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President: Mr. Leopoldo BENITES (Ecuador).

Statement by the President on the implementation of General Assembly resolution 2217 A (XXI) concerning the awarding of prizes in the field of human rights

1. The PRESIDENT (*interpretation from Spanish*): It is a great pleasure and honour for me to be able to inform the General Assembly of the results of the deliberations of the special committee for the awarding of prizes for outstanding services in the field of human rights, which completed its work this morning, and announce the names of the winners of the United Nations Human Rights Prizes.
2. First I should like to say that, in recognition of his great merit and the exceptional qualities he displayed throughout the years, Mr. Wilfred Jenks, the former Secretary-General of the International Labour Organisation, has been awarded a posthumous prize. I believe no comment is needed since the name of Wilfred Jenks has won the respect and admiration of all the peoples of the world throughout his fruitful life. The award will be communicated to the bereaved family.
3. Besides that posthumous award, and in view of the outstanding qualities of the candidates and following the precedent set in 1968, the committee has decided to award prizes to five other persons whose names I shall now read out in alphabetical order: Professor Taha Hussein, whose merits were given very special consideration by the committee; Professor María Lavalle Urbina, who has rendered important services to the cause of human rights both in this Organization and in her native country, Mexico; Bishop Abel Muzorewa, who, with complete self-abnegation and in extremely difficult circumstances, is working to defend human rights in Southern Rhodesia; Sir Seewoosagur Ram-

goolam, whose exceptionally valuable work in the protection and defence of an exemplary multiracial society was emphasized; and one who served not only the cause of peace but the cause of human rights, the former Secretary-General of the United Nations, U Thant.

4. I have thus discharged the most gratifying function of informing the General Assembly of the awards I have announced.

AGENDA ITEM 42

Policies of *apartheid* of the Government of South Africa:
(a) Reports of the Special Committee on *Apartheid*;
(b) Reports of the Secretary-General

REPORT OF THE SPECIAL POLITICAL COMMITTEE
(PART I) (A/9232)

5. Mr. CASTALDO (Italy), Rapporteur of the Special Political Committee: I have the honour to present to the General Assembly a report of the Special Political Committee on agenda item 42 [A/9232].
6. At the request of the Special Committee on *Apartheid*, the Special Political Committee held three meetings, on 11 and 12 October 1973, devoted to the Day of Solidarity with South African Political Prisoners. During these meetings 54 delegations spoke, voicing unanimous concern for the imprisonment of opponents of *apartheid* and for the treatment inflicted on them, contrary to the principles laid down in the Universal Declaration of Human Rights. The Special Political Committee also benefited from the views and information conveyed by Mr. Sibeko, Mr. Ennals, Mr. Mhlambiso and Mr. Kersten, representing movements that oppose *apartheid*.
7. In the course of the meeting 11 countries—namely, Australia, Austria, Denmark, Finland, Federal Republic of Germany, Iceland, Ireland, the Netherlands, New Zealand, Norway and Sweden—introduced a draft resolution the main thrust of which was a call to the Government of South Africa for the unconditional release of all persons imprisoned, interned or restricted for their opposition to *apartheid*. The draft also condemned the failure of the South African Government to comply with previous similar requests by the General Assembly and appealed for concerted action by Governments, organizations and individuals to support the legitimate cause of all those persecuted in South Africa for opposing *apartheid*. The draft was adopted on 12 October 1973 and is contained in paragraph 11 of the report. The Special Political Committee recommends the draft resolution to the General Assembly for unanimous adoption.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the Special Political Committee.

8. The PRESIDENT: (*interpretation from Spanish*): No representative has asked to be allowed to speak in explanation of vote. I shall therefore put to the vote the draft resolution recommended by the Special Political Committee in paragraph 11 of its report [A/9232]. A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahrain, Barbados, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Congo, Cuba, Czechoslovakia, Democratic Yemen, Denmark, Ecuador, Equatorial Guinea, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Italy, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Romania, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

Against: South Africa.

Abstaining: Paraguay, Portugal.

The draft resolution was adopted by 112 votes to 1, with 2 abstentions (resolution 3055 (XXVIII)).¹

AGENDA ITEM 107

Illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau and acts of aggression committed by them against the people of the Republic

9. Mr. RAMPHUL (Mauritius): Addressing the Fourth Committee at the last session of the General Assembly, the late Amílcar Cabral, founder and leader of the Partido Africano da Independência da Guiné e Cabo Verde [PAIGC], stated:

“There is no force capable of preventing the complete liberation of my people and the attainment of national independence by my country. Nothing can destroy the unity of the African people of Guinea-Bissau and Cape Verde and their unshakable determination to free the

entire national territory from the Portuguese colonial yoke and military occupation.”²

10. Those words of commitment and determination, spoken one year ago almost to the day, are filled today with a very special significance, and it is with deep emotion that we recall the name of the man, that proud son of Africa and a great statesman of our times who dedicated his life to organizing and leading the liberation struggle of his people. We wish to pay a particular tribute to the courageous leadership of PAIGC, under which the master plan of action for the future of Guinea-Bissau and Cape Verde, so carefully organized and worked out by Amílcar, was finally brought to a tangible reality when, a month ago yesterday, the freely elected representatives of the sovereign will of the people he had cherished unanimously proclaimed the independent sovereign State of Guinea-Bissau.

11. As was disclosed in the report of the spectacular Special Mission, which visited the liberated areas of Guinea-Bissau in April 1972 [A/9023/Rev.1, chap.X, annex I] and which had been dispatched by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, during the past few years the Fascist authorities in Lisbon have intensified their war of wanton barbarism against the determined people of Guinea-Bissau and Cape Verde in their desperate attempt to stave off defeat. Having been unable to regain control over the area, two thirds of which is already administered by PAIGC, the Portuguese authorities resorted to widespread and indiscriminate aerial bombardment, the destruction of villages, schools and hospitals and massacres of civilian populations, in a futile attempt to intimidate the people and undermine their will to resist. It was patently clear that those desperate measures were doomed to failure.

12. Thus, after years of political and armed struggle and after years of bloodshed, sacrifice and untold suffering at the hands of what has come to be known as one of the most oppressive and repressive colonial régimes, the people of Guinea-Bissau and Cape Verde have at last broken their shackles and, in the words of the Secretary-General of PAIGC, affirmed their identity as an African people and their capacity to make themselves responsible for ensuring their own progress and happiness. That, as we know, is the reality of the new sovereign State of Guinea-Bissau, a reality that no Power on earth can destroy.

13. It was reported a few weeks ago that the Minister for Foreign Affairs of Portugal had wondered how it was possible “... to imagine that international organizations and responsible Governments should base their conduct on fictions and fantasies”. Africa, for once, is in full agreement with him, for Africa has often asked itself the same question. We disagree, however—and with us the overwhelming majority of the States Members of this Organization—about which Government is irresponsible enough to base its conduct on fictions and fantasies. For us, the Government guilty of irrational and erratic behaviour is that of the State whose Foreign Minister can, with a straight face, maintain before this world body that the existence of an independent

¹ The delegations of Burundi, Costa Rica, Egypt, Haiti and Paraguay subsequently informed the Secretariat that they wished to have their votes recorded as having been in favour of the draft resolution.

