The Chairman, speaking as the representative of the United Republic of Tanzania, said that his delegation would try to approach the question from a realistic, but not solely from a legal point of view. The African countries knew very well that the problem of decolonization had to be approached on the basis of experience and it was precisely because there were still subject countries in Africa that the views of the African delegations could not fail to be realistic. At the same time, however, when they cast their votes the African delegations committed themselves more than did other delegations and their votes took on a special importance for them when they considered that they might set a precedent.

870. The United Republic of Tanzania thought that the moment had come to take a decision, if possible, during the current meeting. When the Committee had decided to include the question of the six Territories on its agenda immediately, it had found itself faced with a fait accompli, since it was doubtful that the United Kingdom would have agreed to go back on the arrangements which it had made concerning the status of the Territories under consideration, and that status had become effective while the Committee was debating the question. The Committee should therefore now say what it thought of the new status and judge it in relation to United Nations principles. It was a fact that certain Territories had obtained their independence before the adoption of General Assembly resolution 1514 (XV), but, since that resolution had been adopted, it had been called upon to serve as a guiding principle. Tanzania had certainly no intention of telling colonial peoples how they should conduct themselves; nevertheless, it examined any step which might be taken, especially in the present instance, in the context of resolution 1514 (XV). The United Kingdom representative had stated that the six Territories would be completely autonomous in their internal affairs and that the United Kingdom Government's obligations under Chapter XI of the Charter would thus be fully discharged (see paragraph 677 above). That had never been the opinion of Tanzania, which considered that one of the most important points was in fact whether the

United Kingdom Government had the right to make such a claim for itself. Without going into the question of whether the new status was agreeable to the people or not, he thought that the Committee should ask itself only whether the United Kingdom had discharged its obligations and whether resolution 1514 (XV) still applied to the case under consideration. If it did, paragraph 2 of draft resolution A/AC.109/L.378/Rev.1 was almost superfluous since the problem would then, without any doubt, have to be referred to Sub-Committee III. It had emerged from the many consultations held between the United Kingdom and Tanzania that the only difference of opinion between the two countries, although a fundamental one, was whether resolution 1514 (XV) was still applicable to the Territories in question, and that that difference of opinion could not be resolved by further consultations; hence the necessity of taking a decision without further delay.

871. Certain colonial Powers refused to describe their African Territories as colonies and declared that they were an integral part of the metropolitan country. It might happen therefore that one day the Committee might be told that the traditional leaders of those Territories had agreed to the integration of their Territories. For that reason, the Tanzanian delegation wanted a principle to be formulated which would be applicable to all Territories, however small. Of course, Tanzania did not consider independence as the only expression of the right to self-determination: for example, in the Fourth Committee, it had supported the status of the Cook Islands, after making sure that the population had genuinely been able to exercise that right and despite the fact that they had not in that case chosen independence. He wished to make it clear that the Tanzanian delegation's support for the draft resolution now before the Committee was in no way dictated by a feeling of hostility towards the United Kingdom. The Tanzanian delegation had more than once recognized the spirit of co-operation shown by the United Kingdom Government in its relations with the Committee of Twenty-Four. But that did not justify the blind abandonment of principles. He was, moreover, convinced that the United Kingdom Government would continue to co-operate with the Committee of Twenty-Four.

872. The co-sponsors of draft resolution A/AC.109/L.378/Rev.1 considered that in its present form it represented the minimum that the Committee should do for the people of the six Territories. The Tanzanian delegation hoped therefore that the Committee would take an immediate decision, since further consultations seemed useless, and that, when the matter was referred to Sub-Committee III, the United Kingdom would give the latter the benefit of its co-operation.

873. The representative of the Union of Soviet Socialist Republics pointed out that his delegation had already stated its position on the question before the Committee and that that position remained unchanged.

874. He wished, however, to make a few comments on the draft resolution submitted to the Committee and on the amendments to that draft resolution submitted by the Italian delegation.

875. The importance of the decision which the Committee must take on the question of the six colonies under United Kingdom administration could escape no one: the future of the population of those Territories was at stake. For three weeks the Committee had discussed the question of whether the changes introduced in the constitutional status of those Territories by the administering Power were in keeping with the requirements of the Declaration on the Granting of Independence to Colonial Countries and Peoples and with the provisions of the Charter and of other documents which recognized the right of any people to self-determination and independence. The Committee must also decide whether the administering Power had discharged all its obligations under those documents and under the General Assembly decisions on a question of such importance as the future situation of States, although that was a question which must finally be decided by the people and by the people alone.

876. To answer those questions, the Committee should first examine the conditions under which the people of the Territories in question had exercised their right of self-determination with a view to determining whether they had made a free and unobstructed decision regarding the constitutional changes and their future status. It was clear from the information submitted to the Committee that that had not been the case or, at all events, that the methods employed by the administering Power had not been in keeping with the principles set out in the Charter and the

Declaration. It was not merely by chance that a majority of the Committee's members had, after careful consideration, concluded that the assurances offered in that regard by the administering Power were without any real basis. The peoples of the Territories under consideration had not been given an opportunity to make a direct choice. The only alternative offered to them had been that of rejecting or accepting the status of associated States, and the possibility of independence had not even been debated by the Constitutional Conference. Since conditions under which the people could make a free choice had not been created, it was reasonable to conclude that the provisions of the Declaration relating to the opportunity to make that choice had not been complied with. That was an essential point which the Committee should consider in deciding whether or not the provisions of resolution 1514 (XV) had been implemented.

877. Negotiations held with members of the legislative bodies of the Territories under consideration could in no sense be described as constituting a popular consultation. Under the conditions of colonial administration, such bodies could not be regarded as speaking for the people. That had been apparent during the events which had occurred in Grenada in connexion with the constitutional reforms introduced by the colonial Power; in that instance, the elected representatives of the people had negotiated on the basis of principles completely different from those which the voters had asked them to uphold and the people's wishes had thus been flagrantly disregarded. It had been argued in the Committee that the fact that the people of Grenada wished to be united with the other Territories did not mean that Trinidad and Tobago, for example, also wished to enter into such an association. However, that was not the point at issue; what concerned the Committee was the fact that the representatives of Grenada had not taken the people's wishes into account. By choosing the path of association with the United Kingdom, they had disregarded the instructions which they had received from the Territory's inhabitants.

878. The explanations given by the United Kingdom representative made it clear that the administering Power had no intention whatever of holding a genuine popular consultation. It was true that provision had been made for permitting the inhabitants of the islands to unite, through certain constitutional procedures,

with other British Commonwealth Territories in the area. The constitutional agreements that had been entered into also reserved the people's right to become independent, but that decision would have to be taken by a two-thirds majority. In actual fact, there was no question of a referendum, unless perhaps on some remote and hypothetical future occasion. For the present, the people had been given no opportunity to make their opinions known; they had not been invited to express their views on association with the United Kingdom. As the representative of Uruguay had observed, the administering Power had employed a procedure to which the Committee could not give its approval. It was therefore not surprising that the United Kingdom refused to permit a United Nations visiting mission to be sent to the Territories.

879. With regard to the intrinsic value of the constitutional provisions which had been enacted, his delegation noted that the status of associated State did not in any sense terminate the colonial relationship between the Territories and the United Kingdom. For example, the United Kingdom Government reserved the right to intervene directly in the internal affairs of the Territories without even being requested to do so by the local government in matters of defence and foreign relations. It could not even be said that the Territories were being accorded internal self-government. There was therefore every reason to conclude that the United Kingdom had not implemented General Assembly resolution 1514 (XV).

880. In the present circumstances, the Special Committee could not simply refer the question to Sub-Committee III, as the United Kingdom and the United States wished it to do. If the Committee yielded to such pressure, it would delay still further a settlement of that important question and would betray the trust of the peoples concerned. On the contrary, the Committee must state clearly and unambiguously that the United Kingdom had not discharged its obligations, since association was not a first step toward independence and sovereignty.

881. It was therefore the Committee's duty to follow the situation and to make certain that the administering Power took steps in conformity with the Charter and the decisions of the United Nations. That was why his delegation supported the draft resolution previously submitted by the Afro-Asian countries (A/AC.109/L.378).

Unlike the revised version (A/AC.109/L.378/Rev.1), that text correctly described the Committee's position with regard to the status proposed for the Territories under consideration and stated unequivocally that the administering Power had failed to implement the relevant resolutions of the General Assembly. However, since the revised version also said that resolution 1514 (XV) continued to apply to the Territories in question, his delegation would vote in favour of the new text.

882. The representative of the United Kingdom, speaking in exercise of his right of reply, said that he deeply regretted the serious allegations just made against the peoples of the West Indies Associated States. The Soviet representative had stated that the peoples concerned had not been given an opportunity to make a genuine choice, that they had not been consulted and, furthermore, that their elected representatives could not be regarded as actually speaking on their behalf. He wished to point out that all representatives, including both elected representatives and the leaders of opposition parties, had been duly consulted. One could only deplore the Soviet representative's remarks, which would certainly be regarded as an insult in the Territories concerned.

883. The representative of the Union of Soviet Socialist Republics said he wished to state once again that the peoples of colonial Territories must be called upon, in all parts of the world and under all circumstances, to decide their own political status, as was their inalienable right. That was the meaning of his delegation's statements.

884. The reply of the representative of the United Kingdom had not provided the Committee with any new information. The fact remained that the people had not had an opportunity to make a choice and that they had not been consulted in a direct, democratic manner. The administering Power had disregarded the General Assembly's decisions, especially resolution 2232 (XXI), which called upon it to permit the sending of a United Nations visiting mission to the Territories. Similarly, the administering Power had taken no steps to withdraw its troops from the Territories in question or to dismantle the military bases which it had established there. The examples of Ascención Island and Aden provided ample proof that in colonial countries the exercise of the sovereign rights of the people was incompatible

with the maintenance of a foreign military presence. His delegation had merely wished to state again that General Assembly resolution 1514 (XV) continued to apply to the Territories under consideration, and its concern in that regard was shared by numerous representatives.

885. The representative of the United Kingdom said that he wished to point out once again the representative nature of the elected members of the government councils in the Territories under consideration, where the peoples had more experience of representative democracy than the Soviet Union.

886. The representative of the Union of Soviet Socialist Republics observed that the views of those persons, whatever might be their representative nature, did not necessarily reflect those of the population, as was shown by the example of Grenada.

887. The representative of Venezuela said that the Special Committee, which was devoted to the principles of resolution 1514 (XV), should always be mindful of the interests and well-being of the people of the Territories with which it was concerned. In the case of small Territories in particular, care must be taken to avoid granting a precarious, fictitious independence. In that connexion, operative paragraph 2 of resolution 1514 (XV) seemed to allow for certain special forms of self-determination and internal self-government.

888. In any event, the Special Committee could not take the place of the persons concerned, particularly the elected representatives - whose representative nature he did not in any sense dispute - in seeking the most appropriate solutions. On the contrary, it was the duty of the Committee to ensure that the will of the people was expressed freely and by democratic means in accordance with resolution 1514 (XV). The people of the Territories, whose political future was at stake, should therefore - as the United Kingdom representative would perhaps agree - be consulted by means of a referendum in which the alternatives being offered were clearly indicated. Those were the considerations which would guide his delegation in voting on the various proposals before the Committee.

889. The representative of the United Kingdom said that there was general recognition in the Committee of the usefulness of the discussions some members had had with Mrs. Judith Hart, the United Kingdom Minister of State for Commonwealth

Affairs, who was responsible for the Territories under discussion. She also had found the discussions valuable. Some members had also had an opportunity to hold informal talks with Mr. Southwell, Deputy Premier of St. Kitts, who had been Chief Minister when the new arrangements had been approved. He thought that all delegations would agree that the discussions held in recent weeks had been valuable and important. They had raised questions whose scope went far beyond the Caribbean and where at the core of the problem now before the Committee - how smaller, poorer Territories could find their right place in the world and be assisted to make a free choice regarding their future. There were few precedents to turn to. His delegation had given careful study to the principal recent precedent, that of the Cook Islands. The New Zealand Government had taken a wise initiative and the United Nations had played a valuable part in bringing about an agreed result, on the basis of respect for the wishes of the people concerned.

890. The United Kingdom had asked for more time to arrive at a satisfactory solution with regard to the Caribbean Territories; it wished for co-operation without prejudgement. His delegation maintained, first, that General Assembly resolutions 1514 (XV) and 1541 (XV) were not contradictory but complementary and, secondly, that free association was an acceptable and duly authorized alternative to full independence. The stipulations in resolution 1541 (XV) concerning free association had been fully met with regard to the Territories under discussion, after the widest consultations between the United Kingdom Government and the peoples concerned and after unanimous votes by the legislatures of those Territories, which had been elected by full adult suffrage.

891. Some fundamental questions had been raised in the course of the debate. It was in order to study developments in the Caribbean Territories against the background of those questions that the United Kingdom Government had called for further discussion. One of those questions concerned the effect of General Assembly resolution 1514 (XV), operative paragraph 5 of which provided that immediate steps should be taken to transfer all powers to the peoples of colonial countries and territories in accordance with their freely expressed will and desire. During the discussion of the Cook Islands in 1965, the representative of Iraq had demonstrated that that fundamental requirement would be satisfied if all the powers freely and

openly desired by the people of a former colonial territory were transferred to them, including the power to proceed to independence immediately at any time they wished.^{1/} That was exactly the situation in the West Indies Associated States.

892. The second fundamental question was whether the only way to comply with the pertinent General Assembly resolutions was by granting full independence. He did not think that any member of the Committee would wish to answer that question in the affirmative, and the remarks of the representative of Tanzania at the previous meeting had been very relevant in that connexion. The important thing was that the peoples concerned should have independence of choice. That, too, was the case in the Caribbean Territories, where principle VII of General Assembly resolution 1541 (XV) had been fully respected. A related question was whether the Caribbean Territories should be allowed or encouraged to form a federation. The arrangements made in agreement with the peoples concerned had been deliberately framed to leave open the way to a future federation if the people so wished.

893. Another important question was what was the best method of giving peoples the right to proceed to full independence whenever they wished. In the present instance, provision had been made for a referendum. There might be differing views on the virtues of a referendum, but it had been readily accepted by all the peoples concerned. A further question was that of United Nations involvement. The United Nations had in some cases in the past supervised plebiscites and elections, but there was no prescribed form for United Nations involvement and none of the relevant General Assembly resolutions laid down any requirement of that sort. There was room for discussion of whether the United Nations might be called upon to play a new part in order to safeguard the interests and wishes of the people themselves. That might

^{1/} Official Records of the General Assembly, Twentieth Session, Annexes, addendum to agenda item 23 (A/6000/Rev.1), chapter VIII, paras. 106-113).

usefully be discussed in the Committee with the aim of finding an answer to the overriding question of the best method of consulting public opinion. At the previous meeting the Uruguayan representative had discussed the advantages of a referendum, which were many. It had been said by others that if a referendum had been held in the islands, the result might have been exactly the same as it was at present and the Committee would have been entirely satisfied. If that was so, all that was necessary now was evidence that in fact the arrangements made were in full accordance with the wishes of the people. As the Tanzanian representative had said, the choice of the people was for them to decide and not for the Committee to dictate. If the evidence available was not sufficient, further evidence could probably be procured. For instance, it might be possible to arrange direct contact between the Committee and the Associated States' elected leaders. He was sure that, given time, his delegation could lay the Committee's doubts to rest.

894. The United Kingdom had always strongly defended the parliamentary system. A referendum could answer a few simple questions but a new constitution was not a simple question, and it had to be worked out by negotiation between accredited representatives of the people. That could be done at a conference but not in a referendum.

895. The United Kingdom, which had the greatest remaining colonial responsibilities of any Power, had always favoured the closest co-operation with the United Nations, particularly with the bodies dealing with colonialism. Although it had not always shared the views of other delegations, it had always been willing to provide information to explain and justify its policies. He was most anxious that that relationship should continue; nothing but good could come from a continuation of such co-operation.

896. Another and wider question was that of the effectiveness of the work of delegations in the United Nations. In his view, the business of representatives to the United Nations was not merely to state differences but persistently to seek common ground on which agreement could be reached. In that respect there was still a possibility of progress on the matter under discussion. The problem was not only one of the actual facts of the situation; the Committee needed to be assured that what had been done was in accordance not only with the wishes of the people but also with General Assembly resolution 1514 (XV) and the other resolutions forming

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the mandate of the Committee. That being the case, he was convinced that everyone would wish to leave the door open for further consultation, including direct contact between members of the Committee and the elected leaders of the peoples concerned.

897. All the United Kingdom delegation was asking was that the Committee should suspend judgement while preserving freedom of action and decision. That could be done either by adopting the Italian amendment (A/AC.109/L.381) or the Uruguayan amendment (A/AC.109/L.387) or by accepting the United Kingdom proposal to refer the whole matter to the Sub-Committee before taking a final decision. He felt that agreement was close and that there was a general wish to avoid a breach. He appealed to the Committee not to prejudge the issue but to leave the door open for constructive action.

898. The Chairman, speaking as the representative of the United Republic of Tanzania, said that some of the remarks he had made previously had been quoted out of context in the statement just made by the United Kingdom representative and had been given a meaning never intended by his delegation. He hoped that members who wished to know the true meaning of the Tanzanian delegation's statement would read it.

899. The representative of Sierra Leone said that he did not doubt the sincere desire of the United Kingdom Government to fulfil the obligations of Chapter XI of the Charter and of the relevant resolutions of the United Nations, paramount among which was General Assembly resolution 1514 (XV). His delegation's views as to whether the elections held in the Caribbean Territories under consideration represented the type of consultation envisaged in that resolution had been made clear at an earlier meeting. What he wished to discuss today was operative paragraph 1 of draft resolution A/AC.109/L.378/Rev.1, reaffirming that General Assembly resolution 1514 (XV) and other relevant resolutions continued to apply to those Territories, for he felt that a decision on that subject could affect the future of all the small islands remaining on the Committee's agenda.

900. In the case of the Cook Islands in 1965, a United Nations mission had supervised the elections and submitted a report to the Secretary-General, who in turn had submitted a report to the Committee; the Committee had discussed the item without making any definite pronouncement on the applicability of resolution 1514 (XV). It had been tacitly understood, however, that the resolution continued to apply, until the moment when the General Assembly at its twentieth session had decided that the administering Power need not transmit information concerning the Cook Islands.

901. The Committee seemed unwilling at present to make a definite pronouncement concerning the Caribbean islands, but since everyone apparently agreed that the matter should be referred to Sub-Committee III, it seemed obvious that the resolution and Article 73 of the Charter must be regarded as applicable to the Territories until such time as the Special Committee, having examined recommendations of Sub-Committee III, might decide that they were not.

902. The United Kingdom Government had co-operated with the Committee by complying with requests for information and had generally helped it in arriving at solutions; even its views on the question of visiting missions appeared to be closer to those of most members of the Committee than in the past. The United Kingdom's willingness to refer the matter to Sub-Committee III, in his view, indicated agreement that the provisions of resolution 1514 (XV) applied until the Committee itself decided otherwise, and his delegation, among others, had expressed the view that any resolution adopted by the Committee should be regarded as temporary and could be superseded by a new decision.

903. A growing number of items before the Special Committee were connected with the difficulties of extremely small Territories. In such Territories the people should be given an opportunity to express their views on their political future, but independence of the kind that had become traditional for larger Territories did not appear feasible for them. The Special Committee must therefore examine very carefully the methods to be followed in dealing with the problems of such "mini-territories", among which the Caribbean islands were practically the first to be discussed by the Committee. His delegation wished to avoid the adoption of a formula that some administering Power could misuse in the future. The adoption of

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operative paragraph 1 of the draft resolution did not prejudge the ultimate decision of the Sub-Committee or close the door to any future negotiation.

904. His delegation believed that some progress had been made in the achievement of a new status by the Caribbean islands, and it had therefore agreed to delete a part of the draft resolution which might have been regarded as a condemnation of United Kingdom policies. He hoped that the United Kingdom would co-operate in enabling Sub-Committee III to consider all aspects of the question, including the sending of a visiting mission which could discuss the situation with the new constituent Governments.

905. The representative of Iraq said that the Iraqi delegation's statement in the debate on the Cook Islands, which had been mentioned by the United Kingdom representative, had related to a situation very different from the present situation in the Caribbean islands. First, the authorities of the Territories in the Caribbean had not been given full powers or offered the opportunity to assume them. Secondly, the people of the Cook Islands had been offered four alternatives: complete independence, integration with New Zealand, internal self-government, and federation with the Ploynesian groups; he wondered whether a choice among such alternatives had been offered to the peoples of the Caribbean islands. Thirdly, there had been a United Nations Mission in the Cook Islands when the people had taken their decision, while no United Nations presence had been allowed in the Caribbean islands. The United Kingdom representative had spoken, after the final decisions had been taken, of the possibility of direct contact between members of the Special Committee and leaders of the Territories, but he wondered whether that suggestion implied the United Kingdom's agreement to the sending of a visiting mission or whether it meant only that some members of the local government would communicate with members of the Special Committee as petitioners or in some other capacity.

906. Mention had been made of the United Kingdom Government's willingness at all times to co-operate in answering questions and justifying its policy. What the Special Committee wanted, however, was that the United Kingdom should co-operate by changing its policy and helping the Committee in the implementation of United Nations resolutions.

907. The United Kingdom representative had also spoken of composing the differences that separated the administering Powers and the members of the Special Committee, but the most important party to a colonial question was neither the administering Power nor the Committee but the people of the Territory. The members of the Committee could not compromise with the administering Power; both must consider first and foremost the wishes of the people of the Territory and must work to give them the right to decide for themselves what they wanted.

908. The representative of Bulgaria said that his delegation found it hard to believe that the constitutional arrangements in the six Caribbean Territories were of such a nature as to discharge the obligations of the administering Power under Chapter XI of the Charter. The provision ensuring the people's freedom to decide at any time on a change in their status referred only to the future. His delegation appreciated the sincere efforts of members of the Committee to find a formula which would be acceptable to all and in keeping with the obligations of the United Nations in the historical process of decolonization, but the Organization could not be expected to seek co-operation and unanimity at the cost of abandoning a position of principle. Bulgaria believed that all colonial Territories, irrespective of their size or economic development, ought to be freed from foreign colonial domination and that General Assembly resolution 1514 (XV) must be implemented in all of them.

909. His delegation would vote in favour of draft resolution A/AC.109/L.378/Rev.1 and hoped that the administering Power would give the Committee its constructive co-operation when the question of the six Territories was discussed again.

910. The representative of Italy, reaffirming his delegation's earlier statement (A/AC.109/SR.500), said that the recent constitutional events in the six eastern Caribbean Territories had substantially followed the lines set forth in resolution 1514 (XV) and other relevant resolutions adopted by the General Assembly. His delegation welcomed the new arrangements worked out by the freely elected Governments of the six Territories and by the United Kingdom Government, regarding them as a positive step towards the objectives set by the United Nations in respect of colonial peoples and countries. It had proposed an amendment (A/AC.109/L.381) to draft resolution A/AC.109/L.378 because it believed that operative paragraph 1 of the draft resolution seemed to specify in advance one of the conclusions which Sub-Committee III might arrive at after its consideration of the item. The proposal

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had been intended not to modify the purpose and meaning of the draft resolution but rather to clarify the issue so that Sub-Committee III could study the problem without any limitations.

911. He agreed with the Tanzanian delegation that the question of the methods and procedures followed by the administering Power in introducing the new constitutional arrangements could have far-reaching implications affecting other Non-Self-Governing Territories and therefore justified further comprehensive consideration of the item by Sub-Committee III. The aim of the Committee's debate had been precisely that of determining whether, and to what extent, resolution 1514 (XV) and other relevant resolutions had been implemented and whether, and in what form, they still applied to the Territories in question.

912. In view of the wide agreement as to the meaning of the debate, it might be unfortunate if a vote on the Italian proposal were to emphasize a division of opinion which did not in fact exist. His delegation had therefore decided to withdraw its amendment, provided that the Committee would vote on the Uruguayan draft amendment (A/AC.109/L.387), which could be regarded as a better effort to bridge certain gaps among the various delegations.

913. The representative of the United Kingdom said that if he had misinterpreted what the Chairman had said when speaking as the representative of Tanzania, he wished to apologize. But he had been greatly impressed by the Chairman's statement that it was for the people themselves to decide what their future should be; that, indeed, was the essence of the case his own delegation had been endeavouring to put to the Committee.

914. While he understood the Sierra Leone representative's anxiety to find a solution acceptable to all, he would again most seriously put to the Committee the basic point that there should be no prejudgement. If the Committee took up a position before hearing all the evidence, he could not see what value there would be in participation by his delegation in any further examination by Sub-Committee III.

915. He assured the representative of Iraq that in quoting from a statement made by his predecessor he had not suggested that the case now before the Committee was exactly comparable with that of the Cook Islands. He had in fact been referring to the principle that the requirements of resolution 1514 (XV) could be met if all the powers desired by the people of a former colonial Territory were transferred to them, including the power to proceed to independence at any moment.

916. The Committee had come a considerable distance towards the action which should now be taken. If the question was referred back to the Sub-Committee without prejudgement, good results could be achieved, and his delegation offered its co-operation on that basis. However strong members' views might be, he hoped that the door would not be closed to the exploration of whatever possibilities there might be for a satisfactory outcome.

917. The Chairman, speaking as the representative of the United Republic of Tanzania, repeated what he had said at the previous meeting: that while his delegation did not challenge the new status accepted by the people of the Caribbean islands, it considered that the obligations of the United Kingdom Government under Chapter XI of the Charter and resolution 1514 (XV) had not been fulfilled.

918. The representative of the United States of America said that it was essential that any further study of the question in the appropriate Sub-Committee be made in the light of the pertinent resolutions, but without an advance decision by the Committee on the outcome. To do otherwise would tie the hands of the Sub-Committee and hamper the effectiveness of its work. Her delegation would accordingly vote for the Uruguayan amendment.

919. The representative of India said that after listening to the several statements of the administering Power, he felt that there was considerable common ground between the views of the latter and of his own delegation. For example, he agreed with the United Kingdom representative that the highest priority in these considerations should be given to the interests of the peoples of the Territory. He also agreed that resolutions 1514 (XV) and 1541 (XV), both highly respected by his delegation, were not contradictory. By that his delegation meant that in a case where resolution 1541 (XV) had been satisfied, resolution 1514 (XV) might still apply, though not necessarily in every case. However, where resolution 1514 (XV) had been applied, resolution 1541 (XV) could not apply.

920. His delegation also agreed with the United Kingdom that although a referendum may be the ideal way of ascertaining the wishes of the people, it was not the only way. However, all colonial Powers should endeavour to hold referendums in colonial Territories. Nor was a United Nations presence in all colonial Territories essential: if for some reason it had not been possible in a particular Territory, that by itself did not necessarily mean that the people had been unable to exercise their right of self-determination in full conformity with the pertinent resolutions.

921. His delegation's difference with the administering Power lay in the former's conviction that the fulfilment of resolution 1541 (XV) did not necessarily preclude the application of resolution 1514 (XV). In the Cook Islands, an election with the proposed constitutional arrangements as its central issue was held in the presence of a United Nations Observer who was satisfied that the people had exercised their right of self-determination freely. In spite of these factors, the General Assembly had declared that the administering Powers's obligation to transmit information under Article 73 (e) of the Charter had terminated, but that resolution 1514 (XV) nevertheless continued to apply. That meant that should circumstances warrant it, it would be within the competence of the Committee or the General Assembly to reopen discussion on the Cook Islands. Even the administering Power had voted in favour of that resolution.

922. In the case of the Caribbean Islands, there had been no elections in some of the Territories. In the others, it was not quite clear whether the proposed constitutional status was the central issue in the elections. However, his delegation was not making a judgement on the issue. Even if the Special Committee was satisfied that the present status was what the people desired, the administering Power still had to agree with the Committee that resolution 1514 (XV) continued to apply. In such a case, the administering Power would no longer be required to provide information about the Territories, but the Committee would still be entitled to reopen the question at a later date if circumstances so warranted.

923. He had been concerned to hear that the United Kingdom delegation was seriously considering the whole question of its co-operation with the Committee. The United Kingdom had always displayed a very co-operative attitude towards the Committee and his delegation much appreciated it. But adoption of the seven-Power draft resolution would certainly not close the door to co-operation because of the very wide mandate given to Sub-Committee III - to consider whether or not the provisions of resolution 1514 (XV) had been satisfied - offered ample scope for continuing co-operation between the United Kingdom delegation and the Special Committee. If Sub-Committee III should find that resolution 1541 (XV) had been implemented and if this finding was accepted by the Special Committee, it would be a considerable achievement.

924. His delegation would abstain on the Uruguayan amendment and vote in favour of the draft resolution as a whole.

925. The representative of the Union of Soviet Socialist Republics pointed out that none of the Assembly resolutions pertaining to the Special Committee made any reference to resolution 1541 (XV). The terms of reference of the Special Committee were based exclusively on resolution 1514 (XV).

926. His delegation would vote for the seven-Power draft resolution, for reasons already explained. It would vote against the Uruguayan amendment, for it added nothing and implied that the Committee should take no position on what had happened in the Caribbean Territories. It was no accident that the delegations that were strongly opposed to the adoption of any resolution by the Special Committee and simply wanted to have the matter referred to Sub-Committee III were the ones that supported the amendment.

927. The representative of the United Republic of Tanzania said that his delegation would vote against the Uruguayan amendment because it did not agree that the question was whether resolutions of the General Assembly should or should not be applied. Those resolutions, and in particular resolution 1514 (XV), continued to be applicable to all Territories that had not obtained independence. It was on the basis of that principle that his delegation had co-sponsored the draft resolution.

928. The representative of Mali said that he would be unable to support the Uruguayan amendment. If it adopted the amendment, the Committee might appear to extend de facto recognition to the situation now prevailing in the Territories. In spite of that situation, they were still colonial Territories, and resolution 1514 (XV) was as applicable to them as it was to Southern Rhodesia.

929. The representative of Iraq said he was glad to hear from the United Kingdom representative that the situation in the Cook Islands and in the Caribbean islands were different and that the provisions of resolution 1514 (XV) would be satisfied if all the powers desired by the population were transferred to them. However, the Iraqi statement to which that representative had referred had been made in the context of General Assembly resolution 2064 (XX) regarding the Cook Islands which had made it quite clear that resolution 1514 (XV) still applied to that Territory. Resolution 2064 (XX) had stated not that the responsibility of the administering Power in the Cook Islands had terminated, but that the transmission of information was no longer necessary. He therefore failed to see why the United Kingdom

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representative opposed a provision in the draft resolution mentioning the applicability of resolution 1514 (XV), particularly since the matter was to be referred to Sub-Committee III, which would report back in due course. In conclusion, he stated that his delegation would vote against the Uruguayan amendment (A/AC.109/L.387).

930. The representative of Uruguay said that he could not agree with the Soviet Union representative that the Uruguayan amendment added nothing and implied that the Committee should take no position. The amendment was a positive and constructive attempt to lead the Committee out of its impasse; it made no prejudgement nor did it commit the Committee in any way except to its avowed aim of decolonization.

