

CHAPTER V

DECLARATION ON GRANTING INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

On 14 December 1960, a "Declaration on the Granting of Independence to Colonial Countries and Peoples" was adopted by the General Assembly. By this, among other things, the Assembly solemnly proclaimed "the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations." The Declaration was adopted by 89 votes to 0, with 9 abstentions, and was sponsored by 43 African and Asian countries. (See p. 49 for text.)

The matter was initially proposed for inclusion in the agenda of the Assembly's fifteenth session by the Chairman of the Council of Ministers of the USSR, Nikita S. Khrushchev, during his address to the General Assembly on 23 September 1960.

In an explanatory memorandum accompanying his request, he declared that the time was at hand for "the complete and final liberation of peoples languishing in colonial bondage." The United Nations, he said, could not remain indifferent to the fact that more than 100 million human beings were still living in conditions of colonial oppression and exploitation; in keeping with the principles of its Charter, the United Nations must declare itself in favour of the "immediate and complete elimination of the colonial system in all its forms and manifestations."

In the draft declaration on the granting of independence to colonial countries and peoples, which the USSR submitted for Assembly consideration, United Nations Members were called upon solemnly to proclaim three demands.

First, all colonial countries and Trust and Non-Self-Governing Territories must be granted forthwith complete independence and freedom to build their own national states in accordance with the freely expressed will and desire of their peoples. The colonial system—and colonial administration in all its forms—must be completely abolished in order to afford the peoples of the territories concerned an opportunity to determine their own destiny and form of government.

Second, all strongholds of colonialism in the form of possessions and leased areas in the territory of other countries must be eliminated.

Finally, the Governments of all countries were urged to observe strictly and steadfastly the provisions of the Charter and the present Declaration concerning equality and respect for the sovereign rights and territorial integrity of all states without exception, allowing no manifestations of colonialism or any special rights or advantages for some states to the detriment of other states.

On 28 September, the Assembly's General Committee recommended that the USSR item be put on the Assembly's agenda and, by a vote of 8 to 2, with 9 abstentions, recommended that the item be allocated to the First (Political and Security) Committee. After deciding, on 10 October, to place the item on its agenda, the General Assembly on 13 October unanimously adopted a USSR proposal to discuss the item in plenary meetings—which it did between 28 November and 14 December. Over 70 delegations took part in the debate.

The USSR representative, opening discussion of the item on 28 November, said that, although the process of liberation of peoples under colonial rule had already achieved striking results in Asia and Africa, colonialism was not yet dead. As recent events in the Congo had shown, some countries had not been completely freed from colonial domination in spite of their nominal independence. Then, too, there were still many countries in Asia, Africa, Latin America and Oceania "languishing under the yoke of foreign domination."

He recalled that Mr. Khrushchev had warned the General Assembly on 12 October 1960 that, unless the most urgent measures were taken, colonialism was capable of causing still more suffering and much loss, destroying many millions of lives, giving rise to military conflicts, and endangering peace and security not only in certain areas but the world over. The USSR

declaration, he stressed, was a "key programme" in the struggle for the liberation of all the colonial peoples.

In a later statement, the USSR representative contended that the colonial powers had always objected to the discussion of questions relating to the political development of the Non-Self-Governing Territories. In the case of the "great colonies," where there was a developed national liberation movement, the colonialists were trying in every way to postpone the granting of political independence and to guarantee for the future the position of European minorities in those countries. In the case of the smaller territories, he said, they were maintaining them as bases for colonialism by merging them with the metropolitan countries, a line which was adopted by all colonialists. They were trying to use such territories as strategic bases and points of support for suppressing liberation movements and for exerting pressure on neighbouring countries.

Discussion of the colonial question was a serious test for the United Nations, the USSR representative went on. Colonialism would be destroyed in any event, with or without the assistance of the United Nations, but the Organization could either accelerate the process, or stand indifferently aside—or perhaps even be an obstacle to the liquidation of colonialism. However, such a strong world opinion had been created in favour of the immediate and complete liquidation of colonialism that it could not be ignored by the colonial powers.

The declaration proposed by the USSR for the immediate and complete liberation of the colonial peoples from foreign domination would, he said, provide a solution of great historical and immediate practical significance.

The United Kingdom representative said he had hoped that the debate could have been a serious discussion of the ways in which all could help to realize the aspirations of those peoples who did not yet enjoy what the United Nations Charter described as a "full measure of self-government"—an aspect of world affairs with which the United Kingdom had long been vitally concerned. But he had been shocked, he said, at the way in which the USSR delegation had sought to pervert for its own purposes the deep and genuine desire for independence of so many millions of people.