² For a summary of this statement, see *Official Records of the General Assembly, Twenty-seventh Session, Fourth Committee*, 1986th meeting.

Guinea-Bissau is "... irrelevant to Portugal, and in no way affects the territory and the populations of the Portuguese province of Guinea ..." [2138th meeting, para. 166]. It is that of the country whose representative could again, as recently as 22 October [2156th meeting], refer to so-called invitations extended to this Assembly by his Government to visit the independent sovereign State of Guinea-Bissau.

14. But, regardless of how benighted and irresponsible the policies of the Portuguese leaders are, one fact remains for all to see: whether the Portuguese Government likes it or not, Guinea-Bissau has become an independent and sovereign State, despite the all-out war waged against its people by the Portuguese armed forces. And it is equally true that, while the large majority of the people of Guinea-Bissau are free and sovereign in the greatest part of their national territory, the independence of their Republic is being grossly violated by the same Portuguese Government, whose military forces continue not only to occupy illegally certain sectors of the newly established State but also to perpetrate criminal acts of atrocity against those people. That, too, is a fact the veracity of which cannot be altered by Portugal, no matter what lies are spread by its information media, no matter what pseudo-legalistic arguments are invoked by its representatives in the United Nations and elsewhere.

15. Article 3 of the Constitution of the Republic of Guinea-Bissau reads:

"The State shall have as its objective the complete liberation of Guinea and Cape Verde from colonialism, their unification into one State in accordance with the will of the people and the building of a society that shall create the political, economic and cultural conditions needed to eliminate the exploitation of man by man and all forms of subordination of the human being to degrading interests for the benefit of any individual, group or class." [See A/9196, annex II.]

16. In this, their unshakable determination to defend and preserve their sovereignty and expand it throughout their national territory by expelling the Portuguese occupation forces, the people of Guinea-Bissau and Cape Verde should count on the active solidarity of all the progressive and freedom-loving nations of the world. Indeed, this Organization can no longer afford to tolerate the continued violation by Portugal of the basic and fundamental aims and purposes enshrined in its Charter. The time is now, for us to take all effective collective measures for the removal of this threat to the peace and for the suppression of any further acts of aggression by Portugal against the territorial integrity and political independence of the State of Guinea-Bissau. The international community must avail itself of all the means at its disposal in order to compel Portugal to desist forthwith from further violations of its international obligations.

17. In the view of African delegations the current critical situation fully warrants an immediate and effective action by the Security Council, including the application of measures envisaged under Chapter VII of the Charter in order to ensure the restoration forthwith of the territorial integrity of this independent State. The world Organization likewise will need to consider taking immediate measures to put an

end to the activities of those States, particularly some of the military allies of Portugal which, in defiance of repeated requests addressed to them by the United Nations, continue to provide Portugal, both within the context of the North Atlantic Treaty Organization [NATO] and bilaterally, with the military and other assistance without which Portugal could not wage these wars of intimidation and armed attacks against independent African States.

18. To speed up the demise of Portuguese aggression against the people of Guinea-Bissau and Cape Verde, another responsibility devolves upon the international community, and here I refer to the urgent need for a concerted international effort to assist the new State in its work of reconstruction and development. As already reported in 1972 by the United Nations Special Mission which visited Guinea-Bissau prior to that country's independence, there is an acute and grave need to furnish material assistance to the people in their fight against hunger and sickness. This need, if anything, has been rendered even more acute in the past year by the additional devastation and misery caused by Portugal's actions, and particularly by its indiscriminate use of chemical and defoliants to destroy the crops the people of Guinea-Bissau rely upon.

19. It is a source of satisfaction in this connexion to note in the relevant reports of the Secretary-General that, in response to the repeated appeals addressed to them in the relevant resolutions adopted by the General Assembly and the Special Committee in the recent past, an increasing number of Member States, as well as the specialized agencies, have, albeit in varying degrees, extended or have formulated concrete programmes of assistance to the people of Guinea-Bissau and Cape Verde. I refer in particular to the assistance rendered by the Government of Sweden in the field of education, as also the activities of the United Nations Educational, Scientific and Cultural Organization in the provision of textbooks and other educational material. These efforts must be intensified more than ever, in order to meet the urgent need of the newly born Republic for external assistance in consolidating its national independence and reconstruction and development programmes. It may be well to envisage appropriate co-ordination of these efforts through the existing channels of co-ordination at the level of the Economic and Social Council and on an emergency basis.

20. The draft resolution on the item submitted by some 59 Members, as contained in document A/L.702 and Add.1 and 2, reflects fully these and other considerations designed to eliminate one of the most serious threats to peace and security in the African continent. With respect to the action desired of the Security Council, the sponsors could perhaps have enumerated certain specific measures; yet in deference to the unfailing discretion and judgement displayed by that organ in similar previous cases of threats to the territorial integrity and sovereignty of independent African States, the sponsors of the draft have decided to formulate the paragraph in question in the broadest possible context. I am confident that the Security Council will once again demonstrate its wisdom and determination in arriving at an acceptable solution to this critical situation.

21. I began my statement with a quotation from Amílcar Cabral; I shall end it with another one. Speaking last year of

the long-drawn-out struggle of his people against Portuguese oppression and aggression, Mr. Cabral had this to say:

"The people of Guinea and Cape Verde do not take any great pride in the fact that every day, because of circumstances created and imposed by the Government of Portugal, an increasing number of young Portuguese are dying ingloriously before the withering fire of the freedom fighters. What fills them with pride is their ever-increasing national consciousness; their unity—now indestructible—which has been forged in war; the harmonious development and co-existence of the various cultures and ethnic groups; the schools, hospitals and health centres which are operating openly, in spite of the bombs and the terrorist attacks of the Portuguese colonialists, the people's stores which are increasingly able to supply the needs of the population; the increase and qualitative improvement in agricultural production; and the beauty, pride and dignity of their children and their women, who are the most exploited human beings in the country.

"They take pride in the fact that thousands of adults have been taught to read and write, that the rural inhabitants are receiving medicines that have never been available to them before, that no fewer than 497 high- and middle-level civil servants and professional people have been trained, and that 495 young people are studying at higher, secondary and vocational educational establishments in friendly European countries, while 1,500 children are attending 156 primary schools and five secondary boarding schools and semi-boarding schools with a staff of 251 teachers. That is the greatest victory of the people of Guinea and Cape Verde over the Portuguese colonialists, for it is a victory over ignorance, fear and disease—evils imposed on the African inhabitants for more than a century by Portuguese colonialism."

22. In the view of African delegations, those successes, which were obtained under conditions of untold oppression and suppression, are but a pale indication of what the people of Guinea-Bissau and Cape Verde will be able to achieve once the armed aggression perpetrated by Portugal against their newly independent State has been repulsed and the integrity of their national territory has been restored. In their legitimate struggle to complete the task they embarked upon more than 10 years ago I am confident that the international community will give them its generous and concrete support. I am equally confident that the 59-Power draft resolution on the item will receive the support of the overwhelming majority of the members of this Assembly.