931. The representative of Mali had also stated that he would not support the Uruguayan amendment. However, that position would seem to be at variance with the position adopted recently by the same representative in connexion with French Somaliland. His own delegation's position had remained completely consistent with regard to all the Territories the Committee had discussed.

932. He could also not agree that the Uruguayan amendment would curtail the powers of the Committee. Operative paragraph 2 of the seven-Power draft indicated that Sub-Committee III was to examine the situation. The Committee would therefore have to wait for the report of Sub-Committee III before it could take a final decision. Therefore, he failed to see why the Committee should issue directives in advance. Moreover, by allowing Sub-Committee III to examine the situation fully and freely, and without prejudgement, the Special Committee would not be curtailing its own powers.

933. The representative of the United Kingdom observed, with reference to the comments made by the representatives of India and Iraq, that his delegation would certainly be prepared to consider arrangements for the six Caribbean Territories similar to those adopted in respect of the Cook Islands. That would be a very suitable subject for discussion in Sub-Committee III. However, the real question before the Committee was whether the matter was to be prejudged before being referred to Sub-Committee III, i.e., whether there should be a verdict before the hearing.

934. The representative of Mali said that his delegation had in the past given adequate proof of the consistency of its policy with regard to decolonization.

He remained convinced that the Uruguayan amendment was fundamentally different from operative paragraph 1 of the seven-Power draft. The question was not whether the provisions of resolution 1514 (XV) should be applied - that would be a misinterpretation of the resolution itself - but whether those provisions continued to apply to the Territories.

935. The representative of India welcomed the fact that the United Kingdom delegation was willing to consider applying the formula used in the Cook Islands to the Caribbean Territories. However, the seven-Power draft would not exclude that possibility. If Sub-Committee III found that the obligations of the administering Power under Article 73 (e) of the Charter had been fulfilled or had been terminated, and if that finding was accepted by the Special Committee, the formula applied to the Cook Islands could certainly be applied to the six Caribbean Territories.

936. The representative of Iraq said he could not agree with the United Kingdom representative that if the Committee adopted the seven-Power draft it would be reaching a verdict before the hearing. The Committee had given that representative ample opportunity for a hearing. Furthermore, any decision regarding the applicability of resolution 1514 (XV) to the Territories in question was for the Committee itself to make; Sub-Committee III could only consider the situation, including the possibility of sending a visiting mission to the Territories, and then report back to the Special Committee. In addition, he failed to see how the United Kingdom representative could say that the situations in the Cook Islands and in the six Caribbean Territories were different and at the same time suggest that similar solutions should be applied.

937. The representative of the United Kingdom observed that he had said his delegation would be perfectly prepared to consider some arrangements similar to those accepted in the Cook Islands. However, he would reiterate his view that the question before the Committee should be considered without prejudgement by Sub-Committee III.

938. At its 506th meeting on 23 March 1967, the Special Committee voted on the three proposals before it, namely, the revised joint draft resolution (A/AC.109/L.378/Rev.1); the Uruguayan amendment (A/AC.109/L.387), as orally amended; and the proposal by the United Kingdom to the effect that rather than proceeding to a vote on the draft resolution the Committee should refer the whole matter to Sub-Committee III.

939. The Special Committee voted first on the United Kingdom proposal which was rejected by 16 votes to 6, with 2 abstentions.

940. The Uruguyan amendment (A/AC.109/L.387) was rejected by a roll-call vote of 13 to 8, with 3 abstentions, as follows:

In favour: Australia, Chile, Finland, Italy, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Bulgaria, Iraq, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syrian Arab Republic, Tunisia, Union of Soviet Socialist Republics, United Republic of Tanzania, Yugoslavia.

Abstaining: Ethiopia, India, Iran.

941. The Special Committee then voted on the revised joint draft resolution (A/AC.109/L.378/Rev.1) as follows:

Operative paragraph 1 of the revised joint draft resolution was adopted by 17 votes to 4, with 3 abstentions.

The revised joint draft resolution (A/AC.109/L.378/Rev.1) as a whole was adopted by a roll-call vote of 18 to 3, with 3 abstentions, as follows:

In favour: Afghanistan, Bulgaria, Chile, Ethiopia, India, Iran, Iraq, Ivory Coast, Madagascar, Mali, Poland, Sierra Leone, Syrian Arab Republic, Tunisia, Union of Soviet Socialist Republics, United Republic of Tanzania, Venezuela, Yugoslavia.

Against: Australia, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining Finland, Italy, Uruguay.

942. The representative of Chile, speaking in explanation of his vote, said that his delegation had supported the Uruguyan amendment because it would have allowed the Sub-Committee to study the situation in the Territories without hindrance and made it possible to refer the question to the Sub-Committee without in any way prejudging the actions of the administering Power.

943. His delegation had abstained from voting on operative paragraph 1 because it prejudged the future work of Sub-Committee III on the question. Sub-Committee III

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would be presenting a report to the Special Committee in the near future and at that time the Special Committee would be able to consider the substance of the matter. However, his delegation had supported the revised joint draft resolution as a whole because it considered that the question deserved special consideration by the Committee.

944. The representative of Iran said that his delegation had abstained from voting on the Uruguayan amendment because its meaning was virtually identical to that of operative paragraph 1 of the revised joint draft resolution. However, his delegation had voted in favour of that operative paragraph since it had the merit of clarity and required no interpretation.

945. His delegation had suggested the deletion of operative paragraph 1 of the original draft resolution (A/AC.109/L.378), as well as the phrase in that draft resolution which would have called upon the United Kingdom to expedite the process of decolonization in the Territories, because such provisions would have constituted a prejudgement by the Committee. However, the resolution as adopted was not a prejudgement but merely a preliminary finding. There was nothing to prevent Sub-Committee III from making a recommendation in the light of new information and in the light of its detailed and full examination of the question. He therefore hoped that the United Kingdom would continue to offer its co-operation to the Committee.

946. The representative of Venezuela said that his delegation had voted in favour of the Uruguayan amendment because it felt that it would help to ensure the widest co-operation from the administering Power - something which was most necessary if the Sub-Committee was to be able to carry out its task. It had supported the revised joint draft resolution as a whole because it did not feel that the Uruguayan amendment and the draft resolution itself were mutually exclusive, neither of the two texts calling for an abdication of the powers or functions of the Committee.

947. The representative of Tunisia said that his delegation had voted against the Uruguayan amendment because it had felt that the spirit of the amendment was already reflected in the text of the revised joint draft resolution.

948. The text of the resolution on the question of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent (A/AC.109/235) adopted by the Special Committee at its 506th meeting on 23 March 1967, reads as follows:

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"The Special Committee,

"Having considered the oral and written petitions presented to it concerning Antigua, St. Lucia and St. Vincent,

"Having heard the statements of the administering Power,

"Having examined the recent developments concerning these Territories,

"Recalling General Assembly resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and General Assembly resolution 2232 (XXI) of 20 December 1966,

"1. Reaffirms that General Assembly resolution 1514 (XV) and other relevant resolutions continue to apply to these Territories;

"2. Requests its Sub-Committee III to examine, in the light of the recent constitutional developments, the situation in these Territories in all its aspects including the possibility of sending a visiting mission, and to report to the Special Committee at an early date."

V. CONSIDERATION BY THE SPECIAL COMMITTEE OF UNITED STATES VIRGIN ISLANDS, BRITISH VIRGIN ISLANDS, ANTIGUA, DOMINICA, GRENADA, MONTSERRAT, ST. KITTS-NEVIS-ANGUILLA, ST. LUCIA, ST. VINCENT, BERMUDA, BAHAMAS, TURKS AND CAICOS ISLANDS, CAYMAN ISLANDS, FALKLAND ISLANDS (MALVINAS) AND BRITISH HONDURAS

Introduction

949. At its 488th meeting, on 20 February 1967, the Special Committee decided to refer the following Territories to Sub-Committee III for consideration and report:

- (1) United States Virgin Islands
- (2) British Virgin Islands
- (3) Montserrat
- (4) Bermuda
- (5) Bahamas
- (6) Turks and Caicos Islands
- (7) Cayman Islands
- (8) Falkland Islands (Malvinas)
- (9) British Honduras.

950. As set out in paragraph 948 above, the Special Committee, by adopting its resolution concerning Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent, requested the Sub-Committee III "to examine, in the light of the recent constitutional developments, the situation in these Territories in all its aspects including the possibility of sending a visiting mission, and to report to the Special Committee at an early date".

951. Subsequently, Sub-Committee III made a detailed and intensive examination of the Territories referred to it, including the Territories of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent. An account of this consideration is contained in the report of Sub-Committee III which is annexed to this chapter. In seeking further information on the Territories of Antigua, Dominica, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent, the Sub-Committee availed itself of the opportunity of hearing certain individuals who wished to place before the Sub-Committee information concerning Anguilla. On the basis of this information, Sub-Committee III drew up its conclusions and recommendations which are set out in its report (see annex).

952. The Special Committee considered these Territories at its 548th, 564th and 565th meetings on 30 August, 27 September and 6 October 1967. At its 548th meeting it heard a petitioner concerning British Honduras. At its 564th and 565th meetings it considered these Territories on the basis of the report of Sub-Committee III.

953. The Committee had before it two letters dated 3 February 1967 (A/AC.109/219 and 220), addressed to the Secretary-General, in which the Permanent Representatives of Argentina and the United Kingdom stated that their Governments wished to reaffirm their willingness fully to implement the consensus approved by the General Assembly on the question of the Falkland Islands (Malvinas), as also the terms of resolution 2065 (XX) of 16 December 1965 which also invited their respective Governments to enter into negotiations with a view to finding a solution to the problem.

954. In a letter dated 30 August 1967 (A/AC.109/263), the Permanent Representative of Guatemala to the United Nations requested permission to participate in the Committee's discussion of the question of British Honduras. At its 548th meeting, the Special Committee decided, without objection, to accede to this request.

955. In a letter dated 2 August 1967 (A/AC.109/257), the Permanent Representative of Guyana to the United Nations requested permission for his delegation to participate in the Special Committee's deliberations on matters affecting the Caribbean Territories, especially those relating to Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent. At its 565th meeting, the Special Committee decided, without objection, to accede to this request.

A. Written petitions and hearings

956. Written petitions. The Special Committee circulated the following written petitions in addition to those listed in paragraph above:

<u>Petitioner</u>	<u>Document No.</u>
<u>Bermuda</u>	
Mr. W.G. Brown, Secretary-General, Bermuda Constitutional Conference	A/AC.109/PET.577

<u>Petitioner</u>	<u>Document No.</u>
<u>British Honduras</u>	
Mr. Compton Fairweather, Chairman, British Honduras Freedom Committee of New York, on behalf of the Hon. Philip Goldson, Member of the House of Representatives and Leader of the Opposition in British Honduras	A/AC.109/PET.696
<u>Falkland Islands (Malvinas)</u>	
Mr. Daniel Fernandez Amor	A/AC.109/PET.703
<u>Grenada</u>	
Mr. E.M. Gairy, Leader of the Opposition in Grenada	A/AC.109/PET.573/Add.3
<u>St. Kitts-Nevis-Anguilla</u>	
Three petitions from Mr. Peter E. Adams	A/AC.109/PET.708
Dr. Bertram Schaffner, President, U.S. Caribbean Aid to Mental Health	A/AC.109/PET.709
Messrs. Kennedy A. Simmonds, Vice-President, and Richard L. Caines, Secretary, People's Action Movement	A/AC.109/PET.710
<u>St. Vincent</u>	
Mr. Milton Cato, Leader of the Labour Party in St. Vincent	A/AC.109/PET.628
Miss Alma Johnson, General Secretary, Federated Industrial and Agricultural Workers' Union, St. Vincent	A/AC.109/PET.646

Hearing concerning British Honduras

957. The Special Committee heard Mr. Philip Goldson, Leader of the Opposition in British Honduras, at its 548th meeting.

958. Mr. Goldson said that he wished to speak not so much as the Leader of the Opposition in British Honduras but as the representative of all its people; it was his hope that in the near future the Premier of his country would also have the opportunity to describe some of the serious problems facing British Honduras. After noting the geographical position of British Honduras, he pointed out that 80 per cent of its population of 110,000 were of Afro-European origin and 20 per cent of mixed Spanish and Maya Indian descent, the Mayas having left many traces of their occupation before they had left the area, for unexplained reasons,

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after the eighth century. The Territory had been uninhabited until 1638, when the survivors of a wrecked British ship had founded the first recorded European settlement at the mouth of the Belize river. That settlement had been constantly attacked by Spanish settlers from neighbouring territories, since Spain had claimed sovereignty over the whole Western Hemisphere, with the exception of certain regions of South America which were assigned to Portugal.

959. By the Treaty of Madrid of 1670, Spain had given de facto recognition to all British possessions in the Caribbean area with the exception of the settlement at the mouth of the Belize river. In 1763, under the Treaty of Paris, which had ended the Seven Years' War, Spain, while retaining sovereignty over the Territory, had conceded the right to engage in the logwood industry to the British settlers. Further treaties in 1783 and 1786 had confirmed that right. The British settlers, who had alternated between governing themselves and entrusting the management of their affairs to administrators from Great Britain, had by then managed to occupy the whole of the area which formed modern British Honduras. In 1798, they had won a decisive naval victory over the Spaniards off St. George's Caye and thereafter had maintained that the Territory had become British by conquest.

960. In 1821, Guatemala and other Central American republics had gained independence from Spain. Subsequently, Guatemala had claimed that it had inherited all lands contiguous to its frontiers which had formerly been owned by Spain. That was the basis for its current claim to British Honduras. The sovereignty of British Honduras had been guaranteed, however, by the Dalls-Claredon Treaty of 1850 and by the Anglo-Guatemalan Treaty of 1859, although the current difficulties had arisen from the last-named Treaty.

961. It was important to bear in mind that under that Treaty British sovereignty over British Honduras had not been explicitly proclaimed, although it had long been exercised in practice, that the boundaries of the Territory had not been defined by treaty or agreement since the Anglo-Spanish treaties of 1783 and 1786, and that, under the Clayton-Bulwer Treaty, Britain had been precluded from extending its dominion in Central America. Moreover, Guatemala's claims had never been admitted by Great Britain or Spain.

962. Article VII, the most controversial article of the Treaty, had provided that the Contracting Parties should:

"... mutually agree conjointly to use their best efforts, by taking adequate means for establishing the easiest communication between the fittest place on the Atlantic coast near the settlement of Belize, and the capital of Guatemala, whereby the commerce of England, on the one hand, and the material prosperity of the Republic, on the other, cannot fail to be sensibly increased".

According to historians, the British negotiator had accepted that article on his own responsibility to the great surprise of the British Government. Of course, if the article had been rejected Guatemala would never have signed the Treaty. Its provisions had recompensed Guatemala for abandoning its rights to the territories unlawfully occupied by the settlers of Belize. The planned road had been intended to link Guatemala City and the Atlantic port of Izabal and would therefore not have run through British Honduras. It would, however, have contributed to the prosperity of the colony by facilitating trade between England and the whole of Central America. The intention had been that Great Britain should supply the technicians and Guatemala the materials and labour. The British engineer appointed to mark the boundary line and survey the proposed road had begun work in 1860. At the end of the year, however, he had stopped work because he did not know where the frontier of the north-west corner of the colony ceased to be contiguous to Guatemalan territory and began to be contiguous to Mexican territory. Since Great Britain and Guatemala had also disagreed on their respective financial obligations, a further agreement had had to be negotiated.

963. Under the Additional Convention signed in 1863, Great Britain had undertaken to pay to Guatemala £50,000 for the building of a road from Guatemala City to the Atlantic Coast "whether by land, or by partly making use of the River Montagua, or by any other route best calculated to communicate with the British Possessions in Belize". Provision had been made for the Convention to be ratified within six months, but that period had long since elapsed when Guatemala had asked that the exchange of instruments of ratification should be postponed for a year to enable it to be sure of being able to carry out its obligations "without sacrifice". More than a year later, in 1865, Guatemala had finally ratified the Convention but had proposed two "clarifications", which had been formally laid before the British

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Government in 1866. The latter had refused to accept the clarifications and had declared that the Additional Convention had lapsed by reason of the Guatemalan Government's delay. Guatemala had replied that article VII of the 1859 Convention had provided for granting "a real compensation to Guatemala... for the abandonment of the territorial rights of Belize" and had stated that it was prepared to sign a new Convention identical with the former one. The British Government had energetically repudiated Guatemala's territorial claims, denied that the 1859 Convention had involved any cession of territory and maintained that it had been released from its obligations under the Additional Convention.

964. In 1884, British Honduras had become a Crown Colony.

965. In 1937, Guatemala had repeated its previous proposals, but, since they had again been rejected, it had proposed arbitration with the President of the United States as the sole umpire. The proposal for arbitration had been readily accepted; however, the United Kingdom Government had considered that the Hague Court was the only tribunal competent to decide such an extremely complex legal question.

966. In 1948, the Guatemalan Government had once again proposed that the dispute should be mediated by the United States; the United Kingdom Government had again refused. Guatemala had then declared that all schools in Guatemala would teach that British Honduras was Guatemalan and that all maps would be altered accordingly. For its part, the United Kingdom Government had stated that it could not surrender any territory in which the inhabitants had repeatedly expressed the wish to remain within the Commonwealth without a decision by the International Court of Justice.

967. It was reasonable to suppose that, if Guatemala shrank from arbitration of the legal issues involved, it was because it was doubtful of the validity of its claims. It might even be suspected from its propaganda that the Guatemalan Government did not seek a legal decision at all but rather a political decision.

968. Despite its previous statements, the United Kingdom Government now found it expedient to accept United States mediation. However, it was generally known that the United States was heavily committed to Guatemala and therefore could not be impartial.

969. The people of British Honduras were unalterably opposed to integration, incorporation or political association with the Republic of Guatemala. They were united in their determination that their country should attain genuine independence. They had demonstrated unmistakably and repeatedly that they did not wish to be Guatemalans. In June 1966, there had been riots at Belize, the capital city, when news had leaked out of a United Kingdom-United States-Guatemalan plan to place the defence, foreign affairs and economic development of British Honduras under Guatemalan control. In recent weeks, United Kingdom newspapers had published details of a secret plan devised by the United Kingdom, under United States pressure, to sell out British Honduras to Guatemala. The people of British Honduras had shown their reaction in a series of demonstrations. Telegrams of protest had been sent to Queen Elizabeth and to various high officials. All of those messages had demonstrated the people's desire to exercise their right to self-determination and independence.

970. British Honduras had sound reasons for not wishing to be absorbed into Guatemala. The latter had never controlled or possessed the territory known as British Honduras. British Honduras had existed as a self-governing territory more than 150 years before Guatemala had ceased to be a Spanish colony. Great Britain had brought it under colonial rule in 1884 and therefore had a legal and moral responsibility to ensure that the territory re-entered the community of free nations. Most important, for more than three centuries the people of British Honduras had experienced democracy. They had benefited from freedom of speech and freedom of assembly, equality before the law, trial by jury, freedom of religion, parliamentary democracy, a stable civil service and a 90 per cent literacy rate. The Government had never been overthrown by violence, and citizens had not been imprisoned without due process of law or compelled to flee into exile because of their political views or activities.

971. Those who sought integration with Guatemala argued that British Honduras did not have a viable economy which would enable it to sustain its independence. That was partly true; however, it was certain that the economy of British Honduras would become less viable if it was under Guatemalan control. In fact, British Honduras was anxious for the threat of integration to be disposed of speedily, since it hindered its development and at present retarded both foreign and local investment.

972. He did not believe that Guatemala, which was financially dependent on the United States, could solve the financial and economic problems of British Honduras. The economy of British Honduras, like that of many small countries, had been blighted by imperialist exploitation. Therefore, at a time when even the tiniest nation could hope to develop its own resources through the process of decolonization promoted by the United Nations, British Honduras could not now agree to exchange British for Guatemalan colonialism.

973. That seemed to be the aim of the President of Guatemala, as was clear from an interview published in the Times of London of 12 March 1962 and from a letter of 13 August 1958 from the President to the editor of the newspaper La Hora. Guatemala hoped to accomplish recolonization of British Honduras by allowing it first to become independent. Guatemala had been preparing the ground for a long time. The breakdown of negotiations with the United Kingdom, which had been held in 1957 to discuss the question of funds for the development of British Honduras, could be explained as follows, as the Governor of British Honduras had stated at the time: the leader of the Honduran delegation, Mr. Price, had met the Guatemalan Minister unofficially; the latter had invited him to sever all connexions with the British Commonwealth and had proposed the establishment of a form of association with Guatemala, in exchange for which Guatemala would agree to give financial assistance to British Honduras until such time as the people decided, by means of a plebiscite, on the country's future régime. However, the Guatemalan Minister had implied that if that proposal was rejected the frontier would be closed and economic contacts would cease. The Minister had also stated that Guatemala would assume complete control over the external affairs of British Honduras, which would never be able to join the Federation of Central America unless it first became an associate state of Guatemala.

974. He also recalled that a Guatemalan postage stamp had been issued showing a map of the Republic including British Honduras and bearing the inscription: "Belize is Guatemalan".

975. Thus, Guatemala had over the years been conducting a massive indoctrination campaign. There was a reason for the fact that thousands of "Belizean" flags, in the blue and white national colours of Guatemala, had been introduced into British

Honduras, that all public buildings had been repainted in blue and white, and that the Government-controlled radio spoke of Belize, since Guatemala did not recognize the existence of British Honduras.

976. Guatemalan maps distributed around the world showed British Honduras under the name of Belize and separated from Guatemala by a departmental rather than an international border. The maps bore the inscription: "Belize, Guatemalan territory unlawfully retained by England". Guatemalan school children learned that Belize was a department of Guatemala which they would be duty-bound to recover, and, throughout all those years the children of British Honduras could not learn their own history. In that connexion, he recalled that an opposition motion calling for the preparation of new history textbooks had been defeated in the House of Representatives, as had another opposition motion calling for the training of Honduran nationals in the British Army so that they could defend the country after independence.

977. During the past few years, however, the people of British Honduras had begun to realize that they were the victims of a monstrous conspiracy. The opposition party's spectacular gains in the elections, despite the efforts of the Government party to falsify the results, were proof of that fact. The people had been horrified to discover that the United Kingdom Government, which had indignantly rejected Guatemalan recolonization of British Honduras in 1957, was now seeking to aid and abet Guatemala in that process.

978. In support of that statement, he referred to document A/AC.109/PET.528 containing a resolution adopted by the British Honduras Freedom Committee of New York in 1966 and listing the thirteen articles of a proposed treaty between the United Kingdom and Guatemala which would place the defence, the foreign affairs and, to a certain extent, the economy of British Honduras under Guatemalan control after independence. The proposed terms, reportedly concluded with the help of the American mediator appointed by the President of the United States, were substantially the same as those presented to the British Honduras delegation by the Guatemalan Minister in London in 1957.

979. Two articles published in two leading London daily newspapers, the Daily Express and the Times, on 5 August 1967, disclosed that the plan drawn up under United States pressure was, in fact, designed to place independent British Honduras

under permanent Guatemalan control. Under the plan, British Honduras would not be allowed to become a member of the Commonwealth, the United Kingdom and Guatemala would retain responsibility for foreign and defence affairs after it became independent, and it would be forced to accept a customs union with its neighbour, which would be allowed free access to its Caribbean ports and territorial waters. The United Kingdom would provide \$500,000 to Guatemala for the construction of a rail link between the Caribbean Sea and the Guatemalan border. The Times added that, in return for those concessions, Guatemala would probably accept the present disputed frontier.

980. The reason why the United States was fully supporting the Guatemalan claims was that it was defending its sphere of influence in Latin America.

981. He therefore urgently requested the United Nations to intervene so that the people of British Honduras could exercise their right of self-determination and, through a referendum organized by the United Nations, express their wishes concerning any form of political association with the Republic of Guatemala.

Finally, he asked that the question of the Anglo-Guatemalan dispute over British Honduras should be placed on the agenda of the forthcoming session of the General Assembly of the United Nations.

982. Speaking on the petitioner's statement, the representative of the United Kingdom said that he reserved his position and that of his Government on the statement which the petitioner had just made. He would refrain from any comment, since mediation between the United Kingdom and Guatemala was in progress. However, he wished to point out that the United Kingdom Government had already publicly denied allegations that there was any secret plan to hand over British Honduras to Guatemala. His Government's position with regard to sovereignty over British Honduras remained unchanged.

983. The representative of Guatemala said that his Government categorically rejected the statements of the petitioner, which were absolutely at variance with the truth. As the Committee was well aware, the Territory of Belize, also known as British Honduras, was the subject of a dispute between Guatemala and the United Kingdom; that was why the provisions of resolution 1514 (XV), with the exception of paragraph 6, were not applicable to it. Guatemala and the United Kingdom, which had both accepted the mediation of the Government of the United States of America,

were continuing negotiations concerning the Territory which would probably result in a satisfactory solution.

984. He wished categorically to confirm that his Government had never renounced, and never would renounce, its inalienable rights over the Territory of Belize. His Government's traditional reservation with respect to its rights over the Territory in no way conflicted with the deep concern felt by Guatemala for the well-being and progress of the population of Belize. His Government would continue its current negotiations with the United Kingdom and, since mediation was in progress, would accept no other jurisdiction for the settlement of the dispute, unless both parties so decided.

985. Lastly, he reserved the right to submit to the Committee, if necessary, the legal arguments on which his Government's just case was based.

B. Consideration of the report of Sub-Committee III

986. The representative of the United States of America expressed her delegation's reservations regarding the conclusions and recommendations which, in her view, did not accurately reflect the situation in the United States Virgin Islands. As could be seen from the summary records of the meetings at which Sub-Committee III had discussed the item, the United States delegation had shown in what respects the conclusions were at variance with the actual facts.

987. The representative of Bulgaria felt that Sub-Committee III's conclusions and recommendations in general reflected the situation which continued to exist in the colonial Territory of the United States Virgin Islands, despite resolution 1514 (XV) and other General Assembly resolutions relating to small colonial Territories, particularly resolution 2232 (XXI).

988. His delegation had some reservations in regard to paragraph 82, sub-paragraph (5) which was not in line with the facts and was inconsistent with the other sub-paragraphs. It did not believe that any significant constitutional progress had been made since the situation in the Territory had last been considered by the Sub-Committee. As was clear from paragraph 42 of the report, even the proposal by the 1964 Constitutional Convention to increase the people's participation in the management of local affairs had not altered the basic relations between the Territory and the administering Power, and the proposed measures had not been put into effect.

989. His delegation also had reservations regarding the recommendation contained in sub-paragraph (8), which called for a United Nations presence in the Territory during the exercise of the right to self-determination. What was required at the present stage was a visiting mission to report on the situation. Only after the visiting mission had reported would it be possible to consider other procedures. He was not, of course, opposed to the idea of a United Nations presence in the Territory; but he feared that in the circumstances a United Nations presence might be exploited by the colonial Power to the detriment of the interests of the population, and might lend an appearance of legality to a procedure which would only strengthen the authority of the administering Power. It should also be remembered that the Sub-Committee had refused to participate in a procedure which was in no way related to the exercise of the right to self-determination.

990. The representative of the Union of Soviet Socialist Republics agreed with the previous speaker. It was impossible to argue that any constitutional progress had been made, since the administering Power was still exercising the right of veto over legislation. A United Nations presence in the Territory would not contribute anything of value, until conditions existed in which the United Nations could play an active role. As a first step, a visiting mission should be sent to the Territory to study the situation. When the visiting mission had submitted its report, it would then be possible to take a decision regarding a United Nations presence in the Territory. At present, a United Nations presence would be premature.

991. The representative of the United States of America said that, in her delegation's view, statements to the effect that no political progress had been made since the Special Committee had last considered the situation in the Territory were unwarranted. They took no account of the facts communicated to the Sub-Committee by her delegation. There were two political parties in the United States Virgin Islands. Free elections had been held in the Territory in November 1966, and more than 80 per cent of the electorate had voted. The population had thus had an opportunity of expressing its views on its future.

992. Furthermore, her delegation had informed the Special Committee that it had complied with the recommendation made by the 1964 Constitutional Convention that the composition of the Territory's legislature should be changed and the legislature

enlarged. In pursuance of another recommendation by the Convention, the legislature was now entitled to establish legislative salaries; and, as the Convention had also recommended, a bill providing for an elected governor had been introduced in the United States Congress, which had not yet dealt with it. The bill was supported by the Federal Government. In her view, all those measures represented progress towards self-determination. If the United States had been intending to annex the Territory of the Virgin Islands, it would not be taking steps to hold elections which might lead to self-government.

993. The representative of the United Kingdom said that his delegation reserved its position on the conclusions and recommendations of Sub-Committee III on the United States Virgin Islands.

994. The representative of the United Republic of Tanzania was surprised that the word "independence" did not appear in the conclusions and recommendations in paragraph 82. Could the Committee reaffirm the inalienable right of the people of the Territory to self-determination, as it had done in sub-paragraph (6), without at the same time recognizing its right to independence? He suggested that the words "and independence" should be added after the words "to self-determination" in that sub-paragraph. With that single exception, his delegation whole-heartedly supported the conclusions and recommendations of Sub-Committee III.

995. The representative of Venezuela drew the Tanzanian representative's attention to the fact that the word "independence" appeared in sub-paragraph (2), in which it was stated that the Committee reaffirmed that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to the Territory. The idea of independence was also implicit in sub-paragraph (5), in which the Committee expressed its regret that the administering Power had not yet implemented the provisions of resolution 1514 (XV) and other relevant resolutions of the General Assembly with respect to the Territory. The term "self-determination" was, of course, to be understood in the widest sense to cover all possibilities, including absolute independence, which was the highest form of self-government.

996. The representative of Iran said that his delegation would gladly support the Tanzanian representative's proposal, but wished to place on record his belief that the word "self-determination" was wide enough to embrace independence. It was out of respect for the freedom of the population that no reference was made to any particular form of self-determination. That was a matter for the inhabitants of the Territory themselves to decide.

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997. The representative of the United Republic of Tanzania said that it was precisely that idea which he had had in mind in suggesting an explicit reference to independence.

998. The Special Committee adopted, as amended, the conclusions and recommendations concerning the United States Virgin Islands as contained in paragraph 82 of the Sub-Committee's report.

British Virgin Islands

999. The representative of the United Kingdom said that he particularly deplored the negative character of the conclusions and recommendations concerning the British Virgin Islands, since no account had been taken of the progress which the inhabitants of the Territory had made during the last few years. He consequently reserved the position of his delegation with regard to chapter III of the report.

1000. The representative of Australia expressed general reservations regarding the conclusions and recommendations, since they did not pay due attention to the recent political developments of the Territories.

1001. The representative of Bulgaria said that the report accurately reflected the situation in the British Virgin Islands. Nevertheless, he had reservations regarding paragraph (9) of the conclusions and recommendations, since in his opinion the United Nations presence in small colonial Territories should take the form of visiting missions; otherwise the administering Powers could use the United Nations machinery in order to maintain their colonial domination. He asked for his reservations to be recorded in the Committee's report.