The aim of the USSR draft declaration, he went on, seemed to be to generate hatred rather than friendship, violence rather than peace, and chaos rather than order.

Since 1939, he pointed out, some 500 million people formerly under British rule had achieved freedom and independence and their representatives sat in the General Assembly. In that same period, he said, the whole or part of six countries, with a population of 22 million, had been forcibly incorporated into the Soviet Union, including the world's "three newest colonies"—Lithuania, Estonia and Latvia. In addition, the Soviet Union exercised economic, political and military domination over millions of others in neighbouring countries.

It would be of no service to the peoples of the rest of the world to allow the affairs of Africa and Asia to become lost beneath a barrage of charges and counter-charges, the United Kingdom representative declared. All he asked was that the United Nations machinery for dealing with Trust and Non-Self-Governing Territories, and the structure of co-operation built up over the years, should not be destroyed by "unconstructive and irresponsible assaults." Those who, like the United Kingdom, subscribed without reservation to Chapter IX of the Charter—dealing with Non-Self-Governing Territories—and had since honoured it in practice, had already accepted colonialism as an "out-of-date political relationship" in the sense that it involved the permanent subjection of one people to another.

The United Kingdom representative said he found it hard to improve on the terms of Article 73 of the Charter, by which administering powers undertook, among other things, to develop self-government in the territories under their control. However, the problems of the development of political independence varied according to the circumstances of the different territories. For example, there were no fewer than 29 Non-Self-Governing Territories under United Kingdom administration with a population of under one million each; 14 of these had a population of less than 100,000. The people of those small territories, he stressed, had to think carefully about their future. The United Kingdom considered that it had a solemn obligation to work out with the people concerned the form of

independence which would best satisfy their aspirations.

On the same day, 28 November, Cambodia, on behalf of 26 Asian and African countries, introduced a draft resolution which was eventually sponsored by 43 Asian and African states. The Cambodian representative said that the sponsors of the draft had tried to find formulae and solutions which could be acceptable to the greatest possible number of delegations, if not to all Members of the Assembly. They therefore appealed to all delegations to study the text carefully and open-mindedly, so that a period of humanity's history which should have been left behind—that is, the exploitation of peoples by other peoples and the domination of countries by other countries—could be forgotten.

By the operative part of the Asian-African draft resolution, the General Assembly—after solemnly proclaiming the "necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations"—would declare that:

"1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

"2. All peoples have the right of self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

"3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

"4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

"5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

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

"7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and this Declaration on the basis of equality, non-interference

in the internal affairs of all states, and respect for the sovereign rights of all peoples and their territorial integrity."

The 43 sponsors of the draft were as follows: Afghanistan, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Somalia, Saudi Arabia, Senegal, Sudan, Togo, Tunisia, Turkey, United Arab Republic and Upper Volta.

Representatives of several of the sponsoring countries of the 43-power draft welcomed the initiative taken by the USSR in bringing the question of colonialism before the General Assembly; the Asian-African states, they said, had long been concerned with that problem.

Some of them, including Libya, Tunisia and the United Arab Republic, noted the similarity between the two declarations and explained their reasons for introducing their own draft. The representative of Tunisia, for example, said that, while decolonization was a problem which concerned the whole world, the former colonized countries had the sacred duty as non-aligned countries to be "in the van of this combat." He stressed that the sponsors did not want the colonialism question to become an ideological struggle "within the framework of the one in which East and West vie against each other." The representative of the United Arab Republic felt that there was no essential difference between the two draft declarations, both of which, he said, had as their objective the "immediate eradication of colonialism."

Many representatives of Asian-African Members referred to the Bandung Conference in 1955, where countries of Asia and Africa had initiated a number of fundamental principles which had become the cornerstone of their policy towards the colonial countries and peoples and which had been re-emphasized at the conferences of African states at Accra in 1958, at Monrovia in 1959 and at Addis Ababa in 1960. The draft declaration they were now submitting was the culmination of those principles, they stressed.

There was no doubt, said many of these

speakers, that during the past 15 years the United Nations had devoted much effort towards carrying out its Charter obligations relating to Trust and Non-Self-Governing Territories. However, it was a fact that progress had sometimes been slow and consequently there were still large areas under colonial rule. In the Interests of world peace and security, they held, the colonial powers should initiate immediate measures for the transfer of complete independence to all colonial countries and peoples.