23. Mrs. Jeanne Martin CISSÉ (Guinea) (*interpretation from French*): In November 1960 a Trusteeship Council resolution recognized that the African Territories dominated by Portugal were colonies and not "overseas provinces". PAIGC then indicated to the administering colonial Power that it was still possible to proceed to the peaceful liquidation of Portuguese domination in favour of sincere co-operation between what was to be the new State and the former metropolis. Recourse to dialogue having led nowhere, and rightly learning a lesson from the memorable massacre of stevedores at Pidjiguiti in August 1959, the people of Guinea-Bissau and Cape Verde, despite countless

desperate efforts, found themselves compelled to take up arms to liberate themselves.

24. Thus, through resolute determination and an unyielding struggle which allowed the adversary no respite, a struggle which was crowned with many political and military victories, PAIGC did not take long to identify itself with the major interests of the people of Guinea-Bissau, with that people's profound and legitimate aspirations to freedom and independence. The universal conscience recognized it as the only genuine representative of that country.

25. That reality has been recognized by all the impartial observers who have gone to Guinea-Bissau. General Assembly resolutions 2878 (XXVI) of 20 December 1971 and 2918 (XXVII) of 14 November 1972 and the more recent resolutions of the Assembly of Heads of State and Government of the Organization of African Unity [OAU] at its tenth ordinary session held at Addis Ababa in May and of the Fourth Conference of Heads of State or Government of Non-Aligned Countries of September last in Algiers have confirmed that position. The proofs given by the United Nations Special Mission which visited the liberated areas in April 1972 are also eloquent.

26. Armed struggle in that Territory has resulted in profound changes in the archaic structure imposed by colonization. After five centuries of what has been called the "civilizing presence" of Portugal, 99.7 per cent of the population of the free State of Guinea-Bissau were illiterate, and there were only 14 university graduates. As the late Secretary-General of the Party, Amílcar Cabral, stated, the majority of the people of that Territory became acquainted with technology through the weapons they were compelled to take up in order to reconquer their freedom.

27. After 10 years of armed struggle, PAIGC has fundamentally changed the political, economic and social structures of the country. It has liberated more than three fourths of the national territory. Dozens of journalists and film reporters from Finland, Cuba, Sweden, Italy, France, the Soviet Union and even the United States have borne witness to those qualitative changes. They have been able to inform the world of the hitherto unknown fact that a new and organized life has come into being.

28. So far more than 200 primary schools have been established, attended by 20,000 students—that is, 10 times more than the number the Portuguese educated in the so-called golden age of colonialism. Two hundred and fifty teachers, all indigenous inhabitants, have been trained. Together with the pilot schools, there are kindergartens. At present 495 young people from Guinea-Bissau are studying abroad. There are six village hospitals, 200 dispensaries and health clinics, 23 mobile medical teams and a principal hospital having modern surgical equipment and a capacity of 200 beds. They constitute the health infrastructure.

29. As regards providing the people with essential food-stuffs, PAIGC has set up a huge network of people's shops which have been in operation for a long time—since well before the proclamation of independence. The Portuguese had so lost control of the economic situation in the country that by 1970 the trade deficit had, according to the statistics of Lisbon itself, reached the sum of 696.2 million escudos.

30. It was those concrete achievements in the liberated areas—achievements that go hand-in-hand with measures intended to give the population of those areas administrative, security and judiciary organs—which enabled the people of Guinea-Bissau to become aware of the need solemnly to proclaim their independence and to make official the existence of their State.

31. Despite the recognition of the new Republic of Guinea-Bissau by more than 70 Members of our Organization, because of fallacious pretexts of legal interpretation, this noble people which has for 17 years been struggling for its national independence must still remain outside the great United Nations family.

32. In the opinion of my delegation these legal subterfuges constitute inadmissible support for Portuguese fascism, which, under this pretext, continues illegally to occupy a part of the Guinean territory of Guinea-Bissau. But what is more, this obstinacy of Portugal and the unconditional support it enjoys from its allies are yet further manifestations of its attitude of racism and of contempt for Africa.

33. We would remind those who deliberately wish to ignore history, and who say that the proclamation of the Republic of Guinea-Bissau is very unusual, of the example of a great and powerful State—the United States of America—which in very similar conditions acceded to independence on 4 July 1776, only one year after the war for independence started. That war, which lasted seven years, ended in 1783 with the signature of the Treaty of Paris. At the very beginning of the war, France hastened to send General Lafayette with armed forces to support the United States and to recognize the act of sovereignty of that people which it believed had the right to freedom and independence. The Government of Portugal should also remember the realities of its own history. Has the Fascist Caetano régime already forgotten the struggle which the people of Portugal waged against Spain to defend the integrity of their country and to recover their independence? In history there is a wealth of no less eloquent examples.

34. Thus, in requesting—with 60 of the 70 Members that have recognized the new State—the inclusion of an additional item in the agenda of the Twenty-eighth Session of the Assembly, we desired our Assembly energetically to condemn the illegal occupation by the armed forces of Portugal of certain sectors of the Republic of Guinea-Bissau and the acts of aggression committed against them by the Fascist régime of Lisbon. We wish the Caetano Government to know that the time has come for it to yield—it must be realistic. The time for blind domination is gone for ever. The Territories of Africa cannot be overseas provinces and, despite the so-called civilizing Christian mission of Portugal, despite the terrorist attacks against the population of the liberated areas by helicopter-borne troops, and despite the massive destruction of cattle and harvests under the scorched-earth policy, the brave people of Guinea-Bissau will triumph.

35. In our statement in the General Committee at this session of the General Assembly, we said the following in criticism of Portuguese aggression:

“The colonialists are increasing their repression in the occupied areas, particularly in the main cities, and inten-

sifying their bombing and terrorist attacks against the liberated areas. Having recognized that they cannot win the war, they now know that no ruses will ever demobilize the people of Guinea-Bissau and that nothing can stop their march toward total liberation and independence. The Portuguese, therefore, seek at all costs, using all the means available, to destroy as many human lives and as much physical property of the people of Guinea-Bissau as possible. It is within that framework that the colonialists are intensifying the use of napalm and are actively preparing to use against that people toxic products, herbicides and defoliants, of which they have large stockpiles in Bissau.”³

36. We would be remiss were we not to reply to the ridiculous assertions of the Permanent Representative of Portugal in the General Committee. May we once again draw the attention of the international community to another form of aggression which is used by his country, which consists of imposing on the people of Guinea-Bissau puppets like those who are members of his delegation to the General Assembly and who sit in the Portuguese National Assembly on behalf of the so-called overseas provinces. These puppet representatives, whose naïveté is equalled only by their extreme irresponsibility, are, I am sure, embarrassed when they see these valiant fighters of Guinea-Bissau, Mozambique and Angola.

37. Besides armed aggression, Portugal resorts to looting the resources of the sovereign State of Guinea-Bissau and pursues a policy of assimilation by imposing alien social structures so as to prevent the free development of the culture of the real people of Guinea-Bissau.

38. It is within this over-all view that the General Assembly must seriously draw the attention of the States members of NATO to the assistance which they are giving Portugal against Africa. No one is unaware that since 1703 after the signature of the Treaty of Methuen, Portugal has been only a semi-colony. It will suffice to recall that most of its industries, including its famous Port wine, the railways, telephones, mines, and so on, are under foreign control. More than 60 per cent of Portuguese exports from African Territories under its domination go to its NATO allies. That is why the delegation of the Republic of Guinea affirms that if the allies of Portugal were to take active positions on the side of progress, they could effectively contribute to the establishment of peace, not only in the new State which should win loyal support, but also in all the other Territories: Mozambique and Angola.