1002. The representative of the Union of Soviet Socialist Republics said that he was in general agreement with the Committee's conclusions and recommendations but he recalled the reservations that his delegation had expressed when the Special Committee had considered the Territories in the Pacific Ocean and the Indian Ocean. The United Nations presence in colonial Territories should be conditional upon a study of the situation and the adoption of certain measures by the administering Powers, so that the inhabitants could express their wishes freely; otherwise the United Nations presence might favour the continuation of colonialism.

1003. The representative of India said that the second part of paragraph (8) repeated an idea that was already stated in paragraph (7). He suggested that the last sentence of paragraph (8), beginning with the word "Accordingly", be deleted.

1004. The representative of the Union of Soviet Socialist Republics supported the Indian representative's suggestion.

1005. The representative of Sierra Leone said that he had no objection to the Indian suggestion but would propose that not only should the last sentence of paragraph (8) be deleted but the present order of paragraphs (7) and (8) should be reversed. Paragraphs (1) to (6) were in fact conclusions, as was the first part of paragraph (8), whereas paragraph (7) was a recommendation.

1006. The representative of Iran said that he had no objection to the proposal by the representative of Sierra Leone in so far as the reversing of the order of the paragraphs was concerned. He himself, however, would suggest that instead of the second part of paragraph (8) being deleted it should be replaced by the following sentence: "Accordingly, it invited the administering Power to take the necessary steps in that respect, in accordance with paragraph (8)."

1007. The representative of the United Kingdom said that, if the deletion of the last sentence of paragraph (8) was put to the vote, he would vote against it, for the intention seemed to be to delete all reference to resolution 1541 (XV).

1008. The representative of Venezuela agreed with the amendment proposed by the representative of Sierra Leone but he himself proposed that the last phrase of paragraph (8), namely "and other pertinent resolutions of the General Assembly", should be inserted in paragraph (7) after the words "resolution 1514 (XV)".

1009. The representative of Italy agreed with the representatives of Sierra Leone and Iran and supported the Venezuelan representative's proposal.

1010. The representative of India supported by the representative of Ethiopia proposed that the reference in the Venezuelan amendment should be worded as follows: "other resolutions of the General Assembly concerning this Territory".

1011. The Special Committee adopted the proposal made by the representative of Sierra Leone that the last sentence of paragraph (8) should be deleted and that the order of paragraphs (7) and (8) should be reversed.

1012. The Special Committee also adopted the proposal made by the representative of Iran that the following new sentence should be added to new paragraph 7:

"Accordingly, it invites the administering Power to take the necessary steps in this regard on the basis of paragraph (8) below."

1013. The Venezuelan representative's proposal, as amended by the representative of India, that the words "and other resolutions of the General Assembly concerning this Territory" should be inserted after the words "resolution 1514 (XV)" in new paragraph (8), was adopted by the Special Committee by 13 votes to none, with 8 abstentions.

1014. The representative of Iran said that he had abstained from voting since, in his view, the amended paragraph did not accurately reflect the debates which had taken place in Sub-Committee III.

1015. The representative of the United States of America said that General Assembly resolution 1541 (XV) was applicable to the Territory dealt with in that section of the report and could not be dismissed as a simple reference to the procedure for the transmission of information.

1016. The Special Committee adopted, as amended, the conclusions and recommendations concerning the British Virgin Islands as contained in paragraph 160 of the Sub-Committee's report.

Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent

1017. With regard to this chapter of the Sub-Committee's report, the representative of the United Kingdom said that his Government had already stated that the resolution of the Special Committee prejudged the situation of the associated States of the Eastern Caribbean and that it saw no point in collaborating with the Sub-Committee. He would abstain in the vote on that section of the report.

1018. The representative of Australia expressed general reservations regarding the conclusions and recommendations, since they did not pay due attention to the recent political developments of the Territories.

1019. The representative of the Union of Soviet Socialist Republics and Bulgaria expressed reservations with regard to sub-paragraph (11) of paragraph 287, similar to those which they had expressed with regard to sub-paragraph (9) of paragraph 160 of the Sub-Committee's report.

1020. The representatives of India, Italy, Ivory Coast, Chile, Madagascar, Tunisia, Australia, Ethiopia and Afghanistan expressed reservations with regard to sub-paragraph (4) of paragraph 287, because they did not consider that Sub-Committee III was competent to hear petitioners.

1021. The representative of Iran pointed out, with reference to the reservations which had been expressed, that Sub-Committee III had not granted any hearings to petitioners. It had confined itself to giving certain individuals an opportunity to provide it with the information it needed for the discharge of its task. In so doing, it had not departed from established precedents, as the case of the Sub-Committee on Equatorial Guinea showed.

1022. The representative of Venezuela felt that the Sub-Committee had not exceeded its terms of reference by availing itself of the opportunity to obtain first-hand information on the situation in the Territories.

1023. The representatives of Madagascar, the United Kingdom and the United States of America expressed reservations with regard to paragraph 286.

1024. The Special Committee took note of paragraph 286 and decided to defer consideration of the question raised therein.

1025. The Special Committee adopted conclusions and recommendations concerning Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent as contained in paragraph 287 of the Sub-Committee's report.

Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands

1026. The representative of the United Kingdom said that he deplored the negative character of the conclusions and recommendations regarding Bermuda, the Bahamas, Montserrat, the Turks and Caicos Islands and the Cayman Islands, since no account had been taken of the progress which the inhabitants of those Territories had made during the last few years. He consequently reserved the position of his delegation with regard to this section of the report.

1027. The representative of Australia expressed general reservations regarding the conclusions and recommendations, since they did not pay due attention to the recent political developments in the Territories.

1028. The Special Committee adopted conclusions and recommendations concerning Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands, as contained in paragraph 352 of the Sub-Committee's report.

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Falkland Islands (Malvinas)

1029. The Special Committee adopted the statement of consensus concerning the Falkland Islands (Malvinas) as contained in paragraph 355 of the Sub-Committee's report.

General conclusions and recommendations on Territories under United Kingdom administration

1030. The representative of the United Kingdom reserved the position of his delegation with regard to the general conclusions and recommendations contained in the Sub-Committee's report.

1031. The representative of Australia expressed general reservations regarding the conclusions and recommendations.

1032. The Special Committee adopted the general conclusions and recommendations on Territories under United Kingdom administration as contained in paragraph 356 of the Sub-Committee's report.

VI. ACTION TAKEN BY THE SPECIAL COMMITTEE

1033. The conclusions and recommendations adopted by the Special Committee at its 564th and 565th meetings on 27 September and 6 October 1967 are as follows:

A. United States Virgin Islands

(1) The Special Committee recalls its conclusions and recommendations concerning the Territory which it adopted in 1966 and which were endorsed by the General Assembly at its twenty-first session.

(2) It reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to the Territory.

(3) It recognizes that the small size and population of the Territory present peculiar problems which demand special attention.

(4) It notes that no significant constitutional progress has taken place in the Territory since the item was last examined by the Special Committee.

(5) Furthermore, it regrets that, despite advancement in the political field the administering Power has failed further to implement the provisions of General Assembly resolution 1514 (XV) of 14 December 1960 and the other relevant resolutions of the General Assembly with respect to this Territory.

(6) It reaffirms the inalienable right of the people of the Territory to self-determination and independence, while emphasizing once again that the administering Power should enable the people to express their wishes concerning the future status of the Territory in full freedom and without any restrictions.

(7) It also invites the administering Power to encourage open, free and public discussion of the various alternatives open to them in their achievement of the objectives of General Assembly resolution 1514 (XV) and to ensure that the people of the Territory shall exercise their right of self-determination in full knowledge of these alternatives.

(8) Recalling paragraph 6 of General Assembly resolution 2232 (XXI) of 20 December 1966 that "the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", it reiterates its belief that a United Nations presence during the procedures for the right of self-determination will be essential for the purpose of ensuring that the people of the Territory exercise their right of self-determination in full

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freedom and without any restrictions, in full knowledge of the various alternatives open to them.

(9) It urges the administering Power to enable the United Nations to send a visiting mission to the Territory and to extend to it full co-operation and assistance.

B. British Virgin Islands

(1) The Special Committee recalls its conclusions and recommendations on the Territory which were approved by the Special Committee in 1964 and 1966 and were confirmed by the General Assembly at its twentieth and twenty-first sessions.

(2) It reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples continues to apply fully to the Territory.

(3) It recognizes that the small size of the Territory and its sparse population raise particular problems which require special attention.

(4) It takes note of the result of the Constitutional Conference of October 1966, and also of the elections which were held in the Territory on 14 April 1967.

(5) It regrets that, despite the political and constitutional progress made in the Territory since the Special Committee last considered the matter, the administering Power has failed further to implement the provisions of resolution 1514 (XV) and other General Assembly resolutions relating to this Territory.

(6) It reaffirms the inalienable right of the people of the Territory to self-determination, and wishes to stress once again that the administering Power should enable the people to express its will regarding the future status of the Territory in complete freedom and without restrictions of any kind.

(7) It reiterates the view that it should be possible for the Territory to unite with other Territories in the area in order to form an economically and administratively viable State. The Special Committee regrets that, since 1947, no effective steps have been taken to bring about a possible federation with other Territories. Accordingly, it invites the administering Power to take the necessary steps in this regard on the basis of paragraph (8) below.

(8) It invites the administering Power to encourage open, free and public discussion of the possible options from which the people can make its choice in its efforts to attain the objectives of General Assembly resolution 1514 (XV) and other resolutions of the General Assembly concerning this Territory, and to ensure that the people of the Territory will be able to exercise its right of self-determination in full knowledge of the options open to it.

(9) Recalling paragraph 6 of resolution 2232 (XXI), which states that "the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", the Special Committee reiterates its belief that a United Nations presence during the procedures connected with the exercise of the right of self-determination will be essential to ensure that the people of the Territory can exercise this right in complete freedom, without any restrictions of any kind, and in full knowledge of the possible options open to it.

(10) The Special Committee regrets that the administering Power has not yet agreed to the sending of a visiting mission to the Territory, and affirms that such a visit will be useful and necessary. Therefore it urges the administering Power to enable the United Nations to send a visiting mission to the Territory and to extend to it full co-operation and assistance.

C. Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent

(1) The Special Committee recalls its previous conclusions and recommendations concerning these Territories, which were endorsed by the General Assembly.

(2) It recalls the resolution adopted by the Special Committee at its 506th meeting on 23 March 1967, in particular, operative paragraph 2, under which the Sub-Committee was charged "to examine, in the light of the recent constitutional developments, the situation in these Territories in all its aspects including the possibility of sending a visiting mission, and to report to the Special Committee at an early date".

(3) It notes with regret the attitude of the administering Power, which has refused to co-operate with the Sub-Committee in its efforts to obtain more complete information concerning the recent constitutional and political developments in the Territories.

(4) It notes that Sub-Committee III, deeming it necessary for the discharge of its task, granted hearings to individuals who provided it with information on the recent political and constitutional developments in Anguilla.

(5) It takes note of the constitutional developments that have taken place in these Territories, and considers that they represent a certain degree of advancement in the political field for the peoples concerned.

(6) It further takes note of the recent political developments that have taken place in the island of Anguilla.

(7) It reaffirms that resolution 1514 (XV) and other relevant resolutions continue to apply fully to these Territories.

(8) The Special Committee, bearing in mind resolution 2232 (XXI), reiterates that the small size and meagre resources of these Territories present peculiar problems which demand special attention.

(9) It reaffirms the inalienable right of the peoples of these Territories to exercise their right of self-determination in complete freedom and without any restriction. It requests the administering Power to ensure that the peoples of the Territories are informed of the various possibilities available to them in their achievement of the objectives of resolution 1514 (XV).

(10) It requests the administering Power to promote the development of closer ties among these Territories through the building of a common political, economic and social infra-structure in accordance with the wishes of the population.

(11) Recalling resolution 2232 (XXI), paragraph 6, which establishes "that the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", the Special Committee reiterates its belief that a United Nations presence during the procedures connected with the process of self-determination will be essential in order to ensure that the peoples of the Territories are enabled to exercise their right in complete freedom, without any restriction and in full knowledge of the options available to them.

(12) The Special Committee regrets that the administering Power has not agreed to the dispatch of a visiting mission to these Territories and affirms that such a visit would be useful and desirable. Accordingly, it again requests the administering Power to allow the dispatch of a United Nations visiting mission to the Territories and to extend to it full co-operation and assistance.

D. Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands

(1) The Special Committee recalls its earlier conclusions and recommendations relating to Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands, which were endorsed by the General Assembly.

(2) It takes note of the statement of the administering Power containing additional information on these Territories.

(3) It reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to these Territories.

(4) It regrets that the administering Power has not yet taken effective measures to implement the Declaration in these Territories and urges it to do so without further delay.

(5) It notes that financial interests unrelated to the political, economic and social development of these Territories may constitute an obstacle to the implementation of resolution 1514 (XV) in the Territory of the Bahamas.

(6) It considers that, in view of the lack of sufficient information on some of these Territories, the administering Power should make it possible for the United Nations to dispatch a visiting mission to the Territories as soon as possible.

(7) It considers that the administering Power should take immediate measures to transfer all powers to the peoples of these Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, in order to enable them to enjoy complete freedom and independence.

(8) It reiterates its belief that, particularly in the case of small Territories, the United Nations should take appropriate steps to ensure that the peoples of these Territories are enabled to express themselves freely on their future status, in full knowledge of the options available to them.

E. Falkland Islands (Malvinas)

Considering that bilateral negotiations are the best way of solving the problem of the decolonization of the Falkland Islands (Malvinas), but having no information on the progress made in this direction since the approval of the consensus of 20 December 1966, the Special Committee recommends that the attention of the parties should again be drawn to resolution 2065 (XX) and the consensus of

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20 December 1966, with a view to finding a peaceful solution to the problem as soon as possible, due regard being paid to the recommendation at the end of the consensus that the Special Committee and the General Assembly should be kept informed about the development of the negotiations on this colonial situation, the elimination of which is of interest to the United Nations within the context of General Assembly resolution 1514 (XV) of 14 December 1960.

F. General conclusions and recommendations on Territories under United Kingdom administration

(1) The Special Committee recalls its conclusions and recommendations concerning these Territories which were adopted by the Special Committee in 1966 and which were endorsed by the General Assembly at its twenty-first session.

(2) It reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to these Territories. At the same time, it recognizes that the small size and population of these Territories, and the nature of their economies, present peculiar problems which demand special attention.

(3) It reaffirms the right of the people of these Territories to exercise their right of self-determination in complete freedom and in full knowledge of the various forms of political status open to them. It also expresses its belief that, particularly in the case of small Territories, the United Nations should take appropriate steps to ensure that the people of these Territories are enabled to express themselves freely on their future status and in full knowledge of the options available to them.

(4) It reiterates its previous recommendation concerning the need for visiting missions to these Territories and, to this end, urges the administering Power to enable the Special Committee to send visiting missions to the Territories.

(5) It recalls its belief expressed in 1964 that it should be possible for these Territories to join with others in the area to form an economically and administratively viable State. It also recalls that, at that time, negotiations were being carried on between certain of these Territories with a view to establishing a federation. The Special Committee regrets that these negotiations were not successful and that, as a consequence, each Territory has been obliged to seek a separate solution. It expresses the hope that the administering Power will do

everything possible to promote the development of closer ties among these Territories through the building of a common political, economic and social infrastructure in accordance with the wishes of the people.

ANNEX*

REPORT OF SUB-COMMITTEE III

Rapporteur: Mr. Gilberto Ignacio CARRASQUERO (Venezuela)

INTRODUCTION

Terms of reference

1. At its 488th meeting on 20 February 1967, the Special Committee, in approving the twenty-sixth report of the Working Group (A/AC.109/L.368/Rev.1), decided to maintain Sub-Committee III with the same membership as in 1966.^{a/} At the same meeting, the Special Committee confirmed the Sub-Committee's existing terms of reference, and decided to consider urgently and directly in plenary meetings the Territories of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent. The Territories referred to Sub-Committee III are as follows: Antigua, Bahamas, Bermuda, British Honduras, British Virgin Islands, Cayman Islands, Dominica, Falkland Islands (Malvinas), Grenada, Montserrat, St. Kitts-Nevis-Anguilla, St. Lucia, St. Vincent, Turks and Caicos Islands and United States Virgin Islands.
2. In addition to these terms of reference, the Special Committee requested the Sub-Committee to carry out the specific tasks assigned by the General Assembly in its resolutions concerning the Territories referred to Sub-Committee III. The decisions of the General Assembly at its twenty-first session relating to the Territories referred to Sub-Committee III are contained in General Assembly resolution 2232 (XXI) of 20 December 1966 and in the consensus on the Falkland Islands (Malvinas) approved by the General Assembly on 20 December 1966 (A/6628, paragraphs 12 and 13). The operative paragraphs of resolution 2232 (XXI) read as follows:

* Previously reproduced under the symbols A/AC.109/L.401/Rev.1 and A/AC.109/L.401/Add.1-4.

^{a/} The members of the Sub-Committee are Bulgaria, Iran, Italy, Ivory Coast, Madagascar, Uruguay and Venezuela.

"1. Approves the chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to these Territories;

"2. Reaffirms the inalienable right of the peoples of these Territories to self-determination and independence;

"3. Calls upon the administering Powers to implement without delay the relevant resolutions of the General Assembly;

"4. Reiterates its declaration that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of colonial Territories and the establishment of military bases and installations in these Territories is incompatible with the purposes and principles of the Charter of the United Nations and of General Assembly resolution 1514 (XV);

"5. Urges the administering Powers to allow United Nations visiting missions to visit the Territories, and to extend to them full co-operation and assistance;

"6. Decides that the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status;

"7. Requests the Special Committee to continue to pay special attention to these Territories and to report on the implementation of the present resolution to the General Assembly at its twenty-second session;

"8. Requests the Secretary-General to continue to provide all assistance in the implementation of the present resolution."

The consensus on the Falkland Islands (Malvinas) reads as follows:

"With reference to General Assembly resolution 2065 (XX) of 16 December 1965 concerning the question of the Falkland Islands (Malvinas), the Fourth Committee took note of the communications dated 15 December 1966 of Argentina and the United Kingdom of Great Britain and Northern Ireland (A/C.4/682 and A.C.4/683). In this regard there was a consensus in favour of urging both parties to continue with the negotiations so as to find a peaceful solution to the problem as soon as possible, keeping 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 the General Assembly duly informed about the development of the negotiations on this colonial situation, the elimination of which is of interest to the United Nations within the context of General Assembly resolution 1514 (XV) of 14 December 1960."

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3. At the same meeting, the Special Committee authorized Sub-Committee III to submit specific recommendations without delay regarding the sending of visiting missions to the Territories with which it was concerned.
4. By a resolution adopted at its 506th meeting on 23 March 1967 (see para. 948 of the present chapter), the Special Committee requested its Sub-Committee III to examine, in the light of the recent constitutional developments, the situation in the Territories of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent in all its aspects including the possibility of sending a visiting mission.

Election of officers

5. At its 60th meeting on 23 February 1967, the Sub-Committee unanimously elected Mr. Mohsen Sadigh Esfandiary (Iran) as Chairman and Mr. Gilberto Ignacio Carrasquero (Venezuela) as Rapporteur.

Meetings of the Sub-Committee

6. The Sub-Committee held a total of thirty-nine meetings between 23 February and 25 September 1967, and considered the questions referred to it in the following order:

- (a) Question of visiting missions
- (b) United States Virgin Islands
- (c) British Virgin Islands
- (d) Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent
 - (i) Bermuda, Bahamas, Montserrat
 - (ii) Turks and Caicos Islands and Cayman Islands
- (e) Falkland Islands (Malvinas).

7. Owing to lack of time, the Sub-Committee decided to defer consideration of the Territory of British Honduras.

I. QUESTION OF VISITING MISSIONS

8. The Sub-Committee considered the question of visiting missions at its 62nd and 63rd meetings on 7 and 9 March 1967. The Sub-Committee resumed the consideration of this item at its 87th meeting on 25 August 1967.

9. In considering this question, the Sub-Committee noted that it had been authorized by the Special Committee to submit specific recommendations without delay regarding the sending of visiting missions to the Territories with which it was concerned. It also noted that the Special Committee had decided that visiting missions to Territories should, if possible, be sent during the period preceding the fifth special session of the General Assembly.

10. The Sub-Committee was guided by the decisions of the General Assembly and the Special Committee concerning the desirability of sending visiting missions to the Territories to which the Declaration applies, namely the decisions contained in paragraph 5 of General Assembly resolution 2232 (XXI). It also noted that in 1966, the Special Committee had decided that visiting missions should be sent to the following Territories: United States Virgin Islands, British Virgin Islands, Antigua, Dominica, Grenada, Montserrat, St. Kitts-Nevis-Anguilla, St. Lucia, St. Vincent, Bermuda, Bahamas, Turks and Caicos Islands and Cayman Islands.

11. The Sub-Committee therefore decided to recommend to the Special Committee that it send visiting missions to all Territories as soon as possible, if necessary spreading the visits over two years. At the same meeting the Sub-Committee requested its Chairman to ascertain from the administering Powers whether they would be prepared to receive visiting missions in 1967 to the specific Territories proposed by the Sub-Committee, namely: United States Virgin Islands, British Virgin Islands, Montserrat, the Bahamas, Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent.

12. At the 74th meeting on 9 May, the Chairman stated that the Permanent Representatives of the United Kingdom and of the United States had replied to his inquiries concerning visiting missions.

13. In a letter dated 20 April 1967, addressed to the Chairman, the Permanent Representative of the United Kingdom stated that he had been instructed to say that "in existing circumstances, visiting missions to Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla and St. Lucia, which now have the status of fully self-

governing Associated States, would be inappropriate". He also stated that a reply concerning the Bahamas, the British Virgin Islands and Montserrat would be sent in due course. Subsequently, the Permanent Representative of the United Kingdom informed the Chairman by letter, dated 7 June 1967, that his Government had considered this request, but had decided that it was unable to agree to the proposals.

14. In a letter dated 26 April 1967, addressed to the Chairman, the Permanent Representative of the United States stated that the position of his Government with regard to the proposed visiting mission to the United States Virgin Islands remained as communicated to the Sub-Committee in 1966. He further stated that "the United States Government believes that a United Nations visiting mission to the Virgin Islands would not be warranted at the present time, and regrets that it is therefore unable to concur in the Sub-Committee's recommendations".

Conclusions and recommendations

15. Recalling paragraphs 5 of General Assembly resolutions 2232 (XXI) and 2189 (XXI), the Sub-Committee notes with regret that the administering Powers, namely the United States and the United Kingdom, continue to maintain the same negative attitude towards the acceptance of visiting missions to the Territories referred to Sub-Committee III.

16. The Sub-Committee recommends that the Special Committee should strongly urge the administering Powers to receive visiting missions to these Territories at an early date.

II. UNITED STATES VIRGIN ISLANDS

A. Consideration by the Sub-Committee

Introduction

17. The Sub-Committee considered the Territory of the United States Virgin Islands at its 64th to 72nd meetings between 29 March and 19 April 1967.

18. The Sub-Committee had before it the working paper prepared by the Secretariat (see A/6700/Add.14 (Part I), paras. 19-65).

19. In accordance with the procedure agreed upon by the Special Committee, the representative of the United States of America, as administering Power, took part in the Sub-Committee's work at the invitation of the Chairman.

General statements

20. The representative of the United States said that his delegation had made a basic statement on the United States Virgin Islands to the Sub-Committee on 18 August 1966 (A/AC.109/SC.4/SR.47) and had discussed the Territory further in the Fourth Committee only three months previously, on 16 December 1966. In recent months there had been further political, social and economic developments which were of interest.

21. During the 1966 fiscal year and until mid-February 1967, the Territory had enjoyed continuing economic and social growth. Per capita income had increased by \$100 per year since 1965 and, by early 1967, stood at \$2,100 per year. Government revenue collections from local sources for the 1966 fiscal year had risen by approximately one third, compared with the previous year. The Government of the Territory had collected \$37.5 million locally during 1966, an increase of \$8.5 million over the preceding fiscal year. Collections for the first half of the 1967 fiscal year (from 1 July to 31 December 1966) had increased by an even greater percentage compared with collections in the first half of the previous fiscal year. Bank assets were now more than \$100 million, an 11 per cent increase over 1965.

22. The authorized ceiling for revenue bonds had been increased from \$10 million to \$30 million, explicitly recognizing the fiscal responsibility of the local Government and allowing it to act to meet the Territory's expanding requirements.

23. The Virgin Islands Development Authority, created to allow local ownership and management of properties formerly held by the Virgin Islands Corporation, had completed its first full year of operations and collected more than \$550,000 in revenue, compared with Virgin Islands Corporation receipts of \$406,000 during the previous year. Ownership of the Harry S. Truman Airport had been transferred from the United States Government to the Virgin Islands Government. There were now twenty-one jet return flights per week between the Territory and the United States mainland, compared with only three in 1965. The airport, which was managed by the Development Authority, was also used by three airlines operating in the Caribbean.

24. The island of St. Croix had continued to expand its industrial base with the completion of a large alumina plant in an industrial complex on previously unproductive wasteland. Rapid progress was also being made towards the completion of a large petroleum refinery on the island. When completed, it would aid the economic diversification of the Territory by attracting satellite industries to St. Croix.

25. On the island of St. Thomas, the Virgin Islands Planning Board has selected a site suitable for industrial development. The island's industrial development had previously lagged behind that of St. Croix because of the latter's natural physical advantages.

26. The housing problem had been partially alleviated by the recent opening of a 200-unit public housing project on St. Croix, although there was still a gap between available public housing and demand. More than 3,000 additional units, public and private, were now in planning or under construction. The "turn key" method, utilizing private enterprise for building low-cost housing with United States Government aid, was now being employed and the construction of more than 600 units by that method had recently been approved. Owing to population increase, existing hospital and medical care facilities remained taxed in comparison with United States standards. Two multi-million dollar medical care centres, each of which would include a general hospital, long-term care centre, public health centre, out-patient clinic and staff residence facilities, were now in the land acquisition stage; construction was expected to begin in early 1968.

27. Progress continued to be made in the educational field. During 1965 the Government had initiated an accelerated programme to build 113 additional classrooms,

and the construction of a junior high school and a senior high school had already been completed. The student-teacher ratio compared favourably with the highest standards in mainland United States. The College of the Virgin Islands now had 229 full-time and 1,000 evening students, and the second graduation exercises had been held in June 1966. Full-time enrolment in 1967 was expected to be 75 per cent greater than in 1966 and a four-year programme for teacher-training, in conjunction with New York University, had been instituted in 1966.

28. The political climate in the Virgin Islands was informed and free. There were six newspapers, a monthly magazine, three radio stations and two television stations which provided coverage of local, national and international events. Universal adult suffrage had been introduced in 1936 and literacy requirements could be met in either Spanish or English. There was a two-party system in the Territory and in the last elections, held in November 1966, over 13,000 persons, representing more than 80 per cent of the registered voters, had cast ballots.

29. In 1966 his delegation had informed the Special Committee that the recommendation of the 1964 Constitutional Convention that the Legislature should be reapportioned had been passed into law. He was pleased to inform members that an enlarged and reapportioned Legislature consisting of fifteen members - five each from St. Thomas and St. Croix, one from St. John, and four senators-at-large - had been elected and had been meeting during 1967. As a result of a recommendation by the 1964 Constitutional Convention, the Legislature now had the power to establish legislative salaries and had, in fact, recently done so. Pursuant to another recommendation of the 1964 Convention, bills providing for an elected governor had been introduced in, and passed by, both houses of the United States Congress in 1966. The two bills passed had differed in minor points, such as effective dates, and, owing to lack of time, the differences had not been reconciled before the adjournment of the 89th Congress. As a pending bill lapsed at the end of a session of Congress in which it was introduced, the bills in question no longer had any legislative status. On 17 January 1967, a new bill providing for an elected governor had been introduced in the 90th Congress and had been referred to the Senate Committee on Interior and Insular Affairs, which was now considering it. The bill provided for the governor of the Virgin Islands to be elected by a majority of the people entitled to vote for the Legislature. It also granted to

the Legislature the authority to determine the length of its sessions and affirmed the applicability of certain portions of the Federal Constitution to the unincorporated Territory of the Virgin Islands. The protection afforded to United States citizens by those provisions had already been included in territorial legislation.

30. The representative of Venezuela was glad to note that the economic and social conditions in the Territory were among the most favourable in the Caribbean area. However, his delegation was also interested in the political developments in the Territory. Noting that on 16 May 1966 the United States House of Representatives had passed a bill to provide for an elected governor of the Virgin Islands and that on 10 October 1966 the United States Senate had passed the House bill with a number of amendments, he asked whether the United States representative could tell the Sub-Committee what those amendments had been and what was the present situation regarding the election of the governor. He would also like to know what the political platform of the Virgin Islands Party was and whether it had been absorbed by the Democratic or Republican Party.

31. The representative of Italy said that his delegation was particularly interested in political developments in the Territory within the framework of the resolutions that governed the Sub-Committee's work. With regard to the elections that had been held in the Territory on 8 November 1966, he asked the United States representative whether he could give some information concerning the main themes of the electoral campaign and the platforms of the political parties. It would also be useful if the United States delegation could provide the Committee with newspaper clippings so that members could see what issues had been put before the electorate and what the political climate had been in the Territory. Lastly, he asked whether the Legislature had begun its work and what political tendencies had been manifested within that body.

32. The representative of Uruguay said he would be interested to know what the views of the political parties in the Virgin Islands were regarding the future political status of the Territory.

33. The representative of the United States said in reply to the Venezuelan representative that the most important difference between the two bills passed by the House of Representatives and the Senate in 1966 had related to the date on

which the governor was to be elected. Consultations were to have been held between the two Houses to reconcile the differences, but there had not been sufficient time to do so before Congress had adjourned. New legislation had therefore been introduced, with the endorsement of the Executive Branch, at the present session of Congress.

34. With regard to one of the questions asked by the Italian representative, he could inform the Sub-Committee that the Legislature had in fact begun its work and had already met during the current year.

35. The representative of Bulgaria said that he would like to put some questions to the representative of the administering Power. First, the need had frequently been stressed for General Assembly resolution 1514 (XV) of 14 December 1960 to be publicized as widely as possible in colonial Territories. He imagined that the information media in the United States Virgin Islands were controlled by the United States Government and he thought it possible that the inhabitants might not be fully informed concerning resolution 1514 (XV) and other subsequent resolutions and recommendations of the Special Committee and the General Assembly. He wondered whether the United States representative could give the Sub-Committee some information on the question, and regarding the extent to which the people were informed of the various possibilities open to them in the matter of political emancipation.

36. Secondly, he would like some information regarding the ownership of the land in the Territory: did it belong, for example, to those who cultivated it, or to commercial concerns?

37. Thirdly, attention had frequently been drawn to the need for United Nations visiting missions to small Territories such as the Virgin Islands in order to examine the situation at first hand and ascertain the wishes of the population. Both in resolution 2189 (XXI) of 13 December 1966 (operative paragraph 5), and in resolution 2232 (XXI) of 20 December 1966 (operative paragraph 5), the General Assembly had urged the administering Powers to allow United Nations visiting missions to be sent to the Territories under their administration. At its 63rd meeting, the Sub-Committee had decided to recommend the dispatch of visiting missions during 1967 to a number of Territories, including the United States Virgin Islands. One month had passed since that meeting and he wondered whether the Committee could now have some indication of the United States Government's attitude with regard to a visiting mission.