39. The occupation of one quarter of the Guinean territory and of Cape Verde is illegal and should definitely be condemned by the United Nations under resolution 1514 (XV), which recognizes that each people has the right to independence and national sovereignty.

40. The acts of aggression by Portugal against the Republic of Guinea-Bissau are a brutal and flagrant violation of the sovereignty and territorial integrity of the new State. What is more, in the opinion of my delegation, as well as

³ For a summary of this statement, see *Official Records of the General Assembly, Twenty-eighth Session, General Committee*, 213th meeting.

that of all the other sponsors of the draft resolution, these acts constitute a serious threat to the peace and security of the region.

41. For all those reasons we consider it to be of the utmost importance for the General Assembly to condemn Portugal for the explosive situation it has created in the region and to obtain an immediate cessation of the war of repression waged by the Fascist Government of Portugal against the population of the Republic of Guinea-Bissau with a view to the restoration of the territorial integrity of that State.

42. Mr. FALL (Senegal) (*interpretation from French*): At its 2156th meeting on 22 October 1973, the General Assembly decided to include in its agenda for discussion in plenary meetings and as a matter of priority, an item entitled "Illegal occupation by Portuguese military forces of certain sectors of the Republic of Guinea-Bissau and acts of aggression committed by them against the people of the Republic". That decision was adopted at the request of 63 Member States of our Assembly, by 88 votes to 7 with 20 abstentions. I must add that on that occasion the Assembly simply confirmed a recommendation which the General Committee had previously adopted by 17 votes to 1.

43. On 24 September 1973, after 17 years of struggle, of suffering and of mourning, the people of Guinea-Bissau resolved to proclaim solemnly the accession to independence and national sovereignty of the State of the Republic of Guinea-Bissau.

44. In his statement before the General Committee, the representative of Portugal declared that this new State had neither a Government nor territorial boundaries, and that in fact it did not exist. I have the impression that the representative of Portugal, which has always defied the United Nations with such arrogance, can likewise afford not to take the trouble to read the relevant documents which are available to the delegations to this Organization, because, if he had briefly glanced at document S/11022 of 12 October 1973, he would have found in it an answer to all the questions he raised during the discussion in the General Committee.

45. Indeed, the leaders of PAIGC, who constitute the vanguard of the struggle of the people of Guinea-Bissau, had convened on 24 September 1973 at Madina Boé, under the chairmanship of their Secretary-General, Mr. Aristides Pereira, the People's National Assembly, which had been democratically elected on the basis of direct and secret universal suffrage by the indigenous population; and it was that Assembly which in turn elected a Council of State of 15 members under the authority of Luiz Cabral, with the task of ensuring the uncompromising defence of the Constitution and, in particular, the rights and fundamental freedoms of the citizens. That People's National Assembly also approved the setting up of a Government, in which the post of Chief Commissioner, who has the functions of Prime Minister, was entrusted to Mr. Francisco Mendes, member of the War Council of PAIGC. The National Assembly of Guinea-Bissau has also established the boundaries of the State, whose territory, which covers 36,125 square kilometres, is bounded on the north by the Republic of Senegal, on the south and east by the Republic of Guinea and on the west by the Atlantic Ocean.

46. Those decisions of the National Assembly were taken on the basis, on the one hand, of the progress achieved by the armed struggle of the people against Portuguese occupation and, on the other hand, of numerous resolutions and recommendations adopted by various organs of the United Nations, in particular the General Assembly and the Security Council.

47. I shall not remind the Assembly of all the resolutions and recommendations adopted on this subject. However, I think that it is necessary to mention specifically the provisions of the historic resolution 1514 (XV), adopted 13 years ago by the General Assembly as the Declaration on the Granting of Independence to Colonial Countries and Peoples.

48. Since that time numerous resolutions and recommendations have been adopted on the basis of that Declaration. Thus, on 4 February 1972 the Security Council, meeting in the very heart of the African continent, adopted its resolution 312 (1972), which called upon Portugal:

"(a) To recognize immediately the right of the peoples of the Territories under its administration to self-determination and independence, in accordance with General Assembly resolution 1514 (XV);

"(b) To cease immediately the colonial wars and all acts of repression against the peoples of Angola, Mozambique and Guinea (Bissau);

"(c) To withdraw all its armed forces as presently employed for the purpose of the repression of the peoples of Angola, Mozambique and Guinea (Bissau);

"(d) To promulgate an unconditional political amnesty and the restoration of democratic political rights;

"(e) To transfer power to political institutions freely elected and representative of the peoples, in accordance with General Assembly resolution 1514 (XV)."

That resolution of the Security Council is mandatory because it was adopted without any veto.

49. Last year, during its twenty-seventh session, the General Assembly, in its resolution 2908 (XXVII) of 2 November 1972, reaffirmed:

"... its recognition of the legitimacy of the struggle of the colonial peoples and peoples under alien domination to exercise their right to self-determination and independence by all the necessary means at their disposal, and notes with satisfaction the progress made by the national liberation movements of the colonial Territories, particularly in Africa, both through their struggle and through reconstruction programmes, towards the national independence of their countries;"

and the General Assembly urged:

"... all States and the specialized agencies and other organizations within the United Nations system to provide moral and material assistance to all peoples struggling for their freedom and independence in the colonial Territories and to those living under alien domination—in particular to the national liberation movements of the Territories in Africa ...".

50. None the less, Portugal, whose insulting defiance of the United Nations has been repeatedly denounced by so many delegations, still obstinately ignores the will so often expressed by the most qualified representatives of the international community. More than that, it pretends to be the victim, considering that the rights accorded to it by the Charter of the United Nations have been violated by the Organization itself, whereas that same Charter, in its Articles 1 and 55, solemnly recognizes the right of all peoples to self-determination and to independence.

51. In that context, I want to call the Assembly's attention to the thesis propounded by certain Member States, in particular the Western Powers, in an attempt to find an excuse not to recognize the existence of the new Government of Guinea-Bissau. Their thesis is based on the classical rules of international law governing recognition in relations among European States. But, in the case we are considering, we are confronted with the phenomenon of colonial liberation which calls for the application of other rules of law.

52. Thus, in this particular case, the applicable legal rules are those of the United Nations, as enunciated in its Charter and in its resolutions. These rules of law create new obligations which have primacy over all the other norms of contemporary international law—and the President of this Assembly understood this so well that in his inaugural speech he said:

"Those resolutions [of the Security Council] obviously are binding and Article 25 of the Charter reaffirms this binding character which a few States disregard with arrogant insolence. But I believe that the legal basis for the binding force of resolutions and declarations of the General Assembly lies in the fact that since a multilateral treaty is binding upon the parties to it, the resolutions and declarations have the binding force conferred on them by the provisions of the Charter on which they are based." [2117th meeting, para. 80.]