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38. The representative of the United States said that, with regard to the dissemination in the Virgin Islands of information concerning General Assembly resolution 1514 (XV) and the options open to the people, he wished to make it clear, first, that the information media in the Virgin Islands, as in the United States, were in private hands and not controlled by the United States Government as the representative of Bulgaria had said. However, resolutions 1514 (XV) and 1541 (XV) had been publicized in the Territory and all deliberations at the United Nations were followed with interest there. A press representative from the Territory had recently been at United Nations Headquarters, and editorials concerning the Special Committee had appeared in the Press of the Virgin Islands. In general, the Virgin Islanders were fully aware of the options set forth in resolutions 1514 (XV) and 1541 (XV). They were also aware of the developments in neighbouring Caribbean islands and of the new arrangements recently introduced in some of them.

39. The representative of Iran said that he would like to ask the United States representative what measures had been taken in the direction of self-determination and whether the people would be given an opportunity to exercise their right to self-determination in the near future. He recalled that, at the previous meeting, the representative of Italy had asked for information on the platforms of the various political parties in the Territory. He would like to know, in particular, whether each party took a particular position regarding the future of the Territory. If so, he asked whether it would be possible to say which of the various possibilities for the Territory's future status enjoyed the widest support among the people.

40. The representative of Bulgaria noted that in its last report to the General Assembly (A/6300/Add.10) the Special Committee had stated that the provisions of General Assembly resolution 1514 (XV) were fully applicable to the small colonial Territories and had presented a number of conclusions and recommendations concerning the Territories appearing on the Sub-Committee's agenda. In its resolution 2232 (XXI), moreover, the General Assembly had reaffirmed the right of the peoples of those Territories to self-determination and independence and had called upon the administering Powers to implement the relevant resolutions without delay. It was therefore unfortunate that, in view of the position taken by the administering Power with regard to the sending of a visiting mission and the absence of

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petitioners, the Sub-Committee was once again obliged to consider the situation in the United States Virgin Islands with nothing to guide it but a working paper prepared by the Secretariat. His delegation felt that the Sub-Committee should draw the attention of the Special Committee and the Assembly to that improper situation and try to obtain all available information, including reports in the international Press. At the same time, it was to be hoped that the administering Power would promptly provide the information requested of it concerning political parties in the Virgin Islands and the debates in the United States Congress regarding the bill on election of the Governor and the amendments to that bill.

41. Although the representative of the administering Power had stated that progress had been made in the political, social and economic spheres, the fact remained that the provisions of General Assembly resolution 1514 (XV) had not yet been applied to the United States Virgin Islands.

42. His delegation did not reject a priori any decision that the people of the Territory might take regarding their future. The essential point was that the people must be given complete freedom to take their decision, and that proper economic, social and political conditions should be created so that their exercise of self-determination would be genuine and without any restrictions. It was, however, regrettable not only that the proposals of the 1964 Constitutional Convention to increase the people's participation in the management of local affairs had done nothing to change the basic relationship between the Territory and the administering Power but also that implementation of the proposed measures had been postponed. After more than two years the Constitutional Convention's proposals concerning election of the governor and abolition of the veto were still far from having been settled. It was therefore urgently necessary for the Special Committee to reaffirm its earlier recommendations and at last obtain compliance with those recommendations by the administering Power.

43. While it was interesting to be informed of the Territory's average per capita income, he would like the United States delegation to indicate the actual distribution of income among the various social groups.

44. His delegation wished to state in conclusion that, instead of passively noting the decisions taken by administering Powers, the Special Committee should seek all possible means of helping the peoples of the colonial Territories to exercise their

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right of self-determination in a completely free manner and in full awareness of the various alternatives open to them and of helping them to advance the process of decolonization. It was to be hoped that the administering Power would fully recognize the responsibilities of the United Nations and give the Organization its complete co-operation in implementing resolution 1514 (XV).

45. The representative of the United States said he did not agree that the situation in the Territory had remained virtually unchanged since the last time the Sub-Committee had discussed it. Local government revenue for the financial year 1966 (a total of \$37.5 million for a population of less than 50,000) attested to the level of economic activity in the Territory. This was an increase of \$8.5 million over fiscal year 1965. It was also of some interest to note that 3,000 low-cost dwellings and 113 classrooms were planned or under construction, that more than 1,000 students were attending the College of the Virgin Islands and that several million dollars had been invested in hospital construction.

46. It was unfortunately not possible to provide information on the distribution (by population segment) of income in the Territory. Statistical data of that kind were unobtainable for many other areas, including even many parts of the United States.

47. The recommendations of the Constitutional Convention had been before Congress for only one year, not two. While it was true that congressional action in 1966 had yielded no results because of differences between the Senate and the House of Representatives regarding the length of the governor's term and the provisions relating to his recall etc., it should be added that the United States Government, which was anxious to arrive at a satisfactory solution, had once again brought the matter before Congress. His delegation was currently studying the bills which had been passed by the House of Representatives and the Senate in 1966 and would give the Sub-Committee specific information on the subject of differences in the bills in the near future. In any event, he wished to draw the members' attention to the working paper (see A/6700/Add.14 (Part I), para. 40), which gave a rather brief but extremely clear account of the differences between the bills passed during the 89th Congress.

48. The representative of Uruguay said that because of the very heavy agenda of the Special Committee and other United Nations bodies in whose work his delegation took part and in view of the need to work out, in the light of the special situation of

the smaller Territories, a policy governing the application to those Territories of General Assembly resolution 1514 (XV), his delegation would like to be able to prepare a documented, carefully considered statement without being subjected to the pressure of time.

49. The representative of Italy agreed with the Uruguayan representative that the Sub-Committee should give thought to the methods it should use in dealing with the small Territories. The best course would be to begin by defining a policy applicable to all the small Territories on the Sub-Committee's agenda and then decide how the General Assembly resolutions should be applied to each. Such a course would be necessary as the Special Committee's terms of reference had clearly been framed with the decolonization of larger and politically and economically viable Territories, whose peoples wanted independence, in mind.

50. So far as the United States Virgin Islands were concerned, he noted with satisfaction that there had recently been substantial progress towards self-government. During the campaign that had preceded the elections of November 1966, the people of the Territory had had every opportunity to express their views on the future of the islands, and the new Legislative Assembly, though its competence might be somewhat limited, was free to take up any political subject. It seemed that the people were inclined to make the best, politically, economically, and otherwise, of the present situation which was encouraging, having regard, in particular, to the increase in per capita income (from \$1,543 in 1963 to more than \$2,000 in 1965).

51. The Sub-Committee should therefore recommend that the administering Power should continue to bring the Territory along the road to full self-government and should have the bill providing for the election of a governor passed as soon as possible. It should also ask the United States Government not to conceal from the people of the Islands that several options were open to them regarding their political future and to refrain from exerting any pressure on them in favour of one option rather than another. Lastly, the administering Power should be invited to disseminate information on the work of the United Nations in the field of decolonization and to facilitate contacts between the United Nations and the elected representatives of the Islands, if the latter wanted such contacts.

52. In the case of Territories which, like the United States Virgin Islands, already enjoyed a large measure of political freedom, it could be argued that each free

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election was an act of self-determination. It could also be argued that no act of self-determination was valid unless the issues were clear. That was a point that deserved further consideration by the Sub-Committee in respect not only of the United States Virgin Islands but also of all the other Territories on its agenda.

53. The representative of Iran said with reference to the Uruguayan representative's observations that he thought the policy to be evolved should be based on the principles of General Assembly resolution 1514 (XV), which were applicable to all the Territories studied by the Special Committee. For the small Territories, the Sub-Committee could also be guided by other General Assembly resolutions and, additionally, by the relevant views expressed by various United Nations bodies. He emphasized, however, that the right of self-determination could not be called in question and the whole policy hinged on it; the right must be exercised in absolute freedom, particularly in the case of the small Territories. The General Assembly had indicated in several resolutions that for that condition to be fulfilled a United Nations presence was essential. It was the task of the Sub-Committee, in seeing to it that those basic principles were applied, to observe the progress being made and, if it seemed too slow, to call for the pace to be quickened.

54. The representative of Bulgaria shared the view that the Special Committee and its Sub-Committees should base their work on General Assembly resolution 1514 (XV) and, at the same time, be guided by later resolutions, such as, in the present case, resolutions 2189 (XXI) and 2232 (XXI). All members of the Sub-Committee had voted for the latter resolutions, but that did not mean that they must refrain from discussing how those resolutions were applied.

55. The representative of Italy said that he had consulted independent sources before making the statement that the Sub-Committee had just heard.

56. The terms of reference of the Special Committee and of its Sub-Committees generally were obviously based on resolution 1514 (XV), which provided inter alia 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". But that surely did not mean that the

transfer of powers must be imposed upon the peoples in question even when the latter did not yet consider themselves ready for independence and preferred to wait. In his own view, decolonization was not only a political expedient for all Territories; it was also, and above all, a matter of conscience.

57. The representative of Iran said he believed that all peoples desired freedom and, in the case of the small Territories, that freedom was the right to choose the status that suited them best, free from outside pressure. It was therefore that task of the Sub-Committee and of the Special Committee, under General Assembly resolution 1514 (XV) and 1541 (XV), to recommend, in accordance with resolution 2189 (XXI), the most appropriate methods and also the steps to be taken to enable the populations of those Territories to exercise fully the right to self-determination and independence.

58. The representative of Uruguay said that the main difficulty, for the Special Committee and its Sub-Committees, was to place the problem raised by each colonial Territory in context and to determine which resolutions applied to it so far as their spirit was concerned. Different problems undoubtedly called for different solutions; that was why, after adopting resolution 1514 (XV), the General Assembly had supplemented it with resolution 1541 (XV), which some rejected but which offered many possibilities to the colonial peoples, particularly those of small Territories, regarding the exercise of their right of self-determination.

59. The Special Committee was not a court but a United Nations body, with the task of solving the problem of decolonization in peace and harmony - a difficult task which must not be carried out hastily if the new States were to be viable and were to have democratic institutions that would guarantee their freedom. The smaller the Territory the more complex the problems of decolonization and the reluctance of the administering Powers was often understandable. That was why he thought that an informed and serious discussion on the United States Virgin Islands would be useful.

60. The representative of Venezuela said it was true that certain advances had been made in the Virgin Islands, particularly with regard to the enlargement of the legislature; however, in view of the delay in considering the proposals for an elective governor, he could not express unreserved satisfaction.

61. In the economic sphere, too, progress had been made. Per capita income was indeed high, and economic and social conditions in the Virgin Islands were among the most favourable in the region. He did not know how the total income was distributed among the population, but, since the figure indicated was only an average, there might of course be disparities between different population groups. His delegation welcomed the efforts which had been made to give the Territory a sound industrial and agricultural base in order to help ensure that the economic structure of the islands acquired similar characteristics and that the system of tenure was favourable to the people, giving them a large share in the management of their own resources. It was urgently necessary, however to reduce the volume of imports, which seemed abnormally high even if allowance was made for the conditions peculiar to an island economy.

62. Noteworthy progress had also been made in public health and education, but it would be useful for the Sub-Committee to have further information regarding the approach adopted in education, particularly secondary education, so that it could determine whether the system met the economic and social development needs of the Territory.

63. He hoped that the administering Power, in response to the General Assembly's appeal (resolution 2232 (XXI)), would extend full co-operation and assistance to the Sub-Committee so as to enable it to accomplish its mission.

64. The representative of Uruguay said that, in view of the limited time at the Sub-Committee's disposal, he would discuss only certain aspects of the situation in the United States Virgin Islands. In 1966, the Special Committee had noted the information provided by the administering Power concerning the Constitutional Convention which had met between December 1964 and February 1965 and proposed a new Organic Act providing for a greater degree of autonomy for the Territory. It had also noted that the administering Power had taken final action on only one of the proposals made by the Convention and that the proposal for an elected governor had not yet been enacted into law. In resolution 2232 (XXI), relating to twenty-five Territories, including the United States Virgin Islands, the General Assembly had called upon the administering Powers to implement its earlier resolutions without delay. The Sub-Committee should proceed from those three points mentioned in the

report in considering the situation in the Territory with a view to determining whether progress had been made since 1966 in the direction indicated by the United Nations Charter and General Assembly resolution 1514 (XV). The latter resolution was, of course, the basic text to be taken into account, but there were other relevant resolutions, such as 1541 (XV), which did not supersede it but were complementary to it. Resolution 1514 (XV) set forth absolute independence as a fundamental principle, but when the size or economic situation of a Territory prevented the attainment of that ideal, another formula had to be sought in keeping with the spirit of resolution 1541 (XV); such a formula could be free association with an independent State, integration with an independent State on the basis of complete equality, or federation with other small States.

65. If the decolonization of the Virgin Islands was proceeding slowly, it was not due to indifference or ill-will on the part of the administering Power. It was clear from the report that the administering Power was conscientiously discharging its responsibilities towards the Territory. Advances had been made in the economic and social fields and in education. There was less visible progress in the political sphere; it was true that universal suffrage had been introduced, but there had been no progress with regard to institutions because the United States Congress had not yet taken a decision. He noted in that regard that it was the complexity of the democratic system which caused delays in legislative action.

66. His delegation supported the suggestion made by the representative of Italy, who felt that, to assist the administering Power in complying with resolution 1514 (XV), the Sub-Committee might recommend that it should adopt the bill providing for the election of a governor as soon as possible and inform the people of the various options open to them, giving them all the information they needed in order to make a wise choice. As the representative of Italy had also suggested, the administering Power should be asked not to exert pressure on the people in favour of one option rather than another and should inform them of the views of the United Nations.

67. The Government of Uruguay supported decolonization, but that process must be carried out in accordance with the real interests of the peoples concerned and with due regard for economic and political realities. It was not so much a question of

decolonizing as many Territories as possible each year as of helping to create viable new States whose economic situation and political awareness permitted them to benefit from freedom. The Special Committee should therefore ask the administering Power to ensure the economic development of the Territory, to awaken the political awareness of the people and to inform them of the options open to them, so that they could make a fully informed choice in complete freedom.

68. The representative of the Ivory Coast recalled that his delegation had expressed its views on the question of the Virgin Islands during the consideration of General Assembly resolutions 2069 (XX) and 2232 (XXI). The Ivory Coast reaffirmed its support for the principles set out in those resolutions - texts based on resolution 1514 (XV), which was fully applicable, in his view, to the Territories now under consideration by the Sub-Committee. He thanked the United States representative for the information he had supplied on his Government's efforts to speed the economic, social and political development of the Virgin Islands; it was, however, essential that, in accordance with operative paragraph 5 of resolution 2232 (XXI), the Committee should visit the Virgin Islands to obtain directly, with the full co-operation of the United States, first-hand information on the situation in the Territory and the wishes of the people. He hoped that the administering Power would take the necessary steps to ensure that the people would enjoy complete freedom to express their views regarding their political future.

69. The representative of the United States said that before complying with some of the requests for clarification and additional information made by members, he wished to point out that his Government did not collect information on political activities within either mainland United States or the Territory under consideration. Therefore, much of the information which he would present to the Sub-Committee would be either general or generally available. The Bulgarian representative had claimed that the administering Power was the only source of information on the Territory. In fact, the six newspapers and other information media in the Virgin Islands provided a considerable volume of readily accessible information on the Territory's affairs.

70. With regard to political parties, their platforms and goals, he said that paragraphs 31 to 33 of the working paper prepared by the Secretariat (A/6700/Add.14 (Part I)) contained a factual description of the party structure in the -

Virgin Islands and that the information given concerning the recent electoral campaign was correct. To the best of his knowledge, however, no petitions had been filed after the election of 8 November 1966. A recount had been held, but it had not affected the results.

71. One of the primary elements in the political life of the Virgin Islands was the preponderance of Democratic over Republic registration. The Democratic Party had developed into two "camps" and the major political issues were possibly a result of that split within the party. However, the issues were limited to basically local questions because both factions were part of the Democratic Party active in mainland United States and approved of the platform which that Party adopted at its national convention. The Territory possessed both voice and vote at the national political conventions. The Republican Party in the Territory also identified itself with the mainland Republican Party. The election issues in the Virgin Islands reflected to some extent the varying positions of the major parties in the United States. In addition, a wide variety of local issues, such as competition for the expenditure of public funds on roads and other objects, had been discussed during the most recent electoral campaign. An additional issue had concerned the "loyalty oath" law, which required candidates for primary elections to subscribe to an oath of loyalty to their political party. As the Virgin Islands community was small and the Government was close to the voters, elections often turned on personalities, reputations, and the capabilities of the candidates, rather than on issues.

72. The future status of the Territory had not been a political issue in the campaign. However, a recent and reliable indicator of the population's views on that question was the report of the Virgin Islands Constitutional Convention of 1964, which reflected the Islanders' desire for progress in local self-government, paralleled by increasing participation in the political life of the United States.

73. Members would agree that a requisite of self-determination was the existence of democratic institutions through which the people's will could be expressed. In the case of the Virgin Islands, such institutions were in a relatively developed stage, prominent among them being the Legislature, which was elected on the basis of universal adult suffrage and had recently been reapportioned to reflect more

accurately the population of the various areas. In that connexion, he pointed out that over 80 per cent of the registered voters had cast ballots in the November 1966 election. The Legislature enjoyed broad powers. It was free to pass any law not inconsistent with United States laws applicable to the Territory. In recent years, the United States Congress had not passed any measures bearing on local issues, but had limited its legislation applicable to the Territory to the type of law which applied to all States, such as regulation of inter-state commerce. The Legislature was also able to make its will known by passing resolutions on any topic, including the Territory's future status, and its autonomy was shown by the fact that it had complete authority to appropriate local revenues.

74. Additional steps towards full self-determination were being taken. The bill for an elected governor was now before Congress, with the full support of the Executive Branch. With regard to the differences between the House of Representatives and Senate versions of the bill, he said that the statement in paragraph 26 of the working party was correct and that some additional differences included the day of the year on which the governor would take office and the date on which the bill would have become effective.

75. Vocational training was offered in twelve disciplines at the high-school level. Since his delegation had last discussed the question, the Virgin Islands Employment Office and the Department of Labor had arranged a programme under the Manpower Development Act whereby students interested in vocational training not offered in the Territory could be given such training outside it.

76. The situation with regard to land ownership in the Territory was similar to that in the United States. Virtually all productive land was owned by small landowners and the only large plots were the desert area in St. Croix and the National Park in St. John.

77. The representative of Bulgaria hoped that it would be possible for the administering Power to inform the Sub-Committee at some time of its views concerning visiting missions.

78. He wished once again to reaffirm his delegation's position on the question of small colonial Territories and of colonial Territories in general. That position was based on the resolutions of the General Assembly, which reflected the anti-colonialist policy of the United Nations. His delegation did not a priori reject

any solution not excluded by General Assembly resolution 1514 (XV) which might be adopted by colonial peoples in the process of political emancipation and decolonization. The important thing was that colonial peoples should be given full freedom to exercise their right to self-determination and that the necessary political, economic and social conditions should be created to enable them to do so. The Special Committee should be guided by the decisions of the General Assembly, including resolution 2232 (XXI) concerning small Territories.

B. Adoption of the report

79. The Sub-Committee considered its conclusions and recommendations on the Territory at its 70th to 72nd meetings on 14, 18 and 19 April 1967, and adopted them by consensus - subject to the following reservations:

80. The representative of Bulgaria expressed his delegation's strong reservations on the deletion of the words "some measure of" from between the words "despite" and "advancement" in sub-paragraph 5 of the conclusions and recommendations.

81. He further expressed reservations concerning sub-paragraph 8 of the adopted text. His delegation had had reservations concerning similar recommendations in the past. He thought that, in the present conditions prevailing in the United States Virgin Islands, such a United Nations presence would serve no useful purpose and might well detract from United Nations prestige in the Territory. He did not disagree with the idea of a United Nations presence, since it was right that the United Nations should be deeply involved and play an active part in the process of decolonization. Such a presence should, however, first be in the form of a visiting mission which could report on the situation. Consideration could then be given to some other form of United Nations presence.

C. Conclusions and recommendations

82. The Sub-Committee recommends to the Special Committee that it adopt the following conclusions and recommendations:

(1) The Sub-Committee recalls its conclusions and recommendations concerning the Territory which were adopted in 1966 by the Special Committee and which were endorsed by the General Assembly at its twenty-first session.

(2) It reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to the Territory.

(3) It recognizes that the small size and population of the Territory present peculiar problems which demand special attention.

(4) It notes that no significant constitutional progress has taken place in the Territory since the item was last examined by the Special Committee.

(5) Furthermore, it regrets that, despite advancement in the political field the administering Power has failed further to implement the provisions of General Assembly resolution 1514 (XV) of 14 December 1960 and the other relevant resolutions of the General Assembly with respect to this Territory.

(6) It reaffirms the inalienable right of the people of the Territory to self-determination, while emphasizing once again that the administering Power should enable the people to express their wishes concerning the future status of the Territory in full freedom and without any restrictions.

(7) It also invites the administering Power to encourage open, free and public discussion of the various alternatives open to them in their achievement of the objectives of General Assembly resolution 1514 (XV) and to ensure that the people of the Territory shall exercise their right of self-determination in full knowledge of these alternatives.

(8) Recalling paragraph 6 of General Assembly resolution 2232 (XXI) of 20 December 1966 that "the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", it reiterates its belief that a United Nations presence during the procedures for the right of self-determination will be essential for the purpose of ensuring that the people of the Territory exercise their right of self-determination in full freedom and without any restrictions, in full knowledge of the various alternatives open to them.

(9) It urges the administering Power to enable the United Nations to send a visiting mission to the Territory and to extend to it full co-operation and assistance.

III. BRITISH VIRGIN ISLANDS

A. Consideration by the Sub-Committee

Introduction

83. The Sub-Committee considered the Territory of the British Virgin Islands at its 73rd to 78th meetings between 20 April and 16 May 1967.
84. The Sub-Committee had before it the working paper prepared by the Secretariat (see A/6700/Add.14 (Part I), paras. 66-113).
85. At the invitation of the Chairman, the representative of the United Kingdom, as administering Power, participated in the work of the Sub-Committee on this Territory.

General statements

86. The representative of the United Kingdom said that he would confine his remarks to the British Virgin Islands as he had only just learned that Montserrat would also be on the agenda and there had anyway been no significant developments in the Territory in the short period since the Sub-Committee had last examined it.
87. Very considerable progress had recently been made in the British Virgin Islands. Major constitutional decisions had been taken at the Constitutional Conference held in London from 4 to 10 October 1966. Before dealing with those decisions, which were summarized in the working paper on the British Virgin Islands prepared by the Secretariat, he recalled that the islands were a very small Territory (with a surface area of less than sixty square miles, and 8,619 inhabitants in 1965) which had long experience of democratic representation; an elected constitutional Government and Legislature had been set up as early as 1774. General elections had been organized in 1950. In 1954, shortly before the dissolution of the Federation of the Leeward Islands to which it had belonged, it had been granted a Constitution which had been amended in 1959.
88. The object of the 1966 Constitutional Conference had been to bring the Constitution up to date. The decisions taken had been largely based on the report by Mrs. Proudfoot, who had been appointed in 1965 as Constitutional Commissioner for the British Virgin Islands to make recommendations, taking into account the opinions expressed by the population, for any constitutional changes which might be thought desirable. Her report had been prepared after extensive consultations with all shades of opinion in the Territory.
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89. It had been agreed unanimously at the Conference that the Legislative Council should consist of a Speaker chosen from outside the Council, two ex officio members (the Attorney General and the Financial Secretary), one nominated member appointed by the Administrator after consultation with the Chief Minister, and seven elected members. The Speaker would be elected, by a simple majority of all members, for the life of the Council and have a casting vote only. All the other members of the Council would have votes, but only the votes of the elected members would determine whether a motion of no confidence in the Government was carried or defeated. The elected members would represent seven constituencies approximately equal in population whose boundaries were to be established by a Commissioner appointed from outside the Territory. The Legislative Council would meet at least once every three months and its life would be extended from three to four years. The Administrator would be able to prorogue or dissolve it after consulting the Chief Minister.

90. It was agreed that the Executive Council would consist of two ex officio members (the Attorney General and the Financial Secretary) and three Ministers, one of them the Chief Minister, appointed from among the elected members of the Legislative Council. It had been proposed that the Chief Minister should be directly and separately elected but in the end the Conference had decided that it would be preferable to adopt a system similar to that in force in the United Kingdom: the Chief Minister would be appointed by the Administrator as the elected member best able to command support from the majority of the elected members of the Legislative Council, and if it was doubted whether he had the support of the majority of the elected members of the Legislative Council, the latter would indicate their preference by vote. The other two Ministers would be appointed by the Administrator on the advice of the Chief Minister.

91. The Administrator would have certain special responsibilities: defence and internal security, external affairs, the terms and conditions of service of public officers, the administration of the courts and finance. He would have a reserved legislative power, although only in respect of his special responsibilities, but, before using those powers, he would have to consult the Executive Council, and in the event that he disagreed with the latter, he would have to report to the Secretary of State and seek his prior approval.

92. The Constitution would also provide for the appointment of a Public Service Commission, consisting of three members appointed by the Administrator for a maximum period of three years. The Administrator would have to consult the Commission on all matters relating to public officers. The Conference had also decided to take advantage of the suggestion that the Supreme Court of the West Indies Associated States might also serve the British Virgin Islands.
93. In accordance with the decision of the Conference, a Boundary Commissioner, who was a former Grenada Judge, had been appointed at the end of 1966 and had submitted recommendations to the Legislative Council, which had unanimously approved them. On 14 April 1967, elections had been held in the constituencies thus formed to fill the seven seats for elected members in the Legislative Council: four had been won by the United Party, two by the Democratic Party and one by the People's Own Party. Five of those elected had been members of the outgoing Council. The percentage of voters had been high and there had been no untoward incident. A Chief Minister, probably a member of the majority United Party, would be appointed under the prescribed procedure.
94. The Territory's economy was closely linked to that of the United States Virgin Islands and the Commonwealth of Puerto Rico. The rapid economic expansion in the latter Territories had had various effects on the economy of the British Virgin Islands, particularly in drawing away labour and forcing up local wage rates. Live-stock raising, which had been the backbone of the economy and was still important, had declined in recent years, but tourism was becoming of increasing importance. The funds which his Government provided for the Territory, including Colonial Development and Welfare grants, were devoted mainly to projects for the expansion of agriculture, communications, trade and tourism.
95. Education was compulsory until the age of fifteen. For a total school population of 2,536 pupils, there were sixteen primary schools and one secondary school, which were public, and three private schools, one of them assisted. As to public health, the Territory had one hospital and eight dispensaries. Recent figures for the aid provided by his Government had been provided to the Sub-Committee in 1966.
96. Lastly, he expressed the view that the rapid progress which had been achieved in the British Virgin Islands, particularly at the constitutional level with the

entry into force of the new Constitution, placed in the hands of the inhabitants themselves the major part of the responsibility for governing themselves and deciding their future.

97. The representative of the Ivory Coast and the representative of Italy asked for details of the political parties to which the United Kingdom representative had referred, including their views on the Territory's future.

98. The representative of Madagascar asked for fuller details of the functions of the recently elected Legislative Council and its future relations with the Government. He also asked the representative of the administering Power whether there was a vocational school in the Territory and whether the secondary school pupils, on completion of their studies, had access to higher education. If so, he would like to know how many young people in the Territory were receiving higher education.

99. The representative of Bulgaria inquired what the administering Power's attitude was to the dispatch of a visiting mission to the Territory.

100. The representative of Uruguay asked for information on the trends and attitudes of the political parties in the British Virgin Islands in regard to the future political status of the Territory. Referring to paragraphs 66 and 141 of the Secretariat working paper (A/6700/Add.14 (Part I)), he asked whether the Territory considered forming some kind of federation with the United States Virgin Islands or with other territories in the area.

101. The representative of the United Kingdom referred the representatives of Italy and Uruguay to paragraph 138 of the Sub-Committee's report (A/6300/Add.10), where it was stated that the inhabitants of the British Virgin Islands had expressed no interest in joining any federation with the other Leeward and Windward Islands. The possibility had periodically been considered of the integration of the Territory with the neighbouring United States Virgin Islands. The United Kingdom Government would, as elsewhere, be guided by the wishes of the people concerned. The Constitutional Conference in London had devoted its attention chiefly to the Territory's immediate future, and the main concern of the representatives elected at the last elections - on the basis more of their personal qualifications than of

distinctive political programmes - would now be to manage the country's affairs under the new ministerial system. The political parties had not yet evolved any clear distinguishing policies and had not formulated ideas about the Territory's eventual status.

102. In reply to the question put by the representative of Madagascar, he said that the Legislative Council of the British Virgin Islands would legislate on all questions within its competence. The Administrator would use his reserved powers only in exceptional circumstances - for example if the decisions of the Legislative Council were incompatible with United Kingdom law, or with the Constitution of the Territory, or his own responsibilities. That was a normal feature at this stage of the development of United Kingdom Territories towards autonomy. In the case in question, the Administrator's special responsibilities had been agreed upon at the Constitutional Conference. Moreover, any decision to use his reserved powers taken by the Administrator against the advice of the Executive Council must first be approved by the Secretary of State. Experience in other territories suggested that such conflicts would in practice rarely if ever arise.

103. He did not have detailed information on vocational training in the Territory. The population being small, there were few candidates for post-secondary education; those who had completed their secondary education and wanted to continue their studies, in many cases went to the College of the United States Virgin Islands or elsewhere.

104. His delegation had already informed the Chairman in reply to his letter about the possible sending of a visiting mission, about which the Bulgarian representative had inquired, that a further reply would be sent as soon as his Government's instructions had been received.

105. The representative of Venezuela asked for further information regarding the Administrator's powers. In what cases were they exercised and what happened when there was a conflict of interests between the Administrator and the local authorities? He asked also whether United Kingdom financial aid was mainly intended for the development of tourism and what was the percentage of secondary school students to primary school students.

106. The representative of the United Kingdom said that it was misleading to speak of a conflict of interests between the Administrator and the local authorities.

The normal process of transfer of powers required that certain responsibilities, such as defence and foreign affairs, should continue to be borne by the administering Power for as long as the Territory remained non-self-governing.

The Administrator also had special responsibilities in matters of internal security, the public service, the administration of the courts and finance.

But over most of the field of government, the Administrator, the Ministers and the Legislative Council could be expected to work in close co-operation and consultation.

107. It was the local authorities which planned the distribution of United Kingdom financial aid among the various sectors of activity, such as tourism, agriculture, health and education. Once these priorities had been agreed, any project within them which was considered sound was automatically approved. He had no information on the ratio of secondary to primary school students, but anyone interested could obtain detailed statistics of this kind from the information transmitted by the United Kingdom Government under Article 73 e of the Charter.