53. Representatives will observe that this is the second time during this session that I have quoted these words spoken by the President of our Assembly. I have done so, first of all, because they express the quasi-unanimous opinion of the membership of this Organization, but, above all, I have done it because they come from a personality whose competence in this matter is beyond any doubt.

54. My delegation believes that no State member of this Assembly can have recourse to any legal quibble to deny recognition and admission to our Organization of the new Republic of Guinea-Bissau—unless it deliberately declines to become a part of our Organization—because Article 4 of the Charter states clearly that to be a Member of the United Nations the primary essential condition is to accept the obligations contained in the Charter.

55. Thus, in proclaiming the Republic of Guinea-Bissau, the people of that country has simply used a right which the most representative and most qualified international organization recognizes it as having, that is, its right to self-determination and independence.

56. Portugal, as we all know, is, relatively speaking, a small country; it is, moreover, a poor and under-developed

country. If it has been able to wage such a long and costly colonial war in various parts of the African continent, this could only happen because it has been encouraged and assisted in so doing by its powerful partners in NATO.

57. But now, the moment of truth has come. The friends of Portugal must begin to reflect on the consequences of their behaviour. They must understand that deceit can no longer be continued. The moment has come when they are compelled to choose between their criminal allies of Lisbon, and relations of friendship and loyal co-operation which they may wish to have with the peoples of the African continent.

58. Men and women of various continents for whom the word freedom still has significance now consider that this bloody farce has lasted too long.

59. The people of Guinea-Bissau has resolved to engage in an armed struggle and to proclaim unilaterally the independence and the national sovereignty of its country, because it could not—despite its own great goodwill—bend the obstinacy of Portuguese colonialism.

60. We all recall the statements that were made before one of the Committees of this Organization last year by Amílcar Cabral, who said that his Party and his people were ready to begin negotiations with Lisbon to obtain the independence of the people of Guinea-Bissau and to study with the authorities of Lisbon the consideration to be given to Portugal's interests in Guinea-Bissau.

61. President Léopold Sédar Senghor, Chief of State of Senegal, also echoed these declarations when transmitting them by appropriate diplomatic channels to the Government at Lisbon.

62. The Portuguese authorities have none the less persisted in their absurd obstinacy and refuse to take these reasonable proposals into account, even though the General Assembly has acknowledged the national liberation movements to be the authentic representatives of colonial peoples in their struggle.

63. The Government of Portugal—which seems to live in another age—continues to consider distant lands which are situated on the African continent and peopled by men and women of the black race, nourished by culture and traditions which are so different from Portugal's, as simple appendices of the Iberian peninsula. This fiction, which the friends of Portugal themselves regard as a stupid aberration, is none the less the only political and legal argument on which the Lisbon authorities base their colonial domination in Africa.

64. Naturally, as is their custom, the Portuguese authorities deny any legal existence to the new Republic, as they denied in a blatant manner the massacres of Mozambique, which were nevertheless revealed by persons whose moral authority and sincerity cannot be doubted.

65. In his statement before the General Assembly on 22 October [2156th meeting] the representative of Portugal, referring to the historic meeting of the People's National

Assembly of Guinea-Bissau at Madina Boé, spoke of solemn and secret acts. Yet he contradicts himself in the same statement when he says that the crime perpetrated against his Government by the proclamation of the new State of Guinea-Bissau was premeditated first at OAU, at the Assembly of Heads of State and Government of OAU in May 1973, and later at the Fourth Conference of Non-Aligned Countries, in Algiers last September.

66. There is thus nothing secret in all this, and we can only recall that on 1 January last, in his New Year's message, Amílcar Cabral, the first Secretary-General of PAIGC, stated that the State of Guinea-Bissau would be proclaimed in 1973.

67. The Lisbon Government, therefore, knew very well that the people of Guinea-Bissau had elected its National Assembly and that that National Assembly was preparing to proclaim the independence of the territory. The truth is that the Portuguese authorities were surprised by the determination of the responsible leaders of PAIGC, because they were convinced that by the cowardly assassination of Amílcar Cabral they had succeeded in demoralizing, indeed in decapitating the movement of which he was the most qualified representative. Happily for Guinea-Bissau and happily for Africa, the successors of Amílcar Cabral rose to the heights of the noble heritage which he left to them, and we are now convinced that the political testament of this great son of Africa will be faithfully and entirely carried out.

68. Today's reality is this: more than 70 countries—therefore more than half the membership of this Organization—have recognized the Government of the Republic of Guinea-Bissau. However, despite this definitive judgement of the international community, Portugal still continues its policy of ferocious repression of the population of that country. Our Organization, therefore, has no right to continue to tolerate such a state of things. It must react energetically and invite its competent organ, in this case the Security Council, to take the necessary effective measures so as to ensure the territorial integrity and the sovereignty of the Republic of Guinea-Bissau.

69. In his statement in the General Assembly in the course of the general debate on 28 September 1973 [2132nd meeting], the Minister for Foreign Affairs of Senegal, welcoming the birth of the sister Republic of Guinea-Bissau, solemnly invited all the Members of the United Nations to recognize without delay the new State, to admit it to the United Nations and to ensure to that State as of now their co-operation and their active solidarity in its struggle against Portuguese colonialism.

70. May that appeal meet with a favourable and diligent reception on the part of all the Members of this Organization, and this will be the most valuable and most positive contribution we can make in favour of all those who struggle and die serving freedom, justice and the dignity of mankind.

71. Mr. ALARCÓN (Cuba) (*interpretation from Spanish*): Less than a year ago, on 14 November 1972, this very Assembly, with the affirmative votes of 98 States and 6 against, recognized that movements of national liberation

had the status of genuine representatives of the Territories under Portuguese colonial domination [*resolution 2918 (XXVII)*]. A week later the Security Council in its resolution 322 (1972) confirmed the inalienable right of the peoples of those Territories to independence and invited Portugal to negotiate with the authentic representatives of those Territories a peaceful settlement on the basis of that right.

72. Today the General Assembly begins consideration of an item which has been put before it by more than 60 Member States and the consideration and correct solution of which constitute a logical corollary of the action of this Assembly for many years and the logical conclusion of the principles and criteria defined by the vast majority of Member States in regard to the situation in Guinea-Bissau.

73. For 10 years the population in that territory, under the organization and leadership of PAIGC, has undertaken and carried on a heroic armed struggle to reconquer that inalienable right recognized to it by both the General Assembly and the Security Council. Throughout that struggle, the people of Guinea-Bissau has apparently had to confront only the decadent colonialism of a weak colonial Power, but in fact the fighting people of Guinea-Bissau has had to confront the resources, the means of waging war and the technological support of the most important military arsenals of NATO. The people of Guinea-Bissau has had to do so in circumstances in which barbaric forms of combat were imposed on it. All means of mass destruction have been used against it, including means that have been condemned by the General Assembly as being genocide.