108. The representative of Iran asked why there were non-elected members in the Legislative Council and, also, whether the political parties and the population of the British Virgin Islands were aware of all the possibilities which would be open to them when the time came for them to exercise their right of self-determination.

109. The representative of the United Kingdom explained that two of the three non-elected members of the Legislative Council, the Attorney-General and the Financial Secretary, were official members, and that their functions consisted mainly in participating in the Council's proceedings on questions relating to their respective areas; the third, who would be nominated in consultation with the Chief Minister, would no doubt be either a prominent individual chosen for his experience and competence, or an individual representing a particular sector or interest-group of the population which for one reason or another, had not secured adequate representation at the elections.

110. There were three non-elected to seven elected members, and for the purpose of votes of confidence only the votes of the elected members would count.

111. The Virgin Islanders were fully aware of the possibilities open to them with regard to their future political status, but it was generally recognized that the immediate task was to lay the foundation for self-rule and to strengthen them gradually.

112. The representative of Uruguay asked the administering Power to supply the Sub-Committee as soon as possible with information concerning the elections which had been held in the Territory on 14 April. That information could be published as an addendum to the working paper prepared by the Secretariat.
113. The representative of Bulgaria said that his delegation had carefully studied the relevant documents on the British Virgin Islands and had listened attentively to the statement of the representative of the administering Power.
114. There was no need for his delegation to review in detail the history of United Kingdom colonial rule in the Caribbean Territories. A full discussion of the question had been held in the Sub-Committee in 1964 on the basis of information provided only by the administering Power. However, positive and valuable conclusions had been reached regarding the situation in those Territories. A study of the relevant documents had shown that the administering Power was not only failing to implement the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the Territory, but that it was seeking to preserve its control there. No effective steps had been taken to consult the people of the Territory regarding their future political status. In the conclusions and recommendations which it had adopted in 1966 concerning the Territory, the Special Committee had reaffirmed that the Declaration applied fully to the Territory. It had also reaffirmed that the people were entitled to exercise their right of self-determination in complete freedom. Furthermore, it had regretted that the administering Power had not agreed to a visiting mission, and had affirmed that such a visit was both useful and necessary. Members were well aware of the United Kingdom's attitude to the question of visiting missions, as had just been demonstrated once again. The United Kingdom had reserved its position on the conclusions and recommendations which the Special Committee had adopted in 1966. He would point out, however, that those conclusions and recommendations had formed the basis for the Fourth Committee's consideration of the question and had been endorsed by the General Assembly in resolution 2233 (XXI).
115. Although the position of the British Virgin Islands had much in common with that of the other British Caribbean possessions, the pace of constitutional development had been much slower there than elsewhere. As the Constitutional Commissioner who had visited the Territory in 1966 had pointed out, the limited representative system which had been established by the 1773 Constitution had

developed no further after the departure of the white ruling classes following the emancipation. The power to govern was, in fact, still largely in the hands of the Administrator, who was appointed by the Crown. The Constitutional Commissioner had made recommendations which were designed to modernize and to adapt the Territory to some extent to the conditions of the twentieth century. However, it was not a question of modernization or adaptation but of putting an end to colonial rule and implementing without delay the Declaration on the Granting of Independence to Colonial Countries and Peoples. The purpose of all the proposed changes was to maintain the colonial administration in the Territory. The economic and financial position of the Territory was similar to that of other Caribbean Territories in that its budget could not be balanced without substantial grants from the United Kingdom. In that connexion, his delegation reiterated its view that the colonial Power, which had exploited the Territory for centuries, must give back what it had taken from the Territory so that the people could exercise their right to self-determination in full freedom and not be placed in a position in which they had no choice but to remain under the control of the colonial Power.

116. His delegation considered that the Sub-Committee should reaffirm the conclusions and recommendations which it had adopted the previous year concerning the Territory and he expressed the hope that the administering Power would realize the need for more practical co-operation with the United Nations and would implement the various relevant resolutions which had been adopted.

117. The representative of the United Kingdom said that he would add some further information to the statement made by his delegation at the 74th meeting.

118. Several delegations had requested fuller details regarding the elections held in the Territory on 14 April 1967; the Secretariat working paper (A/6700/Add.14 (Part I), paras. 91-98) which had just been circulated contained some information on this. He added that of the 3,641 registered voters 70 per cent had voted; the United Party (UP) had obtained 1,094 votes, the Democratic Party (DP) 800 and the People's Own Party (POP) 663. The party manifestoes were on similar lines. The United Party (UP) pledged itself to work for better relations with neighbouring countries, particularly the United States Virgin Islands, and continue good relations with the mother country (the United Kingdom).

119. It was interesting to note that the report submitted in June 1965 by Mrs. Proudfoot, Constitutional Commissioner for the British Virgin Islands, included a memorandum from Mr. Stoutt, now the elected Chief Minister, containing suggestions similar to Mrs. Proudfoot's own proposals; Mr. Stoutt had emphasized the need to put development before constitutional reforms. With a view to promoting economic development, the assistance provided by the United Kingdom Government had been increased considerably since 1940 and reached nearly \$US6.5 million; of that amount, \$1.9 million had been in the form of development grants. The average amount of the annual financial assistance for development was as follows: from 1940 to 1949, \$US14,000; from 1950 to 1959, \$47,000; from 1960 to 1963, \$137,000; from 1964 to 1966, \$235,000. Development projects planned for 1967 included a major expansion of electricity supply, and several new buildings including a court-house and Council chambers. Large-scale projects by private developers were also under study, in particular with regard to waterfront development at Road Town.

120. The representative of Venezuela remarked that members of the Sub-Committee were given only a very incomplete picture of the situation in the Territory. He deplored the fact that it had not proved possible to send a visiting mission there, because of the administering Power's refusal to co-operate.

121. He asked the United Kingdom representative to clarify certain points for him. According to paragraph 71 of the Secretariat working paper (A/6700/Add.14 (Part I)), the administering Power had in a way a right of veto in the Legislative Council, for the decisions of that body were subject to the assent of the Administrator, who was appointed by the Crown. In those conditions, it could hardly be claimed that the Territory enjoyed a degree of self-government, since the Legislative Council was not free to legislate on all aspects of internal affairs.

122. Moreover, in a democratic régime, the Parliament represented the people; in the British Virgin Islands, however, the Speaker, who presided over the Parliament, was not chosen by the people. It would be useful to know how the Speaker was designated.

123. The powers of the Administrator seemed excessive: the Executive Council was practically under his control, and it might even be said that, according to the provisions in paragraph 83 his powers were almost absolute.

124. He expressed surprise at the fact that only some of Mrs. Proudfoot's proposals had been accepted.

125. Turning to the economic situation, he said that a comparison of the data for 1964 with those for 1965 showed that the total value of imports had tripled, whereas the value of exports had fallen 40 per cent. He deplored the fact that tourism was the only industry to have been encouraged in the Territory in recent years and that animal husbandry, which had traditionally been an important activity, was declining. The United Kingdom representative had himself indicated that the least development had occurred in the social field; education, in particular, was neglected; a single secondary school and three private schools were not enough to ensure free and compulsory education.

126. The representative of the United Kingdom regretted that the Venezuelan representative had spoken in such a negative way regarding the progress achieved by the British Virgin Islands. When he had mentioned the role of the Legislative Council and of the Administrator, that representative had referred to paragraph 83 of the working paper (A/6700/Add.14 (Part I)); however, that paragraph related to the former Constitution and Mrs. Proudfoot's recommendations and the Constitutional Conference had led to the replacement of that Constitution together with many of the features of it which he had mentioned. He invited the Venezuelan representative to examine the new Constitution, as described in the Secretariat working paper beginning with paragraph 74.

127. As stated in paragraph 9 of the report of the Constitutional Conference, the Speaker was elected by a simple majority of all members of the Legislative Council for the life of the Council and had a casting vote only. The Deputy Speaker was elected in a similar manner; unlike the Speaker, he would be elected from among the members of the Council.

128. The question of the presence in the Legislative Council and the Executive Council of ex officio members, the Attorney-General and the Financial Secretary, had already been discussed and explained: all those at the Constitutional Conference had deemed this arrangement desirable for practical reasons.

129. The role of the Public Service Commission, as described in paragraph 24 of the report of the Constitutional Conference, was to advise the Administrator on all questions relating to officers in the public service - appointments, promotions, discipline, etc. There was also an independent Judicial and Legal Service Commission, as agreed at the Conference.

130. It was not the case that the Administrator controlled the Legislative Council. The Chief Minister was appointed by the Administrator, as the elected member having the support of the majority of the elected members of the Legislative Council. In case of uncertainty, they indicated their preference by a vote. The two Ministers were then appointed by the Administrator on the advice of the Chief Minister: in fact, it was the latter who really made the choice, in exactly the same way as in the United Kingdom, where the Queen appointed as Ministers persons nominated by the Prime Minister.

131. Not all of Mrs. Proudfoot's recommendations had been adopted by the Constitutional Conference; but the Conference, including all shades of British Virgin Islands opinion, had been largely guided by those recommendations and had reached unanimous agreement on its own decisions.

132. The Venezuelan representative considered that the educational facilities in the Territory were inadequate; but the education statistics did not appear to support this view.

133. Lastly, if there was any conflict between the provisions of General Assembly resolutions and the desire of the people of the Territory, in the last analysis it must be for the people themselves to decide on their constitution and on their future and the United Kingdom Government would continue to be guided by the people's wishes.

134. The representative of Venezuela said that, despite the details supplied by the United Kingdom representative, the information available to the Sub-Committee was still too vague. Thus, it was difficult to judge the extent of the special powers conferred on the Administrator and to know in exactly what circumstances he could overrule the decisions of the Executive Council, thus exercising a right of veto. Moreover, despite the United Kingdom representative's attempt at justification, it was hard to see what freedom of action the seven elected representatives of the people could enjoy in a council which also had three official members.

135. The economic situation of the Territory, as described in the documents available to the Sub-Committee, was somewhat disturbing. It did not appear from the information received by the Secretariat that there was any attempt at industrialization. As the United Kingdom representative had admitted, in his

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statement at the 73rd meeting, live-stock raising, traditionally the backbone of the economy, had declined so that the development of the British Virgin Islands seemed to depend entirely on tourism, which was not enough.

136. As to the political parties in the British Virgin Islands, it was disappointing for Sub-Committee III, which was responsible for seeing to it that the Territories with which it was concerned exercised their right to self-determination, to note that the programmes of those parties did not embody political aims consistent with the resolutions of the General Assembly.

137. The representative of the United Kingdom said that the Venezuelan representative's apprehension with regard to the Administrator's powers were unjustified, since those powers were precisely defined in the report of the Constitutional Conference. He read out paragraphs 20 and 21 of the report, from which it was clear that the Administrator could act without consulting the Executive Council only in urgent or very special cases: he emphasized that such a procedure was exceptional. As to the reserved legislative power conferred on the Administrator, that too could be exercised only in exceptional circumstances, in matters involving the Administrator's special responsibilities, and he could not as a rule obstruct legislation adopted by the Legislative Council.

138. If, in spite of the fact that they were entirely at liberty to do so, the political parties had not included in their programmes any statements regarding future constitutional evolution, the Sub-Committee might conclude that the question was not of immediate concern to the population. That was perfectly understandable, for the new Constitution had been in force for only a few weeks. The population of the Territory was obviously satisfied with the present status - which had indeed been worked out in full consultation with the people and accepted by them. When they wished for further change in future, the United Kingdom Government would always be ready to work this out with them once again.

139. The representative of Venezuela thought it a pity that, for want of adequate knowledge of the real state of affairs in the Territory, members were obliged to fall back on hypotheses which it was hard for them to verify. It was the Sub-Committee's duty to find out what the people of the British Virgin Islands wanted, and the attitude of the administering Power made that task difficult. Indeed, Mrs. Proudfoot, Constitutional Commissioner for the British Virgin Islands, had already drawn attention to that problem in her report, stressing that the administering Power did not maintain sufficient contact with the population.

140. The representative of Iran said that the Venezuelan representative had raised some extremely important questions, especially with regard to awakening of political consciousness among the population of the British Virgin Islands. He recalled that, in answer to a question he had asked at the 73rd meeting (A/AC.109/SC.4/SR.73), the representative of the administering Power had stated that the population was fully aware of the possibilities open to it with regard to its future political status. However, the extent to which the population was really aware of those possibilities was open to question, since it had not been consulted, either by the political parties or in any other way. The decisions taken by the Constitutional Conference certainly embodied the views of the Legislative Council, but it was by no means certain that they reflected the views of the population. The despatch of a visiting mission would undoubtedly facilitate the task of the United Nations, as assurances on that point could then be obtained from the population itself.

141. The representative of Venezuela observed that, according to paragraph 124 of the October 1966 report of Sub-Committee III (A/AC.109/L.329/Add.1), when the people of the British Virgin Islands had been consulted in 1947, they had made it clear that they did not wish to become part of the proposed federation of the Leeward and Windward Islands. He inquired how the situation had evolved since 1947.

142. The representative of the United Kingdom replied that, although the British Virgin Islands were a small territory, the mass media (free Press, publications of every sort, radio) were not lacking. For example, apart from their links with the United States Virgin Islands, the other countries of the West Indies and the United Kingdom, the people no doubt heard the full accounts broadcast by the BBC of what went on in the outside world, including the activities of the United Nations, the Committee of Twenty-Four and the Fourth Committee. The Territory would soon have its own broadcasting system. He therefore thought that the people could hardly be described as uninformed, and they had a long history of representative government behind them. The fact that neither they nor their elected representatives had raised the question of the Territory's political future might lead the Sub-Committee to conclude that they were not as yet concerned about it.

143. With reference to the Venezuelan representative's question, he regretted that he could not supply precise details about the events of 1947. However, it had been quite clear that the Virgin Islanders had not been interested in joining a federation of the other Leeward and Windward Islands and to the extent that they looked outward at all it had been more in the direction of the United States

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Virgin Islands. On all these matters, the United Kingdom Government would be guided solely by the wishes of the population.

144. The representative of Iran said that it was certainly odd that a people fully aware of the political possibilities open to it should not take an active interest in them. No administering Power could ask the United Nations to accept its unsupported word. He therefore continued to believe that the direct contacts with the population of the British Virgin Islands which would be established by a visiting mission would be useful in all respects. Perhaps the United Kingdom representative would state how the assistance which the British Virgin Islands were receiving under the United Nations Development Programme could help them to achieve the aim of decolonization more rapidly.

145. The representative of Venezuela said that, in view of the negative attitude of the administering Power with regard to the dispatch of a visiting mission to the Territory, which was plain from the letter read out by the Chairman at the previous meeting (A/AC.109/SC.4/SR.74), the Sub-Committee had every reason to doubt the accuracy of the information supplied by the administering Power. He would like to know whether, at the time of the 1964 Constitutional Conference, the representatives of the British Virgin Islands had participated in the discussions regarding the possible creation, at some future time, of a federation of the Eastern and Western Caribbean Territories and, if so, what views they had expressed.

146. The representative of Bulgaria remarked that the remarks of the Iranian and Venezuelan representatives gained added importance from the fact that they were applicable to all small Territories, especially those of the Caribbean region. The administering Power ought to realize that the United Nations, and especially the Committee of Twenty-Four and its sub-committees, needed the most detailed information possible, since they had special responsibilities towards the colonial Territories both under the Charter and under resolution 1514 (XV) and other resolutions of the General Assembly and could not therefore passively accept the views of administering Powers. As he had said at the previous meeting (A/AC.109/SC.4/SR.74), it was not a question of modernizing or adapting the Territory to the conditions of the twentieth century but of putting an end to colonial rule, and it was the duty of the United Nations to promote actively the political emancipation of colonial peoples.

147. The representative of the United Kingdom said that reports of the various organs of UNDP no doubt contained detailed information regarding any aid supplied to the British Virgin Islands under the Programme. The great bulk of the aid received by the islands certainly came from the United Kingdom Government. The Virgin Islanders had not participated, or wished to participate, in the discussions which had taken place after the failure of the West Indies Federation on the subject of a possible new federation of the Caribbean Territories.

148. In reply to the Bulgarian representative, he stated that it was the practice of the United Kingdom Government not only to discharge fully its obligations as an administering Power under Article 73 e of the Charter but also to supply to the Secretariat, the Committee of Twenty-Four and the Sub-Committee on a voluntary basis, detailed information which went well beyond its strict Charter obligations, especially with regard to the political and constitutional evolution of the Territory. His delegation thought that the information supplied was abundantly sufficient to enable the Sub-Committee to form a sound and balanced judgement.

149. The representative of Uruguay said that his delegation had already stated its position concerning the British Virgin Islands. In its view, the Sub-Committee, in recommending independence for such small Territories, should satisfy itself that the best conditions prevailed. Any decolonization process which led to dismemberment and was not based on economic realities would be injurious and doomed to failure. Because they were so small in area and in population and had very limited natural resources, the British Virgin Islands, which had always been dependent, could not survive on their own. Association or federation with other groups of islands seemed to be the best solution. In the modern world, moreover, coexistence necessitated integration; Europe provided an example with the Common Market, and Latin America had recently embarked on a similar course with the signing of the Charter of Punta del Este. The conclusions of the report of Mrs. Proudfoot, the Constitutional Commissioner for the British Virgin Islands, pointed in the same direction. Such small West Indian Territories could only survive in a federation or an association, and they must be encouraged to choose the status best suited to them.

150. He noted that, in the case of the British Virgin Islands, there was in fact a programme for the improvement of general conditions, but under the subordination of the administering Power.

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151. The Secretariat working paper (A/6700/Add.14 (Part 1), paras. 92-98)

showed that the various parties saw no alternative to a continuation of the colonial presence. The people of the Territories must have an awareness of the possibilities open to them and must give consideration to association or federation which, in his view, should be their choice.

152. The representative of Bulgaria agreed that an excellent solution for the smaller West Indian Islands, which were similar in many respects - for instance, in size, in ethnic origin and culture and in economic conditions - would be to join together in a federation, which might also include Puerto Rico. Moreover, federation was fully in conformity with the resolutions of the General Assembly. The administering Power did not seem to favour such a solution, however, and the Federation of the West Indies had encountered many difficulties as a result of United Kingdom policy.

153. He deplored the fact that the administering Power did not allow the smaller Territories any other choice than to remain subordinate to it.

154. The representative of Venezuela said that his delegation had always expressed the view that special solutions must be found in the case of the smaller Territories; they should not be encouraged towards an independence which would prove to be extremely precarious. Once a Territory became independent, it should not find itself compelled to go cap in hand for assistance from the former administering Power or from other countries. The Sub-Committee should therefore try to recommend a solution which fitted the special problems of the smaller Territories. It would particularly be helpful if a United Nations visiting mission could be sent to hold on-the-spot consultations with the representatives of the people and to evaluate the progress achieved. The administering Power's refusal to allow a visit to the Territories under its administration was disturbing. The prime essential was that the people should be allowed freely to express their views on the future political status of their Territory.

155. The representative of the United Kingdom said that he had listened carefully to the suggestions concerning the establishment of a federation. The Federation of the West Indies had not broken down because of United Kingdom hostility to the project as the representative of Bulgaria had said. On the contrary, the constant and declared policy of the United Kingdom Government ever since 1946 had been to encourage and establish an independent West Indies Federation and no one had worked harder for this than the United Kingdom. An independence date had even been fixed for the Federation. The breakdown of the Federation had been due to many complex

factors including conflicts of interest among those involved on such questions as financing, economic development and political powers.

156. There had been no discussion of the inclusion of the British Virgin Islands in a federation because the people had not indicated any interest in that solution. On this as on other matters the United Kingdom Government would be guided by the wishes of the people of the Territory.

157. The representative of the Ivory Coast said that both the administering Power and the members of the Sub-Committee deserved credit for the steps that had been taken to help the people of the British Virgin Islands to independence. The United Kingdom, however, would do the Sub-Committee a service if it would provide more information. The information it had provided so far was undoubtedly valuable, but for an equitable solution more was needed, particularly on the participation of the indigenous inhabitants in economic and social affairs and the efforts made by the administering Power to inculcate a sense of social responsibility. The United Kingdom's refusal to accept a visiting mission was regrettable. He would therefore urge that Government to co-operate by providing all the necessary information and allowing a mission to visit the Territory.

B. Adoption of the report

158. The Sub-Committee considered its conclusions and recommendations on the Territory at its 78th meeting, and adopted them by consensus - subject to the following reservations.

159. The representative of Bulgaria expressed his delegation's reservations on the question of a United Nations presence referred to in sub-paragraph 9. In the view of his delegation, a United Nations presence should take first the form of a visiting mission and following that, the question of considering other forms of presence might arise.

C. Conclusions and recommendations

160. The Sub-Committee recommends the following conclusions and recommendations for approval by the Special Committee:

(1) The Sub-Committee recalls its conclusions and recommendations on the Territory which were approved by the Special Committee in 1964 and 1966 and were confirmed by the General Assembly at its twentieth and twenty-first sessions.

(2) The Sub-Committee reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples continues to apply fully to the Territory.

(3) The Sub-Committee recognizes that the small size of the Territory and its sparse population raise particular problems which require special attention.

(4) The Sub-Committee takes note of the result of the Constitutional Conference of October 1966, and also of the elections which were held in the Territory on 14 April 1967.

(5) The Sub-Committee regrets that, despite the political and constitutional progress made in the Territory since the Special Committee last considered the matter, the administering Power has failed further to implement the provisions of resolution 1514 (XV) and other General Assembly resolutions relating to this Territory.

(6) The Sub-Committee reaffirms the inalienable right of the people of the Territory to self-determination, and wishes to stress once again that the administering Power should enable the people to express its will regarding the future status of the Territory in complete freedom and without restrictions of any kind.

(7) The Sub-Committee invites the administering Power to encourage open, free and public discussion of the possible options from which the people can make its choice in its efforts to attain the objectives of General Assembly resolution 1514 (XV), and to ensure that the people of the Territory will be able to exercise its right of self-determination in full knowledge of the options open to it.

(8) The Sub-Committee reiterates the view that it should be possible for the Territory to unite with other Territories in the area in order to form an economically and administratively viable State. The Sub-Committee regrets that, since 1947, no effective steps have been taken to bring about a possible federation with other Territories. Accordingly, it invites the administering Power to take steps to ensure that the population of the Territory is fully aware of the various possibilities open to it in its efforts to attain the objectives of resolution 1514 (XV) and other pertinent resolutions of the General Assembly.

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(9) Recalling paragraph 6 of resolution 2232 (XXI), which states that "the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", the Sub-Committee reiterates its belief that a United Nations presence during the procedures connected with the exercise of the right of self-determination will be essential to ensure that the people of the Territory can exercise this right in complete freedom, without any restrictions of any kind, and in full knowledge of the possible options open to it.

(10) The Sub-Committee regrets that the administering Power has not yet agreed to the sending of a visiting mission to the Territory, and affirms that such a visit will be useful and necessary. Therefore it urges the administering Power to enable the United Nations to send a visiting mission to the Territory and to extend to it full co-operation and assistance.

IV. ANTIGUA, DOMINICA, GRENADA, ST. KITTS-NEVIS-ANGUILLA,
ST. LUCIA AND ST. VINCENT

A. Consideration by the Sub-Committee

Introduction

161. The Sub-Committee considered the question of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent at its 79th to 89th meetings between 8 and 28 August 1967.

162. The Sub-Committee had before it the working papers prepared by the Secretariat (see A/6700/Add.14 (Part I), paras. 114-405) and the text of the resolution adopted by the Special Committee at its 506th meeting on 23 March 1967 (see para. 948 of this chapter).

163. In reply to its request for information concerning the situation in Anguilla, the Sub-Committee was informed by a letter dated 11 August 1967, from the representative of the United Kingdom, that in view of the Special Committee's resolution which in his Government's view prejudged the further examination of the situation in the Eastern Caribbean Associated States, the United Kingdom delegation could not assist the Sub-Committee in its further studies concerning those States.

164. Requests for hearings in connexion with the question of Anguilla were submitted by Mr. J. Gumbs, an Anguillian, and Mr. Roger Fisher, a Harvard law professor and "Legal Adviser to the Provisional Government of Anguilla". The Sub-Committee granted a hearing to Mr. Gumbs at its 79th meeting on 8 August 1967, and to Mr. Fisher at its 85th to 87th meetings on 24 and 25 August 1967.

General Statements

165. The Chairman said that, by referring the question of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent to Sub-Committee III, the Special Committee had entrusted it with a great responsibility, since the action to be taken by the Sub-Committee might have far-reaching consequences for the future of all small Territories.

166. Unfortunately, the Sub-Committee was hampered by the fact that, contrary to the usual practice, the United Kingdom representative was not attending its deliberations and had decided not to furnish such additional information as the Sub-Committee might need. The United Kingdom representative had maintained that,

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by choosing associated status with the United Kingdom, the Territories under consideration had attained a full measure of self-government and, furthermore, that the elected representatives of the people had been duly consulted. Most members of the Special Committee had considered, however, that since the United Nations had not been able to ascertain the wishes of the population of the six Territories concerned, the Committee had not been able to ascertain whether the people had really been able to express their wishes.

167. Since the Special Committee had been considering the question, the developments which had occurred in three of the six Territories - Grenada, St. Kitts-Nevis-Anguilla and St. Vincent - had only strengthened the doubts expressed in the Special Committee. So far as Anguilla was concerned, The New York Times of 8 August 1967 had made the surprising statement that "The United Nations turned down today a request that a fact-finding mission be sent to Anguilla". Since Sub-Committee III was the only United Nations body currently dealing with Anguilla, one could not see how Anguilla's request could have been turned down, since it had not even reached the Sub-Committee.

168. Sub-Committee III was confronted with a request for independence from a so-called associated State which rejected its status. While it obviously could not ignore that request, it could not endorse it without first studying the feasibility of Anguilla surviving as an independent State. Anguilla covered an area of thirty-five square miles and had 6,000 inhabitants. In view of the size of the island, the Sub-Committee, while following the well-established principles which guided the United Nations, in the task of decolonization, should seek new precepts consonant with the particular circumstances of the small Territories. Sub-Committee III should therefore undertake a systematic and scientific study in order to determine the criteria on the basis of which rights of the population of small Territories could in future be suitably protected.

169. The representative of Venezuela recalled that, in resolution 2189 (XXI), the General Assembly had mentioned the special situation of small Territories. It had also emphasized the usefulness of visiting missions but the appeals to the administering Powers to allow visiting missions to be sent to their Territories had often been rejected. When the Special Committee had decided to refer the question of Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent to the Sub-Committee, the latter had asked the United Kingdom for additional

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information but none had been provided. It was therefore impossible for the Sub-Committee to progress further than the Special Committee had been able to do in its consideration of the question, since the Sub-Committee was no better informed.

170. It seemed doubtful whether the administering Power had fully implemented resolution 1514 (XV) in the six Territories in question. It was stated in the working paper prepared by the Secretariat (A/6700/Add.14 (Part I), para. 132) that, when the report on the new status of association with the United Kingdom had been signed, the Leader of the Opposition of St. Lucia had called for a general election; the Leader of the Opposition of Grenada, for his part, had not agreed to certain provisions and had also called for general elections. The recent events in Anguilla confirmed that the population was not satisfied with the status of association worked out at the constitutional conferences held in London between 28 February and 26 May 1966.

171. The Chairman should ask for the Sub-Committee to be given access to every possible source so that it might obtain the information it needed to make recommendations.

172. The representative of Uruguay recalled that his delegation's position regarding the six Territories had been stated in the Special Committee at the end of 1966. At that time, the Committee had tried to determine, firstly, whether the constitutional changes resulting from the London conference had met the wishes of the peoples and, secondly, whether they had represented progress towards the self-determination of the six Territories. The Committee had felt that it needed first-hand information to answer those questions and had referred the matter to Sub-Committee III so that the latter might obtain that information.

Sub-Committee III was thus the body at present competent to consider the request of Anguilla; in that connexion, the article in The New York Times to which the Chairman had referred was quite uncalled for.

173. Sub-Committee III should seek the information it needed from every possible source but it should not infringe the powers of the Sub-Committee on Petitions if it wished to hear an Anguillan.

174. The representative of Bulgaria said that he supported the remarks made by the Chairman at the beginning of the meeting; he too was aware of the great importance of the matter for the future of the small Territories. He also endorsed the Chairman's remarks about the article in The New York Times concerning Anguilla's request for a visiting mission.

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175. The task entrusted to Sub-Committee III by the Special Committee was specified in operative paragraph 2 of the resolution (see para. 948 of the present chapter). It was regrettable that, in the performance of that task, the Sub-Committee could not have the benefit of assistance from the United Kingdom, which was not even attending the deliberations.

176. It was difficult to believe that the constitutional arrangements adopted for Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent were in conformity with Chapter XX of the Charter and the provisions of resolution 1514 (XV). The events which had just occurred in Anguilla confirmed the doubts which most of the members of the Special Committee had voiced. Sub-Committee III and the Special Committee should now see that the provisions of resolution 1514 (XV), and particularly those in operative paragraphs 2 and 5, were fully implemented.

177. At the 79th meeting of the Sub-Committee on 8 August 1967, the Under-Secretary for Trusteeship and Non-Self-Governing Territories informed the Sub-Committee that Mr. J. Gumbs, an Anguillan, had called upon him the day before and had asked that the United Nations should send a visiting mission to Anguilla. He had explained to Mr. Gumbs what procedure he should follow, stating that the competent bodies in the matter were the Sub-Committee on Petitions, the Special Committee and the General Assembly. He also suggested that Mr. Gumbs should get in touch with the Chairman of Sub-Committee III.

178. The representative of Madagascar said that he had listened carefully to the statements made by the Venezuelan, Uruguayan and Bulgarian representatives and the Under-Secretary. However, he reserved his position on the question of hearing Mr. J. Gumbs of Anguilla, since the Sub-Committee on Petitions was the body competent to decide whether the Special Committee should consider any particular petition. He suggested that the Sub-Committee should postpone any decision on the subject until its next meeting and should in the meantime get in touch with the Sub-Committee on Petitions.

179. The Chairman pointed out that the Special Committee was not currently in session and that the only one of its bureau Members present in New York was the Rapporteur, who had no power to call a meeting. Moreover, in the resolution of 27 March 1967, the Special Committee had requested its Sub-Committee III to examine, in the light of the recent constitutional developments, the situation

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in the Territories in all its aspects. Since Mr. J. Gumbs was certainly a very important source of information, the Chairman thought that the Sub-Committee would be justified in inviting him to make a statement, an action which would not, however, set a precedent.

180. The representative of Uruguay agreed that Sub-Committee III should avoid any jurisdictional conflict with the Sub-Committee on Petitions. Subject, however, to that reservation, he thought it would have much to gain by drawing on all sources of information in carrying out its task.

181. The representative of Ivory Coast said that he supported the reservation made by the Uruguayan representative. While it was true that the Sub-Committee on Petitions had precise terms of reference, it should be borne in mind, firstly, that the members of the Special Committee were absent from New York and, secondly, that the representative of the administering Power, which was in a position to inform the Sub-Committee, was not willing to take part in the Sub-Committee's debate.