74. Yet, after these 10 years of struggle, the people of Guinea-Bissau has entered a higher stage in its advance towards complete emancipation. At the beginning of 1972 when, appearing before the special meetings of the Security Council in Addis Ababa, Amílcar Cabral reported that the people of the territory had already achieved self-determination after nine years of armed struggle and that the situation in Guinea-Bissau was comparable to that of an independent State some parts of whose national territory were being occupied by foreign armed forces.⁴ That was the description given by the highest leader of the patriotic movement in that territory, and it was the description given by many foreign observers who visited the liberated areas. It may be useful to recall that that was also the official impression of this Organization as obtained by its envoys who went to the territory as a Special Mission of the Special Committee on decolonization. The report of the Special Mission, which was considered and later endorsed by the Special Committee, stated the following:

... the Mission was profoundly impressed by the manifest will of the people, despite their incalculable hardships and suffering, to carry on the struggle until freedom and independence were won under the able leadership of the national liberation movement, PAIGC. The Mission lauds, on the one hand, the courage and determination of the people of Guinea (Bissau) and Cape Verde and, on the other, the devotion and commitment on the part of

⁴ See *Official Records of the Security Council, Twenty-seventh Year, 1632nd meeting*.

PAIGC to guide and assist the people in their attainment of the goals set out in the Charter". [A/8723/Rev.1, chap. X, para. 36-3.]

7. I shall not dwell at this time on the efforts that were made and are being made by the national liberation movement in Guinea-Bissau to improve the living conditions of the population and to build a new society, even in the midst of a cruel war imposed on the people by colonialism, because the General Assembly already has considerable information on the subject. In particular, the members of the General Assembly can consult the most recent report of the Special Committee, to which the representative of the Republic of Guinea made a very appropriate reference.

76. In this connexion, we should like to emphasize that, as was correctly recognized by the Special Mission of the Special Committee, there is in Guinea-Bissau a power which is determined to make a reality of the principles and aspirations of the Charter. There is a power, the power of the armed people, organized by PAIGC, which is endeavouring to transform the reality of backwardness and dependence created in that territory by colonialism. There is a power which has now moved up to a higher level through the establishment of the Republic of Guinea-Bissau, which strives to apply in that Territory the principles, rules and purposes which are supposed to constitute the foundation and the mission of this Organization. But there is another power which still controls parts of that sovereign Territory, which has led Guinea-Bissau into war and destruction, which violates numerous principles of this Organization and which ignores numerous resolutions adopted year after year by the Special Committee, the General Assembly and other United Nations organs. There is another power, that of colonialism, which today is involved in what actually constitutes a war of aggression against a sovereign and independent State. That power, apparently weak and apparently bankrupt, obliges us all to ask ourselves: how is it possible for colonialism still to be able to attempt to halt the inevitable process of the complete emancipation of the entire African continent?

77. Doubt is dispelled at once, there is no need for self-questioning, if one merely looks at some of the documents before the General Assembly, documents which have been prepared by the Secretariat, giving a description of the degree of involvement of several Western Powers in the Portuguese aggression against the people of Guinea-Bissau and their endeavours to keep other Territories in Africa under colonial domination.

78. At this time I do not wish to dwell at length on an analysis of those facts, those realities, which are described in the official documentation of the Secretariat, but would simply draw the attention of this Assembly to a document which has very recently been distributed, chapter V of the report of the Special Committee [A/9023/Rev.1], which deals with military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of that Declaration.

79. In that document are mentioned some of the places where Portuguese officers and soldiers who are carrying out the aggression against the people of Guinea-Bissau are trained. Mention is also made of the equipment used to

bring war and destruction to that Territory, the substances used, and who provides them.

80. Paragraph 19 of annex I (Report of Sub-Committee I) [*ibid.*, chap. V]—and it is not the only place in the documents before us which refers to this fact—mentions that Portuguese officers are following an anti-guerrilla commando course at Fort Bragg in the United States of America under the direction of the so-called Green Berets. That fort apparently plays a very important role in the imperialist plans against the peoples of the third world. It is sufficient to read the newspapers of last night and today to be aware of the intense activity going on at that fort since yesterday in connexion with the situation in the Middle East, and how the officers and soldiers quartered there have been mobilized urgently in the midst of imperialist threats.

81. Paragraph 34 of the same document once again mentions the United States of America, in connexion with its making available to the Portuguese command in Guinea-Bissau Dakota aircraft which are specially adapted for the spraying of toxic substances.

82. Paragraph 41 gives an account of the sources of those toxic substances which Portugal drops from the Dakota aircraft acquired from the United States and flown by military staff trained in the United States. Paragraph 41 gives the official statistics of the United States Department of Commerce, which reveal the rise in the sale of herbicides to Portugal from 1969 to 1972. According to those statistics, in those four years the aggressive Portuguese forces had at their disposal more than half a million pounds of herbicides acquired from the United States of America.

83. The interest of certain imperialist Powers, among them the United States, in perpetuating aggression against the territory of the Republic of Guinea-Bissau is explained by the fact that those same economic sectors of the capitalist Powers in the West are actually the ones which remove the wealth from the colonial Territories in Africa, exploit the labour of the African workers and become rich as a result of their policy of *apartheid* and racial discrimination and the profits produced by the exploitation of the natural resources of colonial and dependent Territories. The same report of the Special Committee, in chapter IX on the Territories under Portuguese administration, provides us with perhaps one of the best examples of what colonialism and the classic colonial policy mean for the peoples of the third world.

84. At a time when the international community is ratifying the principle of permanent sovereignty over natural resources, at the very time when many of the peoples of the third world are striving to ensure their own complete, or at least growing, national control over their natural resources, let us see how that principle is applied in the areas which are still occupied by the aggressors in Guinea-Bissau and how the aspirations of the peoples of the third world are understood by the colonialists, who still deny to the people of Guinea-Bissau the right to national emancipation. Paragraphs 76 and 77 of the report of Sub-Committee I relate to mining activities and in particular petroleum activities in Guinea-Bissau. I shall read paragraphs 76 and 77 in full:

"76. Since 1966, Esso Exploration Guiné, Inc., a subsidiary of the Standard Oil Company of New Jersey,

United States, has held an exclusive petroleum concession in the Territory. The concession, which is estimated to cover some 50,000 square kilometres, comprises all the land area of the Territory, including the banks of lakes and rivers and the seashore. It was reported that since 1966, Esso has spent 750 million escudos in the Territory and has located some potential areas for petroleum exploitation along the coast.

"77. According to a press report, the terms of the Esso concession were revised in January 1973, and Esso was granted a further exclusive concession over the continental shelf of the Territory, comprising an area of some 9,700 square kilometres." [*A/9023/Rev.1, chap. IX, annex I.D.*]

That is to say that, while the will of the people, which is today organized in the Republic of Guinea-Bissau, is expanding educational activities, is increasing the number of hospitals and the number of children who now have access to education in the greater part of the Territory which is today under the effective control of the independent Republic of Guinea-Bissau, and while PAIGC, as was stated by the Special Mission of the United Nations, dedicates itself in an altruistic manner to directing and assisting the people towards the attainment of the principles stated in the Charter, colonial interests, the Portuguese aggressors, not only are handing over the wealth of the Territory to foreign companies, but are even selling the Territory itself in a concession which covers the entire area; and since it appears that Esso-Standard regarded this as insufficient, a few months ago the continental shelf and the territorial waters of Guinea-Bissau were also ceded to it.