182. The Chairman said that the Sub-Committee's terms of reference were very clear. Moreover, it was given broad powers under the resolution adopted. He proposed that the Sub-Committee should invite Mr. J. Gumbs to make a statement, with the understanding that that did not establish a precedent.

183. Mr. Gumbs said that, contrary to the information appearing in The New York Times, the United Nations had not rejected the request of the Anguillian people. The Anguillian delegation had been well received by the Under-Secretary for Trusteeship and Non-Self-Governing Territories, who had explained to it what procedure it must follow to be granted a hearing. The Anguillian people ardently hoped that the United Nations would champion their cause and would send a mission to the island at an early date.

184. After 300 years of colonial domination and seventy-five years of association with St. Kitts and Nevis, Anguilla had no drinking water, roads, electricity or proper schools. There was not a single telephone in the country for communications either within or outside the island. As far as the schools were concerned, hundreds of children were crammed into each class-room. The Anguillian people knew that that state of affairs would not be changed unless they themselves had the necessary authority to improve their lot and that the only way they could acquire that authority was by becoming independent.

185. With regard to the incidents of the past few days, contrary to the information published in The New York Times, which had alleged that 250 Anguillans

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had fired on the police, the policemen had dispersed at the bidding of a single Anguillan, who had rapidly brought them over to the common cause despite the threat of prison. In fact, a number of policemen had been arrested and what the people now feared was an invasion of the island by the forces of the central Government.

186. Anguilla's status of association with St. Kitts and Nevis had been for the Anguillan people only a source of oppression from which they were trying to liberate themselves. That was proved by the fact that, on 11 July 1967, when the people had voted in a referendum to establish whether they wanted (1) to withdraw from the association and (2) to form a provisional government, their response had been unmistakably affirmative and unanimous. The following day, the people's representatives, with the assistance of a world-renowned jurist, had begun to draft a constitution and to fix a date for future elections. Unfortunately, as could have been expected, the central Government had taken severe measures. In reprisal, all mail, medicines, remittances and so on intended for the Anguillans were being held at St. Kitts, where a half million dollars belonging to them was virtually frozen. The Anguillan delegation to a conference recently held at Barbados had not been allowed to raise the question of secession and had been subjected to pressure to sign the conference's report without even having read it.

187. Consequently, the Anguillan people were now turning to the United Nations asking it to intercede in their behalf. The Anguillans were a peaceful people who fully realized that law and order must be maintained, but they could not tolerate having their future decided without being allowed to express their wishes through their representatives.

188. Anguilla was only a small island of some thirty-five square miles and 6,000 inhabitants, but it was economically viable. In addition to tourism, which could become a flourishing industry because of the island's natural beauty, the Anguillans knew that they could rely on external assistance in developing all their natural resources. In fact, offers had already been made to them for that purpose.

189. In reply to a question on Anguilla's position at the Barbados Conference asked by the representative of Uruguay, Mr. Gumbs read out the following text:

"STATEMENT TO THE PEOPLE OF ANGUILLA BY THEIR GOVERNMENT

"The recent Conference in Barbados and the resulting situation has been seriously misunderstood. The facts are as follows.

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(1) The conference report is not binding on the people of Anguilla

The Anguillian delegates made clear their limited authority at the beginning of the Conference. Under the provisional constitution, and under the referendum, no agreement to return Anguilla to St. Kitts could be binding, except one approved by the people. In the opening statement for Anguilla, which is recorded on tape, Walter Hodges stated:

'Any of the heads of agreement discussed or reached cannot commit the people of Anguilla, until the people have the opportunity to see and agree to them'.

The people of Anguilla have not yet seen the conference report. They have not agreed to it. It is not now binding on Anguilla.

(2) The effect of signing the conference report

The four members of the Anguillian delegation who signed the conference report believed that these were the best terms that could be obtained from that conference, and that they should be brought home for serious study by the people. On the last day, the delegates were faced with a report that was already duplicated, with warnings of various kinds, and with a take-it-or-leave-it situation. The report contains many advantages as well as disadvantages. On such an important matter, there were strong reasons to sign the report, and to bring it home for people to consider.

(3) The conference report has not been rejected by the people of Anguilla

The conference report is a complex document of twenty-one pages, with four appendices and numerous statutory references. It contains intricate proposals concerning a Commonwealth peace-keeping force, economic aid, local self-government, and proposed legislation. We owe it to Anguilla, and to those from Britain and the other islands, not to reject the proposals out of hand without understanding them. If the people are unwilling to accept them as they stand, we should come back with specific proposals of our own, designed to provide adequate self-government for the people of Anguilla.

(4) Our future course of action

The Government of Anguilla, operating under the provisional constitution, will continue to administer the independent island of Anguilla, pending a peaceful settlement. In the meantime we shall:

(a) Explain the conference report to the people and discuss it with them.

(b) Invite others to come to the island to discuss the report with them.

(c) Seek a consensus of the report, and on what counter-proposals, if any, Anguilla should make.

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(d) Request all other parties to allow us time for our constitutional deliberations. A hasty use of force by any other island would be most unwise.

(5) Acting Chairman of the Council

Under the present constitution, the Chairman is at all times subject to the decision of the majority of Council. For the time being, Ronald Webster shall continue as Acting Chairman. All other members remain on the Council.

(6) Unanimity of the Council

This statement to the people of Anguilla is unanimously approved by all the available members of the Council.

Signed on 7 August 1967.

Ronald Webster

Peter Adams

Walter Hodge

Emile Gumbs

John Rogers

John Hodge."

190. The Chairman recalled that, at its previous meeting, the Sub-Committee had requested him to get in touch with the United Kingdom delegation and ask it to furnish information on the situation in Anguilla. He had done so and, in response to his inquiry, he had just received a letter dated 11 August 1967, which we would read, from Sir Leslie Glass, the United Kingdom representative. The substantive part of the letter reads as follows:

"I have the honour to refer to your enquiry, made in accordance with a decision of Sub-Committee III 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, about the possibility of the United Kingdom Delegation participating in the Sub-Committee's discussions in the situation in Anguilla, which forms part of the Associated State of St. Kitts-Nevis-Anguilla.

"In reply to this request, I am instructed to confirm the United Kingdom Government's position as indicated by my Delegation to the Special Committee in March 1967, namely that in view of the terms of the Special Committee's resolution of 24th of March, 1967, which in my Government's view prejudged the further examination of the situation for which the resolution provided, no purpose would be served by continuing the United Kingdom Delegation's collaboration with the Special Committee on these matters. In these circumstances, I regret that my Delegation cannot assist the Sub-Committee in its further studies concerning the Eastern Caribbean Associated States.

"In so far as the Sub-Committee contemplates in particular discussion of events in any of the Eastern Caribbean Associated States which occurred after their achievement of Statehood, I wish to recall that on becoming States in association with Britain, the territories attained a full measure of self-government. Accordingly, Article 73 of the Charter of the United Nations ceased at that point to apply, and subsequent events affecting the territories, including the purported secession of Anguilla from St. Kitts-Nevis-Anguilla and developments connected therewith, are no longer within the competence of the Special Committee or its Sub-Committees.

"In this connexion, the United Kingdom Government regrets that despite the attainment of a full measure of self-government by the Associated State of St. Kitts-Nevis-Anguilla on the 27th of February, 1967, the Sub-Committee nevertheless agreed to hear a person in the capacity of a petitioner to the Special Committee on a matter concerning the Associated States.

"I am therefore instructed fully to reserve my Government's position both on the hearing of petitioners concerning St. Kitts-Nevis-Anguilla or any other Associated State and on any proceedings in the Special Committee or its subordinate organs concerning events in the West Indies Associated States which occurred after the achievement of Associated Statehood.

"The United Kingdom Government would particularly regret any actions or proceedings by the Sub-Committee that might tend to prejudice the peaceful implementation of the settlement of the Anguillan problem recently negotiated in Barbados through the good offices of representatives of the Governments of Barbados, Guyana, Jamaica and Trinidad and Tobago, and with the participation of the United Kingdom Government."

191. The representative of Venezuela said that the problem of the West Indies was extremely important. The letter which the President had read out at the beginning of the meeting was a further proof of the administering Power's failure to co-operate. No decisions by the General Assembly had authorized it to disregard the obligations set forth in Article 73 e of the Charter. Contrary to the implications of that letter, the Sub-Committee was competent to take up the question of St. Kitts-Nevis-Anguilla under the Declaration on the Granting of Independence to Colonial Countries and Peoples. While there were, of course, small territories whose economic and political viability must be ensured, a satisfactory solution could be found in accordance with General Assembly resolution 1541 (XV). He categorically rejected the United Kingdom reply.

192. The documents prepared by the Secretariat and the statements made by Mr. J. Gumbs at previous meetings showed that, after more than 300 years of colonial domination, the Anguillans lacked even the minimum economic and social infrastructure they needed to improve their lot in the immediate future. The island had been exploited only to serve foreign economic, political and strategic interests. Anguilla's secession from the Associated State of St. Kitts-Nevis-Anguilla proved that the process of decolonization had been started in that Territory without allowing the 6,000 Anguillans to exercise their right to self-determination. Significantly, the administering Power had then brought pressure to bear on the Anguillan representatives to make them sign the report of the Barbados Conference and, according to the latest information, a frigate was preparing to land police forces on the island in order to bring its inhabitants into line. It might well be asked why the United Kingdom had not taken the same action with regard to the rebellious white régime of Southern Rhodesia. In any case Venezuela is opposed to the unilateral use of force.

193. The problem of Anguilla was not a local one; it must be seen in the context of General Assembly resolution 1514 (XV) and the wishes of the Anguillan people must be taken into consideration if that resolution was to be fully implemented.

194. The representative of Bulgaria stressed the importance of the item on the six Territories under discussion by the Sub-Committee. During the Special Committee's 506th meeting, his delegation had voted in favour of the resolution submitted in that connexion (see para. 948 of the present chapter) and had expressed the hope that the administering Power would co-operate constructively with the Sub-Committee when the item on the six Territories was taken up again.

195. The responsibility of the United Nations under the Charter and the Declaration on the Granting of Independence to Colonial Countries and Peoples, was something which could not be overlooked. The latest letter from the representative of the administering Power questioned the Organization's competence to deal with the problems of the Territories under consideration - an attitude which was harmful to the decolonizing process and could only be regretted. His delegation fully shared the Venezuelan representative's view that

only a decision by the General Assembly could absolve the administering Power of its responsibilities under the Charter. As members were aware, the United Kingdom was persisting in its refusal to allow a visiting mission to go to the Territories, despite the decisions of the Special Committee and the Sub-Committee. Such an attitude was, of course, in keeping with the administering Power's position on the question.

196. Current developments in Anguilla must be interpreted, not as an isolated incident but as clear proof of a lamentable state of affairs inasmuch as the administering Power was endeavouring, in one way or another, to maintain its control of the colonial Territories for whose administration it was responsible. The information reaching the United Nations, together with recent events in certain of the Territories, confirmed the opinion of the overwhelming majority of the Special Committee and of the Sub-Committee that General Assembly resolution 1514 (XV) was still applicable to the Territories in question and that the recently introduced constitutional arrangements did not free the administering Power from its obligations under the Charter.

197. As his Government had at various times stated, all colonial Territories must be liberated and resolution 1514 (XV) must be applied to them whether they were large or small. It was obvious that, in the case of the six Territories under consideration the administering Power had failed to create conditions favourable to the exercise of the right of self-determination, as it should have done. Article 73 stressed the "principle that the interests of the inhabitants are paramount" in such Territories. Whatever solution they might propose, the Special Committee and the Sub-Committee must therefore bear in mind the objective of resolution 1514 (XV), particularly operative paragraph 2. It was important to establish whether the population of the Territories had had an opportunity freely to express their will concerning the constitutional arrangements affecting them and their future status. The available information indicated that such had not been the case in the six Territories under discussion. They had not been given a choice; they had simply been offered association with the United Kingdom.

198. During the Special Committee's discussion of the item, the administering Power had stressed that the constitutional arrangements included provisions whereby the population would, at a future date, have the right to terminate the

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status of associative State and join other territories in the region, or even opt for independence. But that right related only to the future. The population had already shown its dissatisfaction with the new status.

199. Furthermore, the administering Power had ignored the appeals made to it to authorize a visiting mission to go to the Territories. By so doing, it was preventing the United Nations from confirming at first hand the people's wishes regarding their future status. The status of associated State was such that the United Kingdom retained the right to interfere in the domestic affairs of the Territories, even without waiting for their Governments to request it to do so. That alone showed that the new status has not ended the United Kingdom's control of its former colonies.

200. The United Kingdom's responsibilities for the Territories stemmed from the fact that they had been under British colonial domination for centuries. It should not be forgotten that that responsibility had been a decisive factor in the dissolution of the former Federation of the West Indies, as well as in the current constitutional arrangements.

201. The administering Power and the Special Committee had a duty to prepare and recommend appropriate measures to promote the conditions necessary for the exercise of the right to self-determination in all colonial Territories and in the small ones in particular. It was evident that the present economic, social and political conditions in the Territories in question, together with the bases and the military agreements were an obstacle to the implementation of resolution 1514 (XV). The United Nations must continue to keep a very close watch on the situation in all colonial Territories and must pursue its endeavours to help their populations achieve independence.

202. The representative of Italy wished to make some remarks on the special political criteria that should be taken into account in considering small Territories. In that respect, General Assembly resolutions 1541 (XV) and 2189 (XXI) were binding complements to resolution 1514 (XV) because they had laid down the legal basis on which the General Assembly and the Special Committee had been able to discuss and adopt resolutions on some of the major colonial problems still pending. The necessity of applying special methods and policies in the case of the small Territories had been explained at length by the

Uruguayan representative. That explanation and the remarks made by his delegation and other members of the Sub-Committee might be helpful in devising a more subtle and articulated policy to solve the problems arising from the decolonization of the small Territories.

203. His delegation thought that four considerations should be borne in mind in discussing the special criteria to be adopted for the small Territories. The first was the form and timing of independence and the organization of the new State, in accordance with the size and economic conditions of the Territories concerned. According to principle VI of resolution 1541 (XV), it should also be possible to achieve independence by the union of a number of Territories in one State or by that State's association with the former administering Power. Self-determination should, in the first place, lead to the creation of economically viable units, because that was a condition for stability and social progress and would prevent a resurgence of any form of imperialism. The Sub-Committee should consider whether that condition was met by the integration of small Territories into larger political units or by their association with the former administering Power. The latter possibility should not be rejected out of hand. It might offer considerable advantages, in that the former administering Power could, as one State to another, give the Territories the economic help that it might have neglected in the past and that would enable the Territory to avoid having to seek help from private enterprises, whose activities were often speculative and socially dangerous. Association seemed to be a good solution, particularly in the case of the small Territories with which Sub-Committee III was concerned. As Mr. Fisher had pointed out, the people of Anguilla had no fixed ideas about possible solutions and if Mr. Bradshaw, the political leader they opposed, stepped down, Anguilla might even wish to join St. Kitts-Nevis.

204. Secondly, consideration should be given to ways and means by which the colonial peoples could exercise their independence. The relevant resolution did not limit them to any particular forms and United Nations practice was consistent with the principles of international law, under which political entities were free to adopt the proper methods to determine the form of their independence. The practice of States also showed that there were a great variety of forms and methods for exercising self-determination and for

establishing a political régime. In the case of small Territories, the question was whether provision should not be made for special methods of self-determination that would permit, with independence, a certain amount of political and economic integration in larger units. The trend towards federation and integration was a proof of the maturity of States. The attainment of independence by new States was always very naturally accompanied by trends towards separatism. Anguilla was a good example in that respect. However, the fear that such separatist trends might lead to the fragmentation of small Territories and their social and economic decline had always led the Special Committee and the Sub-Committee to require the administering Powers to organize the Territories in larger and more viable political units.

205. Thirdly, special attention should be given to the fact that each small Territory belonged to a particular region of the world. The United Nations must be respectful of local situations and practices and avoid any action, even if inspired by good intentions, that might damage a region's balance and stability. That was particularly true for the small Territories and especially for the islands, which needed the support of regional organizations, but which, if encouraged in their natural trend towards particularism and insularity, might disrupt regional ententes and bring about secession and fragmentation in other States recently established in the region. There again, Anguilla was an excellent example. The United Nations should always pay attention to regional situations and should develop a practice of close consultation with representatives of the countries concerned.

206. Fourthly, the Sub-Committee should be concerned with the co-operation of the administering Powers and the question of visiting missions. While visiting missions were in most cases necessary, they should not be considered an essential and universal instrument of decolonization. Other means such as consultations with Member States in the regions concerned and the dispatch of observers to the Territories or their attendance at negotiations affecting them, should be considered. As far as co-operation with the administering Powers was concerned, the Sub-Committee should, above all, avoid taking any negative or radical attitude that could lead to a deadlock. Thus, it would be perhaps well advised to find other ways and means of securing the co-operation of the United Kingdom without prejudice, for the time being, to its position. By creating

the associated States, the United Kingdom had become responsible for their relations with the United Nations and those of its organs whose activities fell within the field of foreign relations. In other words, the six Territories were represented at the United Nations by the United Kingdom, which should be invited to take part in the Sub-Committee's meetings and which should therefore furnish information on all external and internal events affecting the position of the six Caribbean Territories.

207. The representative of Uruguay observed that the smaller a country was, the more complicated its problems were. One problem, however, had not received the attention it deserved, and that was the problem of the form of government for which a country was suited. In addition to establishing whether a country had a historical tradition and a viable economic and political system, it was essential to determine whether it had the national identity fitting it for a particular form of government and that determination should be the criterion applied, so that, irrespective of the size of a Territory's population, the Special Committee could never be accused of having impelled into international life small nations quite unaware of the problems which it entailed.

208. He believed that, from a rational point of view, it would be a mistake to try to make a State or nation out of every small island. That did not by any means signify that he was opposed to the granting of independence to countries with populations smaller than, for instance, those of the great Powers. Nevertheless, it was a fact that the greatest inequity was to treat two unequal things as equal: a distinction had to be made between objective and theoretical equality and subjective equality founded on facts. Otherwise the United Nations, by artificially creating States, might attenuate its own purpose and power and jeopardize its future work.

209. He had already made a number of statements on the question of small Territories in the Special Committee. All aspects of the question had been analysed and discussed at length, and the only reason why Sub-Committee III was again dealing with it was that it wanted to be certain that the will of the people had been correctly interpreted when the constitutional agreements were drawn up in London. It was essential to be sure that the Government of the islands as it now existed was a legitimate result of those agreements.

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210. The Sub-Committee should take a positive attitude towards political and historical realities in the British West Indies and should never lose sight of the wishes and well-being of the peoples concerned. It should strive to apply to them the provisions of both resolutions 1514 (XV) and 1541 (XV), which complemented each other.

211. The formula agreed upon by the London constitutional conferences did not appear to be incompatible with the resolutions of Sub-Committee III, the Special Committee, the Fourth Committee and the General Assembly. On the other hand, it was true that the administering Power had not followed certain procedures in connexion with the referendum by means of which the wishes of the population concerning the new institutions had been ascertained. The use of the referendum was, of course, linked to the problem of the transfer of powers: operative paragraph 5 of resolution 1514 (XV) provided that immediate steps should be taken in the Territories concerned to transfer all powers to the peoples of those Territories. In his article on decolonization, Mr. Velasquez, Uruguay's representative on the Special Committee, had written that when the Declaration on the granting of independence spoke of the transfer of powers to the "peoples of those Territories", what was meant was clearly the representatives of those peoples, since in modern constitutional law there was no system other than that of representation, at least in the case of the principal public powers. The only question remaining was that of the qualifications to be possessed by those representatives in order that the sovereignty so transferred to them might be considered as having been transferred to the people they represented.

212. The position in the case under discussion was that the United Kingdom applied to the Territories it administered a process of constitutional development which did not include a referendum. There were several stages in that process, from internal self-government to constitutional conferences at which the final details of independence were settled. In other words, in the case under discussion decolonization would have been completed without the intervention of the United Nations and without resort to a referendum. The process was none the less a democratic one, since the local legislative bodies had to approve the constitutional agreements drawn up by the elected representatives of the Territories and the United Kingdom Government.

213. Although he personally favoured the referendum, he considered that the validity of that process was indisputable. All that remained was to determine whether the elections establishing the local legislative body were valid.

214. There was no need to question the whole process of constitutional development under English law: that would force a number of large decolonized countries to re-examine the very basis of their independence where that independence had not been the result of a referendum. The fact was that if the constitutional agreements relating to those countries had been concluded between the United Kingdom Government and the legislatures which were representative of the peoples concerned, they were unassailable.

215. In Anguilla the subject of the referendum had not been full independence but the island's wish to be separated from St. Kitts without thereby ending its association with Great Britain. Two questions had been asked, the first on the separation of Anguilla from St. Kitts and the second on the possible establishment of a provisional government of Anguilla. As the matter of relations between Anguilla and the United Kingdom had not been raised it had been an incomplete referendum, with the same defects as those characterizing the referendum which France had organized in French Somaliland.

216. Moreover, the situation in Anguilla was such that the members of Sub-Committee III could do no more than recall what they had said in the Special Committee. There was no new information available on the Jamaica conference and the Sub-Committee was not in a position to say that it had any proof that the people of Anguilla had not indeed given their consent to the existing form of government.

217. There was now an indisputable political fact which had to be faced. The Sub-Committee therefore should not turn backwards but should endeavour to find a way of correcting the present situation rather than trying, in an excess of zeal to destroy what did exist. Decolonization had to take its course and if at times it appeared to remain outside United Nations control an effort should be made to participate in it, not to halt it. Even if Anguilla had gained independence under constitutional agreements, the value of its independence was not thereby diminished. The Sub-Committee should not censure the expression of a people's will if it had been freely expressed.

218. The representative of Venezuela said that he was not by any means casting doubt on the validity of the process applied in the decolonization of the six Territories. However, when decolonization took a form other than absolute and total independence - such as that of an associated State, as in the present case - the United Nations should study the matter very closely to prevent the emergence of neo-colonialism in a disguised form. In extreme cases alleged decolonization might be nothing but a change of labels.

219. The representative of Uruguay remarked that he was strongly in favour of the referendum, a procedure which was, moreover, firmly established in his country; but he none the less recognized that many countries which were now Members of the United Nations had not acceded to independence by that means. No resolution expressly stated that the referendum was the only means by which peoples could exercise their right to self-determination.

220. The Sub-Committee's task was simply to satisfy itself that the people had expressed their will in full freedom and without constraint. It could not discharge its task unless it had direct proof that such was the case; for that purpose it would have been preferable if it had been able to visit the Territory. The Sub-Committee should ascertain whether, in the present instance, the election of which the local legislature was the result had performed the same function as a referendum. If so, the Sub-Committee's task would have been completed, for it was not called upon to create difficulties where none existed. There was trouble enough in the Middle East and Viet-Nam, and there was no need to encourage it in the West Indies.

221. The representative of Venezuela said that although that was not specified in either resolution 1514 (XV) or resolution 1541 (XV) of the General Assembly, the doctrine of popular consultation, i.e., the referendum, was universally recognized. In the absence of adequate information the Sub-Committee could not, of course, make any categorical assertions. Nevertheless, when a constitutional conference organized by the administering Power with reference to a colonial territory did not ultimately lead to the complete independence of that territory, it was permissible to question whether the inhabitants had been fully consulted.

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222. As for the use which was made of the United Nations flag, he knew full well that it had never been employed except to defend the sacred right of peoples to be masters of their own destiny.

223. The representative of Bulgaria deplored, like the representative of Uruguay, the grave injustices which existed throughout the world and particularly in Viet-Nam where so-called freedom was being imposed with bombs and napalm and in Southern Rhodesia where 4 million Africans were oppressed by a white minority. Little attention was paid to the wishes of the people and the reactionary forces of imperialism and colonialism were seeking to maintain their domination by methods which they sought to adapt to the standards of modern society.

224. With particular reference to the Declaration on the Granting of Independence to Colonial Countries and Peoples, he did not think that a constitutional conference was the best form of popular consultation. Indeed, a popular consultation must be considered not as a simple formality but as the first sovereign act of a people in the exercise of its right to self-determination. It was doubtful whether the people of the six Caribbean Territories had been given the opportunity to express their wishes fully and freely, as laid down in paragraph 2 of General Assembly resolution 1514 (XV). In the case of St. Kitts-Nevis-Anguilla, the only choice which had been discussed at the London Constitutional Conference had been that of an associated State. Without rejecting a priori a given political status, the United Nations should ensure that the people were fully aware of their right to choose the status which best conformed to their aspirations.

225. The facts and the principles at issue were clear and he wished to reaffirm once again that in his opinion: (1) the people of the Territories had not been consulted; (2) the Declaration on the Granting of Independence to Colonial Countries and Peoples continued to be applicable to them and (3) the United Kingdom continued to be responsible for them. Finally, he expressed the hope that the administering Power would show a better spirit of comprehension and co-operation.

226. The representative of Uruguay wished to make clear, in order to dispel any misunderstanding, that he had nothing against referenda; quite the contrary. However, there were other means by which the people could express their wishes freely; in particular, they could do so just as legitimately through their democratically elected representatives.

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227. The important question was not whether such and such a form of popular consultation had been used rather than another but whether the people had made known their aspirations without any coercion. The Sub-Committee would be ill-advised to formulate conclusions and recommendations in categorical terms without being certain that they corresponded exactly to the facts.

228. The representative of Iran said that as a rule self-determination was the primary procedure by which decolonization was achieved. But just as there is an exception to every rule, there is also an exception to this rule. In cases where it was evident that self-determination might produce a result inimical to the nature and objectives of decolonization, a different procedure must be used to bring about decolonization. Despite its consistent reaffirmation of the right of self-determination, the Committee of Twenty-Four, in cases where self-determination might serve to perpetuate a colonial situation, has decided to recommend a different procedure for decolonization. Thus, we have seen how the Committee, in the cases of Gibraltar, the Falkland Islands (Malvinas) and Ifni, instead of self-determination, has deliberately urged negotiation as the means for decolonization.

229. By the same token, if self-determination should prove to be inimical to the purposes of decolonization in the small territories which, because of their peculiar circumstances require special attention, an approach other than self-determination might more genuinely serve the purposes of decolonization. Since freedom from subjugation of any kind, political, economic and others, is the fundamental purpose of decolonization, we should examine carefully the question of whether a non-viable territory could in fact attain freedom even though the people concerned had expressed the wish to become independent. Under these circumstances the United Nations, because of its over-all responsibility and broad perspective, might be in a position to secure to a non-viable territory, aspiring for freedom and independence, the best means by which they could, in reality and not in name, attain and enjoy such a status. It has been with this view in mind that the

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majority of members in this Sub-Committee have often urged the creation of a federation or confederation for the territories in the Caribbean. The assistance and co-operation of the administering Power in this regard is obviously most essential in the fulfilment of the aspirations of the peoples of small territories to genuine freedom and independence in accordance with resolution 1514 (XV).

230. The Chairman said that, in accordance with the decision taken by the Sub-Committee at the previous meeting, Mr. Fisher would be heard in a private capacity.

231. Mr. Fisher said that he was appearing before the Sub-Committee on behalf of the Provisional Government of Anguilla. He was a professor of law at Harvard and specialized in questions of international law, although he sometimes dealt with criminal law and procedure. Before taking up teaching, he had practised law for ten years. His relations with Anguilla were of quite recent date; he had visited the island for the first time in July 1967. At the end of June, one of his friends and the wife of Mr. Gumbs whom he had met two years earlier had asked him to help the Anguillans. He had agreed to do so with the understanding that he would treat it as a case like any other, i.e., his expenses and travel would be reimbursed and he would be paid a fee, if only a nominal one. He had no links with any potential investors or any United States interests and his only client was the Provisional Government of Anguilla. He had made altogether three trips to Anguilla, each of about one week's duration, and while there he had met the members of the Council and the Chairman, first Mr. Adams and later Mr. Webster.

232. Early in July the island had been placed under the control of a peace-keeping committee set up by the inhabitants of the island after the departure of the St. Kitts police in May. On 11 July the committee had organized a referendum in which the people had been asked whether they wished (i) to terminate the association with St. Kitts and Nevis and (ii) to form a provisional government. The replies had been almost unanimous in both cases.

233. Anguilla was a small, impoverished island, with a population of about 6,000, without any telephone or electricity services and with barely a mile of paved roads. The problem was what was to become of the island. At present, several representatives of Anguilla, who were members of the opposition, were under arrest in St. Kitts. Mr. Bradshaw, the Prime Minister of St. Kitts, was threatening to

turn Anguilla into a desert if it did not submit. Weapons had been imported into St. Kitts for the purpose of subduing Anguilla by force if necessary. The United Kingdom had imposed on Anguilla a constitution tying it to two islands too remote for the arrangement to prove satisfactory.

234. The question was whether Anguilla was bound by past solutions, and, if not, what solution might be envisaged and how it could be reached. Of the two past solutions which, it was argued by some, were binding on Anguilla, the first was the constitution which had been imposed on the island by the United Kingdom in circumstances with which the Sub-Committee was familiar. The Anguillans considered that they were not bound by the constitutional arrangements adopted in London, since they had not been consulted as they should have been. If they had been consulted, the arrangements would have provided a measure of autonomy for Anguilla, and that was not the case. They also considered that it was not for the former administering Power to decide the most appropriate form of self-determination for a Territory. Furthermore, they objected to being under the control of St. Kitts. The second solution which some regarded as binding on the Anguillans was the solution proposed at the Barbados Conference. In his opening statement at that Conference, however, on 29 July, Mr. Walter Hodge has stated on behalf of the Anguillan delegation that its authority was limited and that any agreements discussed or reached at the Conference could not commit the people of Anguilla until the latter had seen and approved them. He had made that point in order to avoid a repetition of what had happened at the London Conference, namely, the adoption of arrangements without consultation of the Anguillan population. In reply to that reservation, Lord Shepherd, Minister of State for Commonwealth Affairs, had stated that everything had been done during the Conference to take into account the point of view of the Anguillans and that a refusal on their part to accept the conclusions of the Conference would be an extremely serious act which would oblige the United Kingdom to consult the Governments of the other Caribbean States to see what measures should be taken.

235. On 31 July, four members of the Anguillan delegation had signed the report of the Barbados Conference. Six other members had chosen not to sign. All the members, whether they had signed or not, had made it known that they did not consider the Conference report to be binding on the people of Anguilla until they had studied it and approved it.

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236. The conclusions of the Barbados Conference were as follows: Anguilla was to agree to submit once again to the authority of the St. Kitts Government, peace-keeping machinery was to be established to protect its population, and it was to be granted some measure of self-government. The only clear element in that conclusion was the return of Anguilla to St. Kitts. The rest was obscure, complex and ambiguous. Following the Conference, the Council of Anguilla had met and decided that Mr. Webster, who had been appointed Chairman of the Council in the absence of Mr. Adams, should remain in office. The Council had subsequently published a statement explaining to the people the position taken by the Anguillan delegation at the Barbados Conference. According to that statement, the conference report was not binding on the Anguillans; Anguilla did not reject the report out of hand but would study it at leisure in order to make constructive proposals and find a peaceful solution. The response to that statement had been the dispatch by the United Kingdom of a frigate carrying marines who were ready to land on the island. On 9 August, Mr. Webster had addressed an appeal to the Minister for External Affairs of Barbados, on behalf of the Council of Anguilla, confirming the telephone conversation they had had that morning and assuring him that the Anguillan population was ready to study the report carefully and to co-operate in any just solution; he urged the Minister not to resort to force and not to send marines to the island, and, lastly, asked for advisers to be sent to Anguilla who could explain to the population the tenor and meaning of the report of the Barbados Conference. Later, two officials of Commonwealth countries had arrived in Anguilla where they had taken part in meetings attended not only by the Government leaders but also by several thousands of people who had followed the deliberations and asked questions. The two officials had departed with the impression that the Anguillan population found the report of the Barbados Conference unacceptable and that many changes would have to be made in it. The Council's position was thus that Anguilla was not bound either by the constitutional arrangements reached in London or by the conclusions of the Barbados Conference.

237. Some had compared the developments in Anguilla with events in Southern Rhodesia. It had been said that in both cases there had been unilateral declaration of independence and that the United Kingdom should act to restore legality. He thought that any comparison of the situation in the two territories

was quite inappropriate. In the case of Anguilla, it was not a question of a minority or majority Government, but of the fact that the whole population of the island wanted to terminate its association with St. Kitts.

238. Consequently, if past solutions did not commit Anguilla, other solutions must be considered. The island was clearly not large enough to be left to its own devices. In view of the number of problems which a modern State had to face and the administrative structure required, the entire population of the island would be needed for the civil service. On the other hand, the Anguillians wanted to govern themselves, to be free and above all not to be subject to St. Kitts. They were not concerned with prestige: they were not interested in having ambassadors or in seeing their country become a Member of the United Nations; they simply wanted to manage their own affairs. They would be ready, indeed, to consider an association with St. Kitts, provided that such an association permitted them to have an autonomous government.

239. Another solution might be a form of trusteeship under the supervision of the Commonwealth countries, or an association with other entities, such as some of the French-speaking islands of the Caribbean or St. Martin, with which Anguilla enjoyed excellent relations. There was also the possibility of complete independence, with the development of natural resources and of tourism, and preferential international assistance. The Council of Anguilla had also asked him to mention to the Sub-Committee the possibility of Anguilla, as a self-governing and independent entity, accepting some form of association with the United Nations; such a course would require no amendment of the Charter and there was no reason why the United Nations could not accept such a situation.

240. The third question was how to arrive at a solution. Admittedly, the fragmentation of small Territories created problems and the United Nations should not encourage secessionist tendencies. On the other hand, a committee dealing with problems of decolonization should concern itself with the problems of a small Territory as much as with those of the colonies of a great Power. On the whole, Anguilla would rather be a colony of the United Kingdom than of St. Kitts.

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241. The Provisional Government of Anguilla hoped that a United Nations representative would go to the island to see the situation for himself and that the Sub-Committee would recognize in some manner that the Constitution imposed by the United Kingdom did not settle the matter and was not in keeping with the provisions of resolution 1514 (XV). It also hoped that the United Nations would urge all parties not to resort to force. Lastly, it believed that the Sub-Committee might ask the Secretary-General to appoint someone to look into the problem and ascertain what administrative support, technical advice and economic assistance could be furnished to Anguilla.

242. He was convinced that a solution could be found for Anguilla which could thereafter serve as a model for many other islands and small Territories, and he hoped that the Sub-Committee would adopt Anguilla's motto: "One does not have to be big in order to be free".

243. The representative of Uruguay sought information on two of the main protagonists of Anguilla's peaceful revolution, Mr. Peter Adams and Mr. Ronald Webster. How did it happen that Mr. Webster today presided over the Council of Anguilla, when it had been Peter Adams who had started the course of events and organized the referendum and had represented Anguilla at the Barbados Conference, whose proposals he had accepted? He was also surprised to find that Mr. Adams had expressed fear for his family's safety, and would like to know the source of the threats against Mr. Adams's family. He also wondered why the Anguillan people now seemed opposed to what Mr. Adams had accepted in Barbados. Was it public opinion in the island that had changed or was it Mr. Adams himself?

244. Mr. Fisher stated that Mr. Adams had not changed and that his behaviour during the past months and his attitude at the Barbados Conference were easy to explain. At the Conference, Mr. Adams had stressed the fact that his delegation was not authorized to make any commitment on behalf of the people of Anguilla. Faced with Lord Shepherd's attitude and the quasi-ultimatum of the Conference, Mr. Adams had felt that his best course of action was to sign the Conference report but express reservations with regard to his delegation's powers. He had thought it best to gain time, avoid a crisis, and return to Anguilla with the report, and to make observations and comments later, if necessary. In that way he had avoided a test of strength and a return to the harsh rule of St. Kitts.

245. The fact that Mr. Webster was Chairman of the Council of Anguilla was explained as follows: Mr. Adams had been absent on several occasions, and Mr. Webster had served as Acting Chairman of the Council. When Mr. Bradshaw had stated over the St. Kitts radio, three or four days after the Barbados Conference, that Anguilla would be returned to St. Kitts as a result of the Conference, that there would be an amnesty, and that the island would receive appropriations, the residents of Anguilla had believed that Mr. Adams had betrayed them. There had even been talk of hanging him. Consequently, as soon as Mr. Adams had returned to the island, the Council of Anguilla had met and had decided, in Mr. Adam's presence and with his consent, that it was better to have Mr. Webster continue as Chairman of the Council. There had certainly not been a palace revolution.

246. The representative of Uruguay asked under what conditions the referendum had been held and whether those conditions had provided the necessary guarantees, in particular with regard to the secrecy of the ballot.

247. Mr. Fisher replied that the committee governing the island until 10 July had published on 8 or 9 July a proclamation stating all the details of how the referendum would be held. Only electors registered for the last general elections would be allowed to vote. Voting would take place from 6 a.m. to 7 p.m. There would be five polling places, the same that had been used in the general elections of July 1966. The vote would be supervised by the electoral staff of the last general elections. He had personally visited two of the polling places and seen for himself that no difficulties had arisen. The ballot papers had a detachable slip which was signed by the voter and served as a voting receipt. The ballots were marked with a "Yes" and the corresponding symbol, a hat, or with a "No" and the corresponding symbol, a shoe. Those symbols had been selected from five symbols commonly used in the island. In the evening the ballots had been counted by the person who had performed that task at the last elections. The entire operation had taken place in a fair and orderly manner. Moreover, representatives of a half dozen newspapers had been in Anguilla at the time and had been able to see for themselves the legality of the balloting.

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248. The representative of Uruguay asked what was the source of the statement that the Anguillan people did not consider itself bound by the decision, taken at the London Conference, to make the island a unitary State with St. Kitts and Nevis.

249. Mr. Fisher replied that the statement came from the Anguillan Provisional Government Council, which had sent a telegram to the United Kingdom Government after the 11 July referendum, informing it that the Anguillan people had decided to separate from St. Kitts and Nevis, but wished to explore the possibility of establishing new ties with the United Kingdom within the Commonwealth.

250. The representative of Uruguay noted that, in his statement at the previous meeting, Mr. Fisher had stressed the difficulties which would face a small, poor island trying to survive as an independent nation. He agreed with Mr. Fisher's remarks on that point, and he also agreed that there was no reason why Anguilla should be subject to St. Kitts if the people wished otherwise. However, the picture of the situation presented by Mr. Fisher seemed over-dramatized. No lives had been lost in Anguilla, and no troops had been landed there. The difficulties of the island arose from its particular circumstances, and not from the recent political events. Fact should be separated from fantasy. The United Nations had reason to be concerned with the plight of the people, but matters extraneous to the principle of decolonization should not concern the Sub-Committee.

251. Mr. Fisher had analysed various possible solutions to Anguilla's problems and had referred, inter alia, to the possibility of association with St. Martin which was partly under French and partly under Netherlands jurisdiction. He would like to ask Mr. Fisher whether there had been any discussions with the authorities of either part of that island regarding the possibility of such an arrangement.

252. He had been somewhat surprised at Mr. Fisher's suggestion concerning some form of association of Anguilla with the United Nations. It was true that the innovations of today were the commonplaces of tomorrow, but it was difficult to envisage such a solution in practice. In any event, it was hardly conceivable in the immediate future, and Anguilla needed immediate answers to its problems.

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253. As he had stressed on previous occasions, the task of the United Nations was not to persuade the peoples of colonial Territories to make this or that choice, but merely to help them in the task of determining their own future by bringing to their attention the alternatives open to them - complete independence, or some form of federation or association with neighbouring islands, it being clearly understood that they must remain free to seek a further change in their status at any time in the future.

254. Despite Mr. Fisher's strictures on the constitution which he said had been imposed on Anguilla by the United Kingdom, his proposal was that a solution should be sought in co-operation with the neighbouring Caribbean countries; thus, he apparently recognized that those countries had no intention of imposing anything on the Anguillians. Mr. Fisher's plea that force should not be used was somewhat superfluous as far as the Sub-Committee was concerned, since all its members certainly shared that concern; the Sub-Committee's efforts were directed towards bringing an end to violence and colonization.

255. While recognizing the value of the opinions of Mr. Fisher as an authority on international law, he felt that what the Sub-Committee really needed was not so much advice as solid information, so that it could reach its own conclusions.

256. Mr. Fisher said that, to the best of his knowledge, no negotiations had taken place with the authorities of either part of St. Martin, and the possibility of association with that island had been discussed only in Anguilla itself. With regard to association with the United Nations, he agreed that such a solution would take time to work out and that some form of interim status would be needed. However, it was often easier to devise new procedures in terms of a particular case than in the abstract. There was general agreement that the decolonization of small island Territories presented problems, and Anguilla offered an opportunity to come to grips with those problems in a specific case.

257. As for the use of force, he did not, of course, fear that the United Nations would use force, but he was asking it to help to ensure that others did not do so. With regard to the difficulties which would face an independent Anguilla, the people had resolved that, whatever the difficulties, if the choice was between independence and subordination to St. Kitts, they would choose independence. He thought that it was a mistake to attach too much importance to the question of independence as such. In the modern world most countries, whether they were

independent or not, had close ties with their neighbours. The task was to find a solution which would give Anguilla a substantial measure of self-government. Law was designed to serve the interests of peoples, and not vice versa. He might add that he had come before the Sub-Committee to request help, and not to attempt to provide answers.

258. The representative of Venezuela said that the information provided by Mr. Fisher on the situation in Anguilla was extremely useful. One point that had emerged from his statement and from the Sub-Committee's discussions with Mr. Gumbs was that, although the United Kingdom had repeatedly stated that it had no authority to intervene in the internal affairs of the Territory, some of its recent actions had obviously been intended to bring pressure on Anguilla. The statement by the Secretary of State for the Colonies that the Government would not accept the situation that had developed in Anguilla, the sending of a Royal Navy vessel to patrol certain areas of the Caribbean, and the recent remark by an official spokesman that the whole population of the island was liable to be imprisoned unless its leaders accepted the conclusions of the conference of Commonwealth countries, were clear instances of coercion.

259. The fact that the political authorities of the island had authorized Mr. Fisher to suggest that some form of association with the United Nations might be a solution appeared to indicate that the United Kingdom Government had not fully informed the people of the three forms of self-government - association, integration and independence - from which their choice had to be made. He asked Mr. Fisher whether, in his opinion, the people of Anguilla had been aware of those options prior to the establishment of the Associated State.

260. Mr. Fisher said that since early July the people of Anguilla had been discussing a variety of forms of independent status. He could not say whether the choices available had been fully understood prior to the separation from St. Kitts.

261. The representative of the Ivory Coast said that the information available to the Sub-Committee, and in particular a recent communication from the People's Action Movement, showed that the current situation had arisen largely because of the failure of the central Government in St. Kitts to set up a local government council in Anguilla, as the Constitution required. There was also evidence that the central Government was trying to destroy the opposition party, the People's Action Movement, which was supported by most Anguillans. He asked Mr. Fisher

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whether he had any knowledge of the reasons given by the St. Kitts Government for its failure to organize the local government elections in Anguilla.

262. Mr. Fisher agreed that one of Anguilla's grievances was that no legislation had been enacted to enable local government elections to be held in Nevis and Anguilla, but said that he knew of no adequate reasons for the delay. It was true that the people of the island, as a whole, supported the opposition party.

263. The representative of Madagascar asked Mr. Fisher what the views of the authorities in Anguilla were on the recent Commonwealth discussions and which of the various solutions described in his statement was preferred by them.

264. Mr. Fisher said that he had no first-hand information on the Commonwealth discussions. He believed, however, that the long-term measures recommended at the discussions were of little interest to the Anguillan authorities, who wanted an immediate solution. What the people of Anguilla desired most of all was a system of substantial self-government, free from political connexions with St. Kitts. Failing that, the status of a self-governing unit associated with the United Nations would be acceptable. One interim form of participation in the British Commonwealth which was being considered was an arrangement whereby a Commonwealth committee approved by all the parties would provide the island with administrative assistance and secure the lifting of the embargo imposed by the central Government. He further said that whatever limited resources Anguilla had at the moment were derived from loans and gifts from well-wishers. It might be able in the near future to exploit its provisional status by issuing its own coins and stamps, but no substantial foreign investment could be expected until Anguilla had a stable, recognized government.

265. The representative of Bulgaria said that it was evident from Mr. Fisher's statements that the Anguillan people had been included in the Associated State status conferred on St. Kitts-Nevis-Anguilla without being consulted and that such a status was not what they wanted. In his view, the problem was not confined to the relations between St. Kitts and Anguilla and was attributable to the policy which the United Kingdom had pursued in the region for over three centuries and was still pursuing today. That policy was the source of all the economic and political difficulties confronting Anguilla; they would, no doubt, one day confront other islands in the region, including St. Kitts. According to The New York Times of 29 August, the United Kingdom's efforts to put an end to the secession of Anguilla

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had resulted in a deadlock. It was asserted that the United Kingdom frigate anchored in the area was not a threat to Anguilla and that the administering Power wished only to maintain order, but it was not the first time that such a pretext had been advanced by colonial Powers, and the United Nations should not be misled by it.

266. He deplored the fact that the administering Power had refrained from participating in the Sub-Committee's discussions and had therefore failed to furnish the Sub-Committee with the information it had the right to expect from any administering Power concerning the Territories under its administration.

267. Mr. Fisher said that Anguilla was an example of inadequate decolonization. The article in The New York Times mentioned by the Bulgarian representative was wrong in referring to a federal State of St. Kitts-Nevis-Anguilla. There was no federation, since Anguilla had no separate government. The three islands were treated as if they were one.

268. The representative of Iran asked for more detailed information on certain points. What was the exact wording of the questions put to the Anguillan people at the 11 July referendum?

269. Mr. Fisher read out the two questions which had been published in The New York Times.

"1. Are you in favour of secession from St. Kitts? Yes? No?

"2. Are you in favour of setting up an interim government? Yes? No?"

The term "interim government" meant a peace-keeping committee.

270. The Chairman asked what organic ties had existed between Anguilla and St. Kitts before the granting of Associated State status.

271. Mr. Fisher replied that, in general, the island of Anguilla had always been administered through St. Kitts during the 300 years of colonial domination.

272. The Chairman asked Mr. Fisher for his opinion on what would have happened in Anguilla if, in response to a single-vote referendum held by the administering Power, St. Kitts had chosen association with the United Kingdom and Anguilla had chosen independence.

273. Mr. Fisher said that it was difficult to answer such a question. What the Anguillans wanted was substantial self-government, probably under some form of association with the United Kingdom but certainly not with St. Kitts. They felt

that they could manage their own affairs without having to be dependent on other islands more than seventy miles away.

274. The Chairman thought that the Anguillan people had ethnic and cultural ties with the people of St. Kitts. What was Mr. Fisher's opinion?

275. Mr. Fisher replied that such ties existed not only between Anguilla and St. Kitts but between all the islands of the region.

276. The Chairman asked whether Anguilla's association with the United Nations, as envisaged by the Provisional Government Council of Anguilla, would differ from the system of trusteeship in force under the League of Nations.

277. Mr. Fisher replied that Anguilla desired the status of an Associated State having full powers of self-government and free from all foreign domination. The international community would provide it with the necessary advice and technical, economic, legal and other aid. He realized that it would be a delicate and complicated task for the United Nations, but in his view, it was easier to deal with a particular case than to evolve a universally applicable standard solution.

278. The Chairman asked whether Mr. Fisher believed that the form of association he had just described would ensure for Anguilla the viability and progress which were the ultimate aim of decolonization.

279. Mr. Fisher replied that what was most important to the Anguillans was the right to manage their own affairs. No doubt they would not have the necessary capability from the start, but it might be better for them to solve their own problems than to have them solved by others even if those others were to find a better solution.

280. The Chairman agreed that independence was, in a sense, an end in itself, but he continued to believe that it was primarily a means for achieving greater political freedom and economic prosperity. If a newly independent country underwent severe difficulties at first and was temporarily worse off than it had been under the colonial régime, that situation could be accepted if it was known at the outset that the country was capable, although at the cost of great effort, of achieving true economic and political independence which would ensure a better life for its inhabitants.

281. Mr. Fisher had also spoken of various forms of association, and even of trusteeship, a word which it was preferable not to use in a sub-committee dealing

with decolonization. What measures did Mr. Fisher recommend in order to set up closer ties between Anguilla and the other islands in such a way that, while each enjoyed self-government, the islands would be united and, legally speaking, would constitute a single entity in the eyes of the world.

282. Mr. Fisher replied that he had mentioned some form of trusteeship among the possible solutions merely as a transitional measure, for there was no doubt that the present situation could not continue. Experience had shown that it was difficult to establish a federation in the West Indies; but a form of association was possible in which each island would be completely self-governing but would be dependent on the United Kingdom in some matters, such as defence. What was most important was to reach an agreement that would not create a situation of tension in an island or group of islands and would give each island a fair measure of self-government.

283. The Chairman, noting Mr. Fisher's remark that it was difficult to establish a federation in the West Indies, asked whether that difficulty was due to the presence of certain individuals in the Governments of the islands or whether the peoples of the islands opposed a federal system. Since the former administering Power seemed to constitute the only unifying factor, he also asked whether it would not be possible to introduce a system that could promote closer relations between the islands and make it possible to establish a federation or perhaps a confederation of associated States.

284. Mr. Fisher replied that there were indeed powerful cultural and historic ties which ought to facilitate relations among the islands, but at present lack of self-government made such relations difficult, since it aggravated trends towards insularity, which inevitably led to fragmentation.

B. Adoption of the report

285. The Sub-Committee considered its conclusions and recommendations on Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent at its 87th to 89th meetings on 25 and 29 August 1967, and adopted them subject to reservations concerning sub-paragraph 5 expressed by the representative of Bulgaria.

286. The Sub-Committee also considered a proposal made by the representative of Iran to the effect that the Secretary-General should be asked to initiate a study

of the feasibility of arrangements under which the small Territories which may wish to be fully self-governing might be enabled to have available to them the status of a sovereign entity associated with the United Nations. At its 97th meeting, the Sub-Committee, in the light of the discussion that took place, decided to refer the matter for further examination by the Special Committee. The representative of Bulgaria reserved the position of his delegation.

C. Conclusions and recommendations

287. The Sub-Committee recommends to the Special Committee that it adopt the following conclusions and recommendations:

(1) The Special Committee recalls its previous conclusions and recommendations concerning these Territories, which were endorsed by the General Assembly.

(2) The Special Committee recalls the resolution adopted by the Special Committee at its 506th meeting on 23 March 1967, in particular, operative paragraph 2, under which the Sub-Committee was charged "to examine, in the light of the recent constitutional developments, the situation in these Territories in all its aspects including the possibility of sending a visiting mission, and to report to the Special Committee at an early date".

(3) The Special Committee notes with regret the attitude of the administering Power, which has refused to co-operate with the Sub-Committee in its efforts to obtain more complete information concerning the recent constitutional and political developments in the Territories.

(4) The Special Committee, deeming it necessary for the discharge of its task, granted hearings to individuals who provided it with information on the recent political and constitutional developments in Anguilla.

(5) The Special Committee takes note of the constitutional developments that have taken place in these Territories, and considers that they represent a certain degree of advancement in the political field for the peoples concerned.

(6) The Special Committee further takes note of the recent political developments that have taken place in the island of Anguilla.

(7) The Special Committee reaffirms that resolution 1514 (XV) and other relevant resolutions continue to apply fully to these Territories.

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(8) The Special Committee, bearing in mind resolution 2232 (XXI), reiterates that the small size and meagre resources of these Territories present peculiar problems which demand special attention.

(9) The Special Committee reaffirms the inalienable right of the peoples of these Territories to exercise their right of self-determination in complete freedom and without any restriction. It requests the administering Power to ensure that the peoples of the Territories are informed of the various possibilities available to them in their achievement of the objectives of resolution 1514 (XV).

(10) The Special Committee requests the administering Power to promote the development of closer ties among these Territories through the building of a common political, economic and social infra-structure in accordance with the wishes of the population.

(11) Recalling resolution 2232 (XXI), paragraph 6, which establishes "that the United Nations should render all help to the peoples of these Territories in their efforts freely to decide their future status", the Special Committee reiterates its belief that a United Nations presence during the procedures connected with the process of self-determination will be essential in order to ensure that the peoples of the Territories are enabled to exercise their right in complete freedom, without any restriction and in full knowledge of the options available to them.

(12) The Special Committee regrets that the administering Power has not agreed to the dispatch of a visiting mission to these Territories and affirms that such a visit would be useful and desirable. Accordingly, it again requests the administering Power to allow the dispatch of a United Nations visiting mission to the Territories and to extend to it full co-operation and assistance.

V. BERMUDA, BAHAMAS, MONTSERRAT, TURKS AND
CAICOS ISLANDS AND CAYMAN ISLANDS

A. Consideration by the Sub-Committee

Introduction

288. The Sub-Committee considered the Territories of Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands at its 90th to 96th meetings between 30 August and 8 September 1967.

289. The Sub-Committee had before it the working papers prepared by the Secretariat (A/6700/Add.14 Part I), paras. 406-604).

290. In accordance with the procedure agreed upon by the Special Committee, the representative of the United Kingdom of Great Britain and Northern Ireland, as administering Power, participated in the work of the Sub-Committee on those Territories at the invitation of the Chairman.

General statements

(a) Bermuda, Bahamas and Montserrat

291. The representative of Bulgaria noted that, as the administering Power had once again refused to allow a United Nations mission to visit the Territories, the Sub-Committee had only limited information at its disposal.

292. Despite all the resolutions and specific recommendations adopted by the Sub-Committee and other United Nations bodies concerning the small Territories under discussion, no substantial progress had been made in implementing the Declaration on the granting of independence, and the pace of political advancement had been rather slow. The process of self-determination was not evolving, and the administering Power did not seem prepared to create the necessary conditions for the exercise of the right of self-determination. No particular changes had occurred since the Sub-Committee had last discussed the Territories; indeed, little progress appeared to have been made since 1964. Colonial rule persisted and, as could be seen from the relevant working paper (A/6700/Add.14 (Part I), para. 498), the present Constitution of the Bahamas reserved certain important powers to be exercised by the Governor in his discretion.

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293. It was also evident that the economic situation in the Territories remained unchanged. The testimony given by a petitioner from the Bahamas in 1966 had shown that the cost of living was very high and social services were inadequate. The economy, being based solely on tourism, suffered from weakness and instability, yet no efforts had been made to develop other industries.

294. The administering Power also appeared to be paying no attention to the important question of the Atlantic Undersea Test and Evaluation Centre. The establishment of a foreign military base in the Bahamas represented a serious threat to the peace and security of the population and of the entire area. Hundreds of United States sailors and civilians would be stationed at the base, which was situated in a sensitive area of the world. That development was certainly not in the interests of the people of the Bahamas, who had not been consulted in any way. Moreover, the attitude adopted by the administering Power, which enjoyed discretionary powers in the direction of foreign policy and defence, was contrary to the spirit and the letter of General Assembly resolution 1514 (XV).

295. He also wished to draw attention to the question of the casinos and gambling establishments that had been opened in the Bahamas and other Territories with United States capital. Most of those casinos were controlled by United States interests, which enjoyed tax privileges.

296. The Special Committee should reaffirm that the Declaration on the granting of independence applied fully to the Territories under consideration and should be implemented by the administering Power. His delegation felt strongly that visiting missions should be sent to the Territories, in order to enable the Sub-Committee to carry out its task.

297. The representative of Venezuela said that after a careful perusal of the Secretariat's working papers he had come to the conclusion that the information which they provided on a number of questions was inadequate. In his opinion, the administering Power should provide the Sub-Committee with more complete and more accurate information in order to enable it to formulate its conclusions and recommendations. For instance, the working paper on Bermuda contained very little information on the Constitutional Conference held in London in November 1966. It mentioned the majority report and minority reports, which, however, reflected only the views of the political parties and did not show what concrete decisions had been taken regarding the electoral system. In a petition

addressed to the Special Committee, the Progressive Labour Party (PLP) had complained that the electoral system was based on a policy of segregating the working class and coloured voters, and it had urged the Government of the United Kingdom to insist on the establishment of an electoral system not based on class or colour. In addition, PLP had recommended that Bermuda should become independent. At the press conference which had been held at the conclusion of the Constitutional Conference, the United Kingdom Secretary of State for the Colonies had been reported as saying that PLP had apparently changed its mind on that matter and that it now seemed that none of the delegates wanted independence. However, in a letter to the Times of London, the Parliamentary Leader of the Progressive Labour Party had said that his party favoured independence but felt that the issue of independence should be decided after the people of Bermuda had heard all the arguments pro and con. That was why the independence issue had not been raised by PLP at the Constitutional Conference. In any event, the Venezuelan delegation had the general impression that there had been very little political progress since the elections of 1963 and the General Assembly's last recommendations regarding Bermuda.

298. The Bermudan economy was almost entirely dependent on tourism. Gambling casinos helped to attract tourists, but they also had undesirable effects on the local population. It was not clear from the available information whether the administering Power had taken steps to diversify the economy and develop agriculture in order to make the islands self-supporting.

299. He would also like to have more precise information on education - for instance, on the number of school-age children so as to be able to judge whether there were enough schools, whether the government grants were adequate and so on. In the field of health, he was disturbed to note that infant mortality was extremely high in Bermuda. For that reasons the administering Power should further obstetrical and child-care services.

300. It appeared from the documents before the Sub-Committee that the chief executive, who was the Governor appointed by the Queen, had very wide powers. He was advised in the exercise of his functions by an Executive Council, but he was not bound to accept the Council's views. The Governor had power to dissolve the House of Assembly, and the Crown had the power to disallow Acts of the colonial Parliament. He would like to know what changes had been envisaged in that area by the Constitutional Conference.

301. The representative of Uruguay pointed out that the scarcity of information was due to the silence of the administering Power. The Secretariat's working papers contained information culled from all possible sources but it was not enough to enable the Sub-Committee to make precise recommendations. He recalled that when he had last spoken on the item under discussion he had said that if the administering Power did not provide the essential information, the Sub-Committee should visit the territories and study conditions on the spot. The Sub-Committee must act without delay if the local people were not to be at the mercy of unscrupulous persons. Indeed, the magazines Time and Life had published articles denouncing the activities of gangsters, particularly in the Bahamas, where they trafficked in drugs, encouraged gambling and carried on all sorts of illegal activities under cover of fictitious companies. Although some of those activities had probably ceased in consequence of the publicity resulting from those articles, nobody knew how much political influence was still being exercised by such persons.

302. In September 1966, Mr. Fawkes, a member of the House of Assembly, had proposed that a constitutional conference should be convened to consider independence for the Bahamas and had declared that independence was inevitable, for three paramount reasons. That, however, had only been a political party's manoeuvre, which had been in no way constructive and had not proposed any positive solution. Mr. Fawkes appeared to have called for independence more on economic than on constitutional grounds. During the debate on Mr. Fawkes' motion, the then Prime Minister had said that independence would be expensive to the Bahamas and that considerable funds would accordingly have to be provided, which, in his Government's view, would be much better spent in developing the Bahamas for the good of all the inhabitants. When his motion had been rejected, Mr. Fawkes had addressed a petition on the subject to the Special Committee.

303. General elections had been held in December 1966, following which a new Government had been formed in January 1967. On assuming office, the new Prime Minister had taken steps to reassure tourists and investors about his Government's intentions, and had sent a message to the President of the United States assuring him that the Bahamas would remain friendly with the United States, would continue to play its role in the defence pattern of the Western world and would no longer provide a haven for gangsters. That had been an encouraging note, but the Sub-Committee had received no further information on the situation in the Bahamas since

February 1967. He therefore proposed that the Sub-Committee should request the administering Power to provide additional information to enable it to base its recommendations on current data.

304. The representative of the United Kingdom said that the administering Power had already provided the Sub-Committee with a detailed report on Montserrat, which was summarized in paragraphs 121 to 125 of the Special Committee's report to the General Assembly (A/6300/Add.10, chap. XXII, annex). Under the new Constitution, the Territory now had an Executive Council, headed by a Chief Minister, and a Legislative Council comprising seven elected members, two officials and one nominated member. In the elections of March 1966, the Montserrat Labour Party had once more obtained a majority. Constitutional questions had not been an issue in the electoral campaign, and only economic and social development had been discussed. The United Kingdom Government was nevertheless prepared to convene a conference on constitutional changes for Montserrat whenever the local political parties were ready.

305. In line with its electoral manifesto, the Montserrat Government had concentrated its efforts on the expansion of agriculture and tourism. During the last calendar year, the United Kingdom had supplied the Territory with aid totalling £274,000 for development and welfare schemes and improvements to Blackbourne Airfield.

306. Of the three Territories under discussion, Bermuda was the one in which the most important and far-reaching political and constitutional advances had been made. He reviewed the constitutional developments in Bermuda since the establishment of representative government in 1620 and pointed out that, as in the United Kingdom, the Constitution of the Territory consisted of a large number of written provisions and many unwritten conventions. The written provisions often gave a misleading impression of the actual situation. For instance, although in theory the Governor had very broad powers and the elected House of Assembly played practically no part in the administration of the Territory, in practice all expenditure and legislation needed the approval of the House of Assembly and there was close co-operation between the Executive, particularly the Governor, and the Legislature. In practice, therefore, Bermuda had for some time enjoyed a wide measure of internal self-government. There had been substantial progress also with regard to the franchise. In 1963, the franchise had been granted to all Bermudans over twenty-five years of

age, and property owners, who had been entitled until then to vote in every parish in which they owned land, were restricted to a single additional vote. Early in 1966, the voting age had been reduced to twenty-one years, and the additional property vote had been abolished. Bermuda had thus in the space of three years, gone through a complete transition to universal adult suffrage, one man one vote, which in the United Kingdom had taken over a century.