85. Those are the reasons why we can explain the apparent paradox of a weak Portugal, with a bankrupt colonial empire, which nevertheless insists on pursuing colonial wars on the African continent. That interest of the great imperialist centres in exploiting the sweat and the labour of the African masses leads to the opening for Portugal of the arsenals of the West, the opening of centres for the training of its soldiers and officers and the granting of credits and financial assistance to enable it to continue its aggression against Africa. Yet, let the imperialists take note of what was stated by the men who represent the people of that Territory in the text of the Proclamation of the State of Guinea-Bissau by the People's National Assembly, a document which has been distributed to all Members. At the end of the document, the People's National Assembly of the People's Republic of Guinea-Bissau affirms the following:

"From the historic moment of the proclamation of the State of Guinea-Bissau, authorities and organs of the Portuguese colonial State which exercise any political, military or administrative authority in our territory are illegal, and their acts are null and void. Consequently, from that moment on, the Portuguese State has no right to assume any obligations or commitments in relation to our country. All treaties, conventions, agreements, alliances and concessions involving our country which were entered into in the past by the Portuguese colonialists will be submitted to the People's National Assembly, the supreme embodiment of State power, which will proceed to review them in accordance with the interests of our peoples." [*A/9196 and Add.2, annex I.*]

86. The speakers preceding me at this rostrum have eloquently and accurately described the duty of the General Assembly to express its solidarity with the people of Guinea-Bissau by adopting the draft resolution in document A/L.702 and Add.1-4 submitted by more than 60 States Members, among them Cuba. We consider that adoption of the draft resolution is a logical follow-up of previous decisions of the General Assembly.

87. In conclusion, we should like to express our firm conviction that the people of Guinea-Bissau, the fighters of PAIGC, will overcome every obstacle and every difficulty in their path, imposed on them not only by the Government of Portugal but also by the most powerful interests of international imperialism. We are convinced that a people and fighters, such as those represented legitimately by PAIGC, who have succeeded in maintaining an armed struggle for more than 10 years, who have succeeded in confronting the war power of their enemies, and in resisting napalm, herbicides, bombings and the incomparably greater resources of their opponents, will win the victory. But this session of the General Assembly has an inescapable duty not only towards that people but above all towards itself. We have started this debate in very unusual circumstances because one voice is absent—the first voice that should have been heard in considering this item, the only voice that could be raised on behalf of the territory of Guinea-Bissau and Cape Verde, the voice which was heard last year in the Fourth Committee but which this Assembly was not able to hear because of imperialist pressures and the hesitations and cowardliness of some. The voice of the fighters of Guinea-Bissau personified in the most exemplary manner in our colleague Amílcar Cabral can no longer be heard in this General Assembly because it was silenced by the aggressors against his people. But the voice of Amílcar, transformed into the gunpowder and fire of the fighters of the movement for the liberation of Guinea-Bissau, will finally prevail in that Territory and will once and for all eradicate foreign aggression and be heard in every part of the world as the only legitimate voice authorized to speak for that country.

88. The General Assembly, at least, must respond to the aspirations of that man and his people. It must show that it is sensitive to his struggle and his self-sacrificing example, which resulted in his death, by adopting the draft resolution proposed by a majority of its members.

89. Mr. BOATEN (Ghana): In 1887 a group of European countries met in Berlin. Their agenda: "the partition of Africa". That event took place without consultation with, let alone the consent of, the peoples in the territories whose lives, fortunes and aspirations were to be affected by it for several generations. The aftermath of that event is what we are witnessing today.

90. Perhaps it is in the nature of our world that, in certain periods of human existence, the human conscience slips into limbo. During that period, injustice is justifiable and man's inhumanity to man is permissible. It was during one such period that the slave trade, an event which the whole world community now deeply regrets, was even sanctioned by Christendom. It was during one of those periods that colonialism was regarded as an attribute of benevolence.

91. The human conscience, however, does not remain sluggish for ever. Every so often it reactivates itself and becomes alive to the injustice and indignities inflicted by one section of the human community on another. Thus the world community awakened from its slumber to condemn the slave trade and slavery and worked to eliminate it. Thus in this century the evils of colonialism were fully appreciated and international public opinion spoke boldly against it. The result of that international awareness is the many former colonial countries which have emerged from colonial rule and acquired international identities of their own.

92. That wind of change was fully appreciated by some colonial Powers. In others, appreciation has been long in coming. An example of the latter is Portugal, which persists in the fiction that its colonies are part of metropolitan Portugal—a constitutional fiction that in no way accords with reality.

93. This world Organization recognized the wind of change when, at its fifteenth session, the General Assembly adopted resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. Since that Declaration was adopted there has been no session of this Assembly that has not adopted a resolution urging Portugal to recognize the right of the peoples of Guinea-Bissau, Angola, Mozambique and the Cape Verde Islands to self-determination and independence in accordance with that Declaration and in recognition of Portugal's obligations under the Charter.

94. In his contribution to the debate in the Fourth Committee at the twenty-seventh session of the General Assembly, speaking on the question of Territories under Portuguese administration, the Swedish representative, Mr. Dahlan, said that while colonial empires were breaking up at an accelerated pace, Portugal continued to maintain the fiction that its Territories formed part of metropolitan Portugal and to defy the resolutions of the United Nations, which only demanded of it what had been demanded of other colonial Powers: that it recognize the right of the peoples of the Territories under its administration to self-determination and independence.

95. What has been Portugal's answer to all these appeals to it to honour obligations under the Charter? There is no one in this Assembly who does not know the answer to that question: repression, the massacre of innocent men, women and children and violations of the territory of independent sovereign States Members of this Organization. I refer those who are in any doubt about Portugal's brutality and inhumanity in its Territories to *Quarterly Magazine*, covering United Nations activity against *apartheid*, racial discrimination and colonialism, in document OPI/504, issued by the United Nations Office of Public Information in response to a decision of the Special Committee. Anybody reading that document would wonder if the *Portuguese* people are not, by some laboratory error such as we read of in science fiction, gradually losing their human qualities and assuming something else, strange to all human attributes.

96. In 1972, the Security Council met under the presidency of France to consider a complaint by Senegal against Portugal for violation of Senegal's territorial integrity. I

recall what the President, speaking as representative of his country, said at that time:

"... This is unfortunately not the first time that the Security Council has had to deal with a complaint by Senegal following the occurrence of an incident on its territory at the frontier with Guinea (Bissau), but it is the first time that the facts have been so clear and have stood so starkly revealed. No one denies them. On 12 October several armoured vehicles of the Portuguese army penetrated Senegalese territory to a depth of several kilometres. A Senegalese officer was killed, one of his men was wounded, and a peasant was mortally wounded. There is no doubt about the actual violation of the frontier itself, or about the circumstances of time and place, or about the equipment used, or, unfortunately, about the loss of human life."⁵

On such occasions aggressor countries generally take refuge behind such excuses as the necessity to take pre-emptive action to forestall a planned attack by the victim country. On that occasion Portugal could not resort to that defence because it had no doubt that its action was unprovoked in any way.

97. If I have dwelt at length upon this, it is because the subject matter is relevant to the issue now before this Assembly.

98. In my statement at the General Committee's 213th meeting on 19 October, I referred those who had reservations concerning the manner in which the Republic of Guinea-Bissau had achieved independence to the offer made by the late Amílcar Cabral to negotiate with the Government of Portugal on independence for Guinea-Bissau. As we are aware, Portugal rejected that offer. Regardless of Portuguese atrocities, Amílcar Cabral was not an embittered man. He remained a statesman, motivated by a spirit of magnanimity and understanding and a readiness to compromise.

99. To justify what it considers its right to remain in its colonial Territories, Portugal draws attention to its alleged benevolent administration, and the plenty which it claims it has been able to provide for the peoples of those Territories, while pointing a deriding finger at the independent African States. For an answer to this, I shall do no better than to quote from the general statement delivered in this forum by the Commissioner for Foreign Affairs of Ghana on 10 October 1973. In that statement the Commissioner said:

"I should like to point out with emphasis that the peoples of Africa are not necessarily claiming a superior ability to order their own affairs. What they are demanding is a right to be human beings and to be respected as such. We no longer wish to be fed and nurtured by benevolent foster mothers; we demand the right to order our own destiny, make our own mistakes, suffer their consequences and learn from them. This is Africa's case."
[2148th meeting, para. 62.]

Africans are not cows and pigs to be content with grass and fodder alone. It is about time the international community as a whole got that straight.

⁵ *Ibid.*, 1669th meeting, para. 25.

100. In the face of human suffering, oppression and unprecedented callous brutality, my delegation would have considered the legal gimmicks used in this forum to support various positions inconsequential and irrelevant. Since they have been raised, however, I shall crave your indulgence to direct a little attention to those arguments.

101. The insurrection of a part of the population of any State against the established government of the State is and remains an internal affair so long as the established government retains the power to control the situation and the capacity to make good any damage which the insurgents might cause to other States. However, as soon as the conflict takes on such proportions that the established government is no longer in a position to fulfil any State responsibility to which that conflict might give rise, different considerations arise which are the proper concern of international law. These considerations are: first, there exists within the State or Territory an armed conflict of a general, as distinct from a purely local, character; secondly, the insurgents occupy a substantial portion of the national territory; and thirdly, the insurgents conduct the hostilities, through organized groups or acting under a responsible authority, in accordance with the rules of war.

102. In such a case, that is, if the above-mentioned conditions exist, then there is present the necessary basis for the recognition of the emergence of a subject of international law to which statehood and State rights might be accorded. That is, in such circumstances a new State has come into existence.

103. My delegation wishes to state positively, having regard to the report of the Special Mission which visited Guinea-Bissau and reports of representatives of the press media who have visited that Territory, that the indigenous people of Guinea-Bissau, fighting for their independence, have now reached a stage in their struggle when those conditions exist. The basis for the recognition of the emergence of the new State of Guinea-Bissau as a new subject of international law therefore exists.

104. If these conditions were present in Angola or Mozambique, we would not hesitate to put forth the same contention to statehood for them, but at present they are not.

105. Now let us examine the accepted classical prerequisites for the recognition of a new State—that is, the criteria to be followed in declaring a State to be independent and a subject of international law to which another sovereign and independent State can offer recognition—and decide whether the new Government of Guinea-Bissau possesses those attributes. The main criteria are the following: first, the government or State must be in *de facto* control of the territory and the machinery of government; secondly, the government or State must enjoy the assent of the bulk of the population; and thirdly, the government or State must be willing to comply with or assume international obligations.

106. My delegation submits that all these conditions exist. Here we would like to point out that acquiescence in the face of force used by the Portuguese Government is not synonymous with volition.

107. We also cannot fail to point out with equal force that it is now an accepted international legal principle, affirmed by the Institute of International Law in its resolution of 23 April 1936, that “the existence of the new State with all the legal effects connected with that existence is not affected by the refusal of one or more States to recognize”. Even some unjustifiable refusal to recognize as an autonomous and independent State, constituted *de facto*, must be considered as contrary to international law and may justify acts of retortion. Again, according to Oppenheim, “international law does not say that a State is not in existence as long as it is not recognized, but it takes no notice of it before its recognition”. In this case the State of Guinea-Bissau has been recognized by over 70 Members of this Organization, more than one half of its membership. International law cannot therefore afford not to take notice of its existence.

108. The modern mind prides itself on its realism. That is why my delegation would like to cite, with some appreciation and approval, a few examples of realism shown by some States with regard to the existence of new States and their recognition.

109. The United States, as befitted its revolutionary origin, set its face squarely against the doctrine of legitimacy which emerged in Europe after 1815. That doctrine laid it down that only States with legitimate rulers were proper subjects of international law. In illustration of its policy on this doctrine, the United States advised its Minister of State in Paris during the French Revolution in these words:

“It accords with our principles to acknowledge any government to be rightful which is formed by the will of the nation substantially declared. . . . With such a government every kind of business may be done.”

My Government accepts this principle of the United States, that a rightful government can exist if it is formed by “the will of the nation substantially declared”. And that is the case with Guinea-Bissau.

110. Again, on 2 December 1918 the United States recognized the Czechoslovak National Council, an organization with headquarters in Washington, as a *de facto* belligerent Government “clothed with proper authority to direct the military and political affairs of the Czecho-Slovaks”. At that time Czechoslovakia was a State without territory.

111. Another realistic political act of the United States occurred in 1903 when it recognized the Republic of Panama within four days of its revolt against Colombia.

112. Examples of this are not lacking in the case of France. In 1777 France recognized the independence of the United States long before it had become an established fact.

113. For a long time the Barbary States were not recognized because it was alleged that a band of robbers could not be a State. But to the surprise of many States, Great Britain in 1801 gave credit to a confiscation decree of the Dey of Algiers. In reply to the argument that Algiers was not a State but a mere pirate gang, Great Britain retorted:

“They have long acquired the character of established governments with whom we have regular treaties, acknowledging and confirming to them the relation of legal States”.

In fact, the year before that decision—1800—a Treaty between Great Britain and Algiers had been concluded. That Treaty was but one of a series stretching back more than 100 years to 1682—all entitled “Articles of Peace and Commerce”. If anything, the Barbary States had a claim to recognition then inferior to what Guinea-Bissau has now.

114. It is worthy of note that nowhere in its arguments did Great Britain use the word “recognition”. It simply stated that Algiers had been treated by Great Britain as a State and had therefore the powers of government incidental to statehood.

115. Are we now being told that the principles, the ideals which justifiably prompted the declaration of American independence before Britain, the colonial master, was prepared to concede it, are no longer valid? Are we being told that the considerations which prompted the United States’ recognition of Panama no longer influence American policy? Are we being told that the French ideals of liberty, fraternity and equality, which influenced their recognition of the United States, no longer have any relevance? Are we

being told that British justice has flown to brutish beasts (with apologies to William Shakespeare)?

116. While saying this, my delegation cannot be unaware of the fact that the recognition of States is essentially a political act within the prerogative of each independent sovereign State. Any attempt to make value judgements based on legal arguments as to why one State should be recognized and the other not is therefore, in the view of my delegation, gratuitous. In our view, certain countries find themselves unable to recognize Guinea-Bissau, not because of the existence of any objective legal norms, but because of a lack of political will to do so as a result of economic, political and other interests.

117. We should not let it be said that when this Organization had the opportunity to take a decision to avert the development of a dangerous threat to international peace, we failed the world community.

The meeting rose at 1.25 p.m.