307. That had been the situation in Bermuda when, from 8 to 22 November 1966, the Constitutional Conference had taken place in London. The outcome of that Conference was outlined in the Secretariat working paper (A/6700/Add.14 (Part I), paras. 444-467). The Conference report had not been unanimously adopted, and there were two minority reports attached to it, one signed by two Independents and the other by the Progressive Labour Party representatives. The former had felt that the Conference's decisions went too far, and the latter that they did not go far enough. In view of the divergency between those two extremes, the decisions reached appeared to be a satisfactory compromise and had in fact been accepted by the majority of the delegates. Under those decisions, Bermuda would now have a single written Constitution to be provided for in an Order in Council as in other dependent Territories of the United Kingdom. The Constitution would give Bermuda a responsible government, with the Governor retaining special responsibilities for defence, external affairs, internal security and the police. The Territory would have two chambers, an upper house to be called the Legislative Council with five members nominated by the Governor and six chosen by the two main party leaders, and a lower house, the House of Assembly, with forty members elected by universal adult suffrage. The former would have limited powers similar to those of the House of Lords. In preparation for the elections to the House of Assembly, a special commission with an outside Chairman had been established to define the boundaries of the new constituencies, with the number of adults in the constituencies being as nearly equal as possible, and without any distinction of race. Once the House of Assembly had been elected, a new Executive Council, composed of members of both houses, would be appointed on the advice of the member of the House of Assembly best able to command the confidence of his fellow members. The Governor would be required by the Constitution to act in accordance with the advice of the Executive Council on all matters except external affairs, defence, internal security and the police. The new Constitution of Bermuda would also provide safeguards for fundamental rights and freedoms and ensure the independence of the judiciary and the public service. It would thus provide for a modern form of government.

308. The report of the Conference had been duly endorsed by the Bermuda Legislature, and the Boundaries Commission had finished its work. Its recommendations were unanimous except in relation to one constituency where the recommendations of the majority resulted in more nearly equal constituencies than that put forward by the one dissenting member. The House of Assembly had accepted the Commission's recommendations and had also decided to relax the rules requiring certain government employees to resign before standing for election to the House of Assembly or when elected to it; it had also substantially increased payments to the members of the Legislature. This would allow the range of persons able to sit in the Legislature to be widened. An expert on electoral registration had also been appointed in accordance with a Conference decision and had made his report, whose conclusion was that the system was fair and efficient. The report's recommendations had been accepted by the House of Assembly with one minor exception relating to a mobile registration unit.

309. When the Constitution of Bermuda had been promulgated by an Order in Council, a good deal of local legislation would have to be amended or drafted. There would have to be a new registration of electors in the new constituencies, and other steps leading up to a general election would have to be taken. The probability was that registration would take place the next spring and that the general election would be held at the due time - about the middle of 1968. The new Constitution eliminated many of the archaic features of the old Constitution and embodied a number of important steps forward. Nevertheless, as the Minister of State in the Commonwealth Office had said in the House of Commons during the debate on the Bermuda Constitution Bill, constitutions were continually evolving and fresh amendments would probably be proposed in the future. The Government of the United Kingdom would always be willing to consider such proposals in due course, when there had been some experience of the new constitution.

310. Turning to the Secretariat working paper on Bermuda he pointed out that the paragraphs on the party political situation in Bermuda were somewhat out of date. A new party, the Bermuda Democratic Party, had been formed by three former members of the Progressive Labour Party (PLP), and was now the second largest party in the House of Assembly. In addition, one former PLP member now sat as an Independent. As a result of those changes, the composition of the House of Assembly was as follows: United Bermuda Party, 23 seats; independent members, 8 seats; Bermuda Democratic Party, 3 seats; Progressive Labour Party, 2 seats.

311. The so-called "Bermuda Constitutional Conference" mentioned in paragraph 21 of the working paper and in petitions addressed to the Special Committee was not, as far as his delegation was aware, a political organization with any following.

There was of course no connexion between it and the Constitutional Conference held in London in November 1966.

312. In paragraph 16, mention should also be made of the existence of a Bermuda Court of Appeal. The wording of paragraph 91 did not perhaps make it sufficiently clear that there was already no racial discrimination whatever in admission to maintained and aided schools.

313. Turning to the Bahamas, he recalled that internal self-government had been introduced in 1964. The Governor had responsibility for foreign affairs, defence, internal security and the police; apart from those matters, he acted on the advice of his Ministers. Under the Constitution introduced in 1964, there was a cabinet, headed by a Premier and including at least eight Ministers, and a Legislature consisting of a Senate and a House of Assembly. In January 1967, for the first time in the Bahamas, general elections had been held on the basis of universal adult suffrage after abolition of the limited second vote for which owners and renters of property had been eligible. The membership of the House of Assembly had been enlarged, and thirty-eight constituencies had been delimited by a special commission. The number of seats for the island of New Providence (where Naussau, the capital, was situated) had been increased from twelve to seventeen.

Representation for the other islands had remained the same (twenty-one seats), but the seats had been redistributed.

314. As a result of the elections, the Progressive Liberal Party, led by Mr. Lynden Pindling, had increased the number of seats it held from four to eighteen. The United Bahamian Party, also with eighteen seats in the new House, had lost a number of seats, and the Bahamas Labour Party had retained the one seat it held. The National Democratic Party, which had had three seats in the old House of Assembly, had not won any seats in the new House, and, as in the previous House of Assembly, one independent member had been elected. The PLP and UBP thus had eighteen seats each but as the Labour Party and independent members had each declared their support for the PLP, the Governor had invited Mr. Pindling, as Parliamentary Leader of PLP, to form a government. The former Premier,

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Sir Roland Symonette, had become Leader of the Opposition. At a press conference on 16 January, the new Premier had indicated his Government's intention of encouraging tourism and investment and of continuing to maintain friendly relations with countries in the area.

315. The United Kingdom delegation was aware that the subject of gambling establishments in the Bahamas had been mentioned in the Sub-Committee. In that connexion, his delegation thought it appropriate to recall that the Colonial Secretary had announced last December in the House of Commons that the then Premier of the Territory would welcome an investigation by outside experts into the allegations concerning the administration of gambling casinos in the Bahamas. On 1 March 1967, the Minister of State for Commonwealth Affairs had informed the House of Commons that a Commission of Enquiry was to be set up by the newly elected Government of the Bahamas, under the Bahamas Commission of Enquiry Act. A former Assistant Commissioner at Scotland Yard had agreed to lead the inquiry, and the other members of the Commission were a barrister and a detective superintendent from Scotland Yard. The Commission had begun its work at Nassau on 13 March. In view of those circumstances, it would be inappropriate for his or any other delegation to make any comment that might anticipate the Commission's report.

316. In the past the Sub-Committee and the Special Committee had shown interest in the question of activities of Ministers which conflicted with their ministerial duties. That question had been raised by Mr. Pindling, now Premier of the Bahamas, when he had appeared before the Special Committee as a petitioner. The new Government of the Bahamas had drawn up a code of ethics and communicated it to the House of Assembly on 15 June. The Government had earlier approved the payment of salaries and allowances to Ministers and other members of the Legislature; previously they had been unpaid and had therefore been allowed to continue with their private business interests. The new code required that Ministers should so order their affairs that no conflict arose between their private interests and their public duties. They were absolutely prohibited from taking an active part in any undertaking which had contractual relations with a government department. The code was based on the principles laid down by Sir Winston Churchill in 1952 in relation to the United Kingdom Government and also embraced the practice which had developed in Commonwealth countries. He had the full text of the new code available for the benefit of the members of the Sub-Committee.

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317. Early in 1967 the Bahamas Government had commissioned the well-known economist Sir Arthur Lewis to make preliminary recommendations for an economic survey of the Bahamas which might lead to the preparation of a comprehensive development plan. Some of the recommendations made were the appointment of an industrial consultant to consider such matters as the existing use of skilled manpower and training facilities; the establishment of a development agency; the amendment of the law for encouraging industry; increasing local agricultural produce for home consumption; and the possibilities of the development of small industries for the local market. As a result of those recommendations, a firm of consultants in Puerto Rico had been appointed to carry out a technical assistance programme. The Bahamas Government had also pressed on with its plans for the expansion of educational facilities and had recently recruited about 100 teachers from the United Kingdom.

318. A number of points in the Secretariat's working paper (A/6700/Add.14 (Part I)) called for some comment. Specifically, paragraph 502 seemed to indicate that the Governor's assent was required for all laws adopted by the Legislature, and in particular that laws concerning taxation or the expenditure of public money could be adopted only on the Governor's recommendation or with his assent. Such an account gave a misleading impression of the situation. Under section 22 of the Constitution, the Governor could act only on the advice of the Bahamas Cabinet or of a Minister acting under the general authority of the Cabinet. Apart from a very small number of questions referred to in section 53 (3) of the Constitution, which required a decision by the United Kingdom Government, the Governor acted on the advice of Bahamas Ministers. On such matters as assent to legislation involving taxation or public expenditure, for example, the Governor was required to act in accordance with ministerial advice.

319. Sub-paragraph 514 (e) of the working paper might be thought to imply that the voting in the recent elections had not been by secret ballot. However, voting in Bahamas was by secret ballot. The proposal referred to in that sub-paragraph was designed merely to ensure that additional precautions were taken.

320. The representative of Venezuela noted that, during the recent elections in Montserrat, neither the question of constitutional development nor that of independence had been raised. It might, therefore, be wondered what had been done to implement the Declaration contained in General Assembly resolution 1514 (XV) in that Territory.

321. In the case of Bermuda and the Bahamas, he noted that the administering Power had not given the political parties an opportunity to express their views concerning the political status of the Territories. The Constitution of Bermuda dated back to 1620, and since that date there did not seem to have been many changes or advances, even towards internal self-government. The powers of the Governor had remained the same: he appointed the members of the Executive Council and of the Legislative Council, could dissolve the House of Assembly, had to give his assent to laws and had extensive powers in matters relating to the external affairs and security of the Territory. He noted that, at the time of the elections, the Progressive Labour Party of Bermuda had published a memorandum attacking the electoral system, which, in its opinion, was based on a policy of segregation. The United Kingdom representative had just spoken about a new electoral system, and it would be useful if he would specify what measures had been taken to eliminate segregation. The Progressive Labour Party had also recommended that Bermuda should receive independence, in spite of what had been said by the Secretary of State for the Colonies at a press conference held following the closing of the Constitutional Conference. The Sub-Committee would welcome fuller details concerning the Constitutional Conference and the measures taken by the United Kingdom to meet the wishes of the people and help them to advance towards independence, a goal which seemed as far off as ever.

322. The representative of Bulgaria noted that since the Sub-Committee had last considered the question of the Territories the administering Power seemed to have taken no positive steps to ensure the implementation of the Declaration contained in General Assembly resolution 1514 (XV). The fact that Bermuda's Constitution was one of the oldest in the British Commonwealth was of no great significance. The administering Power must take steps not to modernize the colonial administration but

to ensure the process of decolonization in accordance with General Assembly resolution 1514 (XV). The Sub-Committee must co-operate with the other United Nations organs concerned and with the United Kingdom in taking the positive steps which would make it possible to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples.

323. The United Kingdom representative's statement was extremely useful to the Sub-Committee, but it could not be as useful as a visiting mission which could gather information on the spot. He would also like to know whether the people of the Territories were acquainted with General Assembly resolution 1514 (XV) and the other United Nations decisions.

324. The representative of Italy noted that some changes had taken place in the Territories. In constitutional affairs practice was more important than the official text of the constitution, and he would therefore like to have some details about the practical changes mentioned by the United Kingdom representative.

325. The representative of the United Kingdom said that the suggestions and comments concerning the application of resolution 1514 (XV) in Bermuda, the Bahamas and Montserrat seemed to indicate some misapprehensions about his Government's policy on those and other colonial Territories. There was, in fact, no conflict between operative paragraph 3 of that resolution and the procedures for constitutional development applied in the Territories: his Government acted in consultation with and by consent of the peoples and was guided by their wishes on the pace and direction of their political progress, freely expressed through democratic parliamentary procedures. This was clearly consistent with the emphasis in resolution 1514 (XV) on the freely expressed wishes of the peoples of the colonial territories as the yardstick of constitutional progress in the transfer of powers to local hands.

326. There was no requirement in resolution 1514 (XV) that colonial peoples should be forced to make decisions on their ultimate status before they wished to do so, and it would be improper for the United Kingdom Government or the Special Committee to bring pressure to bear on them. The view of the Bulgarian representative that constitutional and political progress before decolonization was not of interest to the Sub-Committee was thus contrary to resolution 1514 (XV) and disregarded the wishes of the colonial peoples themselves.

327. He had described the new constitutional arrangements for Bermuda in his statement at the previous meeting but subsequent comments by members of the Sub-Committee had indicated that clarification of the powers of the Governor was again required. The Governor would not, as had been stated, choose government Ministers; his function was to appoint as Government Leader, or Premier, the member of the House of Assembly most likely to command the support of the majority. He was then bound to take the Government Leader's advice on the appointment of the remaining Ministers. A mistaken choice of Leader would, of course, be rejected by a vote of no confidence by the elected members of the House. Similarly, in the case of the Legislative Council, or upper house, the Governor was bound to appoint, out of a total of eleven members, six nominated by the leaders of the two main political parties. Moreover, the Governor's power to withhold his assent to bills passed by the Legislature was extremely limited; except in the case of his special responsibilities for external affairs, defence, internal security, police and certain other matters, he was bound to accept the advice of the Executive Council on granting or withholding assent. His power to dissolve the Legislature was subject to the restrictions normal in a parliamentary democracy whether in a dependent territory or an independent country.

328. The suggestion that the new electoral system for Bermuda contained elements of racial discrimination was absolutely unfounded. The report of the Constitutional Conference showed that the Boundaries Commission had explicit instructions to take no account of the racial distribution of the electors.

329. All three Territories had a free and active Press, and newspapers and other information media gave wide publicity to all United Nations resolutions and proceedings affecting the Territories which in the judgement of editors and journalists might be of local interest. The Press and other media were able to obtain information from the United Nations regional information office, the Government press office, and such other sources as were available to any independent country.

330. His delegation invited the Sub-Committee to revise the relevant parts of its draft conclusions and recommendations on the Territories in the light of the information he had provided.

331. The representative of Bulgaria said that his delegation agreed that limited constitutional progress had been made in the Territories under discussion; it was

questionable, however, whether the fact that Bermuda, for instance, had until the current year been governed by seventeenth-century constitutional provisions was an example of satisfactory progress. It was the duty of the administering Power actively to encourage decolonization and to take specific measures to publicize the provisions of resolution 1514 (XV). The Sub-Committee could not therefore accept as satisfactory the assurance that the people of the Territories had full access to information about United Nations discussions and decisions on their affairs, or the administering Power's undertaking that there would be a constitutional conference for Montserrat when the parties there were ready for it. Moreover, in at least one Territory, the Bahamas, the Governor still retained substantial powers and controlled the main spheres of political life. His delegation hoped that the administering Power would in future co-operate more effectively with the Special Committee and that, in particular, it would allow a visiting mission into the Caribbean Territories.

332. The representative of Madagascar agreed with the observations of the representative of Bulgaria on the powers of the Governor of the Bahamas. He asked the United Kingdom representative to give the Sub-Committee the approximate date when the reserved powers of the Governor were expected to be transferred to the elected government and when the local legislature would be empowered to promulgate legislation without seeking the Governor's assent.

333. The representative of the United Kingdom, replying to the Bulgarian representative, pointed out that it was the Montserrat political parties themselves which would decide when the time had come to hold a constitutional conference.

334. As to the suggestion that the Governor of the Bahamas still controlled the main spheres of the Territory's political and economic life, the documentation available to the Sub-Committee made it quite clear that the Territory enjoyed full internal self-government under its Constitution. Furthermore, paragraphs 499 and 502 of the paper (A/6700/Add.14 (Part I)) required amendment. The Governor's powers to withhold assent to legislation were exercisable only on the advice of Bahamas Ministers except in a small category of unusual cases. His power in regard to appointments to the Senate had been agreed at the Constitutional Conference in 1963, the results of which had been discussed at length by the Sub-Committee in 1965 and 1966 and summarized in the Committee's reports. He wished only to point out once again that it was not correct that the Governor chose the whole membership of the Senate in his own

discretion as had been suggested. On the question put by the representative of Madagascar about the Governor's powers in relation to legislation, which were incorrectly described in the Working Paper, he drew attention to his own statement at the Sub-Committee's 93rd meeting on the preceding day.

335. The representative of Venezuela said that the sparse information in the Secretariat working papers had given rise to doubts as to the freedom of the Territory's Legislature. Those doubts had been only partially resolved by the United Kingdom representative's statements. While the Governor's powers might not be absolute, he did have some power to restrict the action of the Legislature.

336. The Sub-Committee had not been established to note changes in colonial systems but to observe progress in the implementation of resolution 1514 (XV), which had been adopted as a result of a general outcry against colonialism. While the United Nations could not force a Territory to choose any particular system, it could require that the people of that Territory should be aware of the alternatives open to them, and that they must be allowed to make their choice with complete freedom.

337. The representative of the United Kingdom, replying to the representatives of Bulgaria and Madagascar, referred to paragraphs 497, 498 and 503 of the working paper (A/6700/Add.14 (Part I)) and said that the Bahamian Constitution provided that, in the exercise of his functions, the Governor should obtain and act in accordance with the advice of the Cabinet, except in the spheres described in paragraph 495 of the working paper. Although the Governor formally gave his assent to decisions, those decisions were taken by the Bahamian Ministers.

338. The provision that some members of the Legislative Council would complete the terms for which they had been appointed had been agreed at the 1963 Constitutional Conference. The decision at that Conference that a new lower house should be created, had meant that certain transitional procedures, of which the provision in question was one, were necessary to enable the people appointed to the former house to complete their terms in the new Senate.

(b) Turks and Caicos Islands and Cayman Islands

339. The representative of the United Kingdom said that his delegation had described the general historical background of the Territories at length on previous occasions in the Sub-Committee. After the dissolution of the West Indies Federation in 1962,

the Turks and Caicos Islands had considered the possibility of becoming a free associated overseas territory of Jamaica, but a proposal to that effect had received no seconder in the Legislative Assembly, and after Jamaica had become independent the Territory had come under direct United Kingdom administration. Since that time, the Territory had considered the possibility of merging with the Bahamas, and in 1964, a working party had been set up, composed of representatives of the Governments concerned, to consider what form any association might take. The general position on the question of closer relations with the Bahamas remained much as described in the Secretariat working paper of the previous year. In the summer of 1965, two members of the United Kingdom Parliament, one Labour member and one Conservative, had visited the Territory on behalf of the Secretary of State for the Colonies. They had recommended that the Governor of the Bahamas should become the Governor of the Territory, a change which had taken place soon after the visit, and that the existing Executive Council and Legislative Council should be replaced by a single State Council, a move which was still being discussed but which did not seem to be favoured by the Territory. They had also recommended that a land officer should be appointed to work out an efficient system of land registration on the basis of a cadastral survey, and work was already under way to implement that recommendation.

340. With regard to constitutional changes in the Turks and Caicos Islands, the paragraphs of the Secretariat working paper before the Sub-Committee were out of date and should be redrafted. It should be indicated that the Administrator was appointed by the Queen and exercised his functions in accordance with instructions given to him by Her Majesty (which meant in effect the United Kingdom Government) or by the Governor of the Bahamas, that he was required to consult with the Executive Council on all important matters within the scope of his responsibilities and might act otherwise than in accordance with the advice of the Executive Council but must in that event report to the Queen through the Secretary of State on the reasons for his actions, and that the Governor might, when he was present in the Islands, perform any of the functions conferred on the Administrator. It should be indicated that the administration of justice was in the hands of a magistrate who was acting judge of the Grand Court, that the Grand Court also had jurisdiction in divorce and matrimonial proceedings and that appeal from the Grand Court lay to the Court of Appeal of the Bahamas.

341. The Cayman Islands had also considered the possibility of an association with Jamaica upon the dissolution of the West Indies Federation and had been offered independence in association with Jamaica. The Territory had chosen to sever all constitutional links with Jamaica and to remain with the United Kingdom. When a federation of the small Eastern Caribbean Territories had been proposed in 1962, the Legislative Assembly had voted in favour of continuing its association with the United Kingdom and negotiating for internal self-government, taking account of the wishes of the people of the Territory as to timing, and had decided that any such negotiations should be deferred until after a general election. Those recommendations had been accepted by the United Kingdom. No proposals for negotiations on self-government had been made in 1962 and, as a result of the elections in November 1965, the party campaigning for rapid constitutional change had lost ground in the Assembly. The then United Kingdom Colonial Secretary had stated that the United Kingdom would be guided by local opinion in considering the future of the Territory. A committee of the whole of the new Legislative Assembly had been established to consider the question of constitutional advance and, after consultation by the elected members with their constituents, to put forward proposals for constitutional change. In January of the current year, the Committee had met and a majority of members had agreed on a number of proposals; they had proposed that the provision for nominated members in the Legislative Assembly should be deleted, that the stipendiary magistrate should be replaced by an attorney-general, and that the Assembly should be presided over by an independent speaker from outside the legislature rather than by the Administrator, who would retain the same special responsibilities as at present. It had also been proposed that the Executive Council should have five elected members, no nominated member, and three official members, the Assistant Administrator, the Treasurer, and the Attorney-General. The elected members in the Executive Council would be given executive responsibility and would have portfolios. The proposed changes would have given more power to the elected members. The proposals had been discussed by elected representatives with constituents at meetings throughout the Territory and in all but two of the constituencies the proposals had been opposed on the grounds that a substantial majority of people did not wish for any change at present in the existing constitutional arrangements. The conclusion of the Constitutional Committee was

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that there was no mandate from the people for the proposed changes, despite the fact that they were supported by the majority of elected representatives. The Committee had therefore recommended no change, except that the stipendiary magistrates should be replaced by an attorney-general in 1968. Any political party or individual who disagreed with those recommendations would naturally be free to campaign on the issue in the next elections, which were due to take place by 1969. In conclusion, he pointed out that the United Kingdom Government had not requested the Assembly of the Territory to pass the New Banks and Trust Companies Law, and the working paper should be amended accordingly.

342. The representative of Madagascar thanked the representative of the United Kingdom for his statement. He would like to know, however, who the three official members of the Executive Council in the Turks and Caicos Islands were, since it appeared that of the total of six members, only two were elected. He would also like some further clarification of the statement that all legislation was subject to the assent of the Administrator. With regard to educational conditions in the Turks and Caicos Islands, he noted that no mention of higher education was made in paragraph 183 of that document and wondered whether the United Kingdom had envisaged establishing schools for training administrative cadres or giving scholarships to students who wished to receive university training.

343. The representative of Venezuela observed that the process of constitutional development in the Turks and Caicos and the Cayman Islands followed the pattern familiar from other Territories administered by the United Kingdom. In all those Territories the representative of the Queen continued to exercise wide powers and the functions of the local legislature were limited. In none of them, therefore, had there been any political advance of substance in the preceding year. Moreover, in the case of the Turks and Caicos Islands, it was difficult to see how the people could be properly consulted on future political development if there were no political parties.

344. The administering Power was, of course, also responsible for the economic and social development of the Territories and, in the matter of education at least, the situation was satisfactory in the islands. The high rate of infant mortality seemed to indicate, however, that public health and welfare services required improvement.

345. The representative of Bulgaria said that nothing in the information provided by the United Kingdom representative gave him reason to retract the conclusions he had expressed in his general statement on the Territories under discussion. There had been no new developments, except for the consultations held in the Cayman Islands, in the course of which no decision had been taken regarding any constitutional changes.

346. The representative of Uruguay thanked the representative of the United Kingdom for his valuable and informative statement on the Turks and Caicos and the Cayman Islands. While it was true that progress towards decolonization had not been as rapid and efficient as the Sub-Committee might wish, a slow process of political development was not inappropriate in very small Territories with limited natural resources. The extracts from the report of the Cayman Islands Constitutional Committee were evidence that practical steps were being taken to consult the people about their future status and he hoped that the United Kingdom could make the entire report available to the Sub-Committee.

347. The presence of a representative of the administering Power had proved extremely useful and members had been helped in their work by having the opportunity of hearing another point of view on decolonization problems.

348. The representative of Italy associated himself with the observations of the representative of Uruguay on the usefulness of having a representative of the administering Power present at the Sub-Committee's discussions of the Territories. It might, in fact, be advisable to invite the administering Powers to be represented at all meetings, as they were responsible in all cases for the external affairs of the Territories.

349. The representative of the United Kingdom said that he would be happy to make a copy of the report of the Cayman Islands Constitutional Committee available to the Secretariat for distribution to members and suggested that it might be included in the Sub-Committee's report, since it provided evidence of a democratic process of extensive personal consultations with the people of a small Territory concerning their future. Similarly, there was a continuous process of consultation in the Turks and Caicos Islands, and the absence of political parties, to which the representative of Venezuela had referred, was not necessarily a disadvantage in a Territory with a population of under 7,000. In those islands the possibility of union with the Bahamas had been the main theme of recent discussions.

350. In reply to the representative of Madagascar, he said that full details of the Legislative Assembly of the Turks and Caicos Islands were contained in the records of the Sub-Committee's proceedings in 1964 and in the Secretariat working paper of that year, which was reproduced in the Special Committee's report to the General Assembly (A/5800/Rev.1, chapter XXIV, paras. 59-63). He was not in a position to give detailed figures on scholarships for higher education for students from the two Territories, but qualified students were eligible for the scholarships available under United Kingdom technical assistance provisions for dependent Territories. Moreover, the Territories had close links with Jamaica and Bahamas and could draw on the extensive educational facilities available in the Caribbean, Britain and elsewhere. Neither had a population large enough to support a separate university.

B. Adoption of the report

351. The Sub-Committee adopted its conclusions and recommendations on these Territories by consensus at its 96th meeting on 8 September 1967.

C. Conclusions and recommendations

352. The Sub-Committee recommends to the Special Committee that it adopt the following conclusions and recommendations:

(1) The Special Committee recalls its earlier conclusions and recommendations relating to Bermuda, Bahamas, Montserrat, Turks and Caicos Islands and Cayman Islands, which were endorsed by the General Assembly.

(2) The Special Committee takes note of the statement of the administering Power containing additional information on these Territories.

(3) The Special Committee reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to these Territories.

(4) The Special Committee regrets that the administering Power has not yet taken effective measures to implement the Declaration in these Territories and urges it to do so without further delay.

(5) The Special Committee notes that financial interests unrelated to the political, economic and social development of these Territories may constitute an obstacle to the implementation of resolution 1514 (XV) in the Territory of the Bahamas.

(6) The Special Committee considers that, in view of the lack of sufficient information on some of these Territories, the administering Power should make it possible for the United Nations to dispatch a visiting mission to the Territories as soon as possible.

(7) The Special Committee considers that the administering Power should take immediate measures to transfer all powers to the peoples of these Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, in order to enable them to enjoy complete freedom and independence.

(8) The Special Committee reiterates its belief that, particularly in the case of small Territories, the United Nations should take appropriate steps to ensure that the peoples of these Territories are enabled to express themselves freely on their future status, in full knowledge of the options available to them.

VI. FALKLAND ISLANDS (MALVINAS)

353. At the 90th meeting of the Sub-Committee on 30 August 1967, the representative of Uruguay called attention to the fact that at its 1500th plenary meeting on 20 December 1966, the General Assembly took note of the consensus on the Falkland Islands (Malvinas) (agenda item 23) contained in paragraph 13 of the report of the Fourth Committee (A/6628), which reads as follows:

"With reference to General Assembly resolution 2065 (XX) of 16 December 1965 concerning the question of the Falkland Islands (Malvinas), the Fourth Committee took note of the communications dated 15 December 1966 of Argentina and the United Kingdom of Great Britain and Northern Ireland (A/C.4/682 and A/C.4/683). In this regard there was a consensus in favour of urging both parties to continue with the negotiations so as to find a peaceful solution to the problem as soon as possible, keeping 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 the General Assembly duly informed about the development of the negotiations on this colonial situation, the elimination of which is of interest to the United Nations within the context of General Assembly resolution 1514 (XV) of 14 December 1960."

354. Considering that bilateral negotiations are the best way of solving the problem of the decolonization of the Falkland Islands (Malvinas), but having no information on the progress made in this direction since the approval of the consensus of 20 December 1966, the representative of Uruguay supported by the representative of Venezuela proposed that the attention of the parties should again be drawn to resolution 2065 (XX) and the consensus of 20 December 1966 with a view to finding a peaceful solution to the problem as soon as possible, due regard being paid to the recommendation at the end of the consensus that the Special Committee and the General Assembly should be kept informed "about the development of the negotiations on this colonial situation, the elimination of which is of interest to the United Nations within the context of General Assembly resolution 1514 (XV) of 14 December 1960".

355. At its 91st meeting on 31 August, the Sub-Committee adopted the following statement which it recommends for adoption by the Special Committee:

Considering that bilateral negotiations are the best way of solving the problem of the decolonization of the Falkland Islands (Malvinas), but having no information on the progress made in this direction since the approval of the consensus of

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20 December 1966, the Special Committee recommends that the attention of the parties should again be drawn to resolution 2065 (XX) and the consensus of 20 December 1966, with a view to finding a peaceful solution to the problem as soon as possible, due regard being paid to the recommendation at the end of the consensus that the Special Committee and the General Assembly should be kept informed about the development of the negotiations on this colonial situation, the elimination of which is of interest to the United Nations within the context of General Assembly resolution 1514 (XV) of 14 December 1960.

VII. GENERAL CONCLUSIONS AND RECOMMENDATIONS ON TERRITORIES
UNDER UNITED KINGDOM ADMINISTRATION

356. At its 96th meeting on 8 September 1967, the Sub-Committee unanimously adopted the following general conclusions and recommendations on Territories under United Kingdom administration which the Sub-Committee submits for adoption by the Special Committee:

(1) The Special Committee recalls its conclusions and recommendations concerning these Territories which were adopted by the Special Committee in 1966 and which were endorsed by the General Assembly at its twenty-first session.

(2) The Special Committee reaffirms that the Declaration on the Granting of Independence to Colonial Countries and Peoples applies fully to these Territories. At the same time, it recognizes that the small size and population of these Territories, and the nature of their economies, present peculiar problems which demand special attention.

(3) The Special Committee reaffirms the right of the people of these Territories to exercise their right of self-determination in complete freedom and in full knowledge of the various forms of political status open to them. It also expresses its belief that, particularly in the case of small Territories, the United Nations should take appropriate steps to ensure that the people of these Territories are enabled to express themselves freely on their future status and in full knowledge of the options available to them.

(4) The Special Committee reiterates its previous recommendation concerning the need for visiting missions to these Territories and, to this end, urges the administering Power to enable the Special Committee to send visiting missions to the Territories.

(5) The Special Committee recalls its belief expressed in 1964 that it should be possible for these Territories to join with others in the area to form an economically and administratively viable State. It also recalls that, at that time, negotiations were being carried on between certain of these Territories with a view to establishing a federation. The Special Committee regrets that these negotiations were not successful and that, as a consequence, each Territory has been obliged to seek a separate solution. It expresses the hope that the administering Power will do everything possible to promote the development of closer ties among these Territories through the building of a common political, economic and social infra-structure in accordance with the wishes of the people.