They further stated that economic freedom was as essential as political freedom. Racial discrimination was condemned by them as a manifestation of colonialism—especially as practised by the Union of South Africa. Also condemned was interference by colonial powers in the internal affairs of their former dependent territories which, they considered, made a mockery of the independence granted. In this connexion, many speakers called attention to the situation in the Republic of the Congo (Leopoldville). The Asian-African declaration, they added, was in fact designed to obtain concerted action—through the United Nations—for the independence of dependent peoples and territories, without any conditions or reservations and without any undermining of their right freely to develop their own political, economic, social and cultural institutions.

Australia and New Zealand agreed with the United Kingdom's contention that colonialism was a necessary transitional phase and that Non-Self-Governing and Trust Territories had made remarkable progress towards independence, in accordance with the provisions of the United Nations Charter. Each case was governed by its own circumstances, and the test was always that of determining what would best suit the interests of the peoples whose destiny was at stake. In some cases, progress had been slow because of the special circumstances of a particular territory. In this connexion, Australia mentioned eastern New Guinea where, because of tremendous physical difficulties, the tasks to be undertaken were unique. In spite of that, remarkable progress had been made; it could be said that without the efforts of the administering authority the people of New Guinea would have had no immediate hopes of advancement or self-government.

The representatives of Albania, Bulgaria, the

Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania and the Ukrainian SSR maintained that the immediate and complete liquidation of colonialism in all its forms would be an outstanding victory for the forces of peace, progress and freedom. The struggle of the peoples for liberation was a great historic process which could not be checked. The United Nations, they declared, was duty bound to put an end to the colonial system and the best contribution it could make would be to adopt the draft declaration submitted by the USSR.

Representatives of some Latin American Members said that the juridical traditions of their countries made them natural allies of the cause of independence for colonial peoples. However, they favoured independence and freedom everywhere, in all attitudes and under all systems, and they felt the debate should therefore be widened to include all issues relating to freedom—such as freedom of speech and freedom to worship.

The representatives of Guatemala, Honduras and Panama were among those who pointed out that colonialism still existed in the Western Hemisphere; remaining colonies in America represented an area of about 2,700,000 square kilometres, with a population of more than 3,000,000 people. The representative of Cuba maintained that the Assembly should recommend that self-determination and sovereignty be granted to the people of Puerto Rico.

Honduras, on 1 December, submitted a draft proposal—which it later revised twice—by which the General Assembly, among other things, would proclaim the elimination of colonialism throughout the world, in the Western hemisphere as elsewhere. It would also appoint a five-member commission to examine the situation in the Trust and Non-Self-Governing Territories, with a view to proposing to the General Assembly at its sixteenth session whatever concrete measures should be recommended or applied in each case in order to achieve the complete abolition of colonialism throughout the world.

The United States representative observed that, as a result of the application of Article 73 of the Charter, 34 countries—containing over 775 million people—had attained independence since 1946. The ending of the colonial era was already far advanced, and its complete end

was certain. It was clear that the responsibility under Chapter XI of the Charter for the administration of Non-Self-Governing Territories could only be temporary. But it was not enough, he said, merely to liquidate the old: it was also necessary to "plan soundly for what will replace it."

In that regard, he went on, the wishes of the indigenous people had to be paramount. Experience had shown that a separate independence was usually, but by no means always, the people's choice. Contrary, he said, to the impression left by some speakers in the debate, the people of Puerto Rico did not now desire independence; they had freely chosen to be associated with the United States as a self-governing commonwealth. The vital test for an administering authority was that of free consultation with the people through free elections or some other equally valid means of self-determination.

The United States representative also spoke of "a new colonial system" that had been imposed by force on many peoples of many races, many of whom had been free for centuries. The entire system was disguised by censorship, by ruthless thought control, and by an elaborate misuse of words like "democratic" and "autonomous." However, its tragic reality had been attested to by the millions who had escaped it and by the tens of thousands who had died trying to shake it off. The United States representative referred to the USSR at the "arch-practitioner" of this "new and lethal colonialism." He said that the 43-nation draft declaration quite rightly spoke out against colonialism "in all its manifestations."

During the course of the debate, the representatives of Argentina, Belgium, France, Israel, Portugal, Spain and the Union of South Africa spoke in reply to charges made against their Governments by the representative of the USSR and other speakers.

On 13 December, the USSR representative introduced two amendments to the 43-power draft declaration, explaining that, although it had something in common with the Soviet declaration, it was incomplete in certain respects. By the first USSR amendment—which would

add a new paragraph to the 43-power draft—the Assembly would call upon the powers concerned to ensure the transfer of full and sovereign power to the peoples of all dependent territories, in accordance with the principles stated in the declaration, and for that purpose to enter into negotiations with the representatives of the colonial peoples so that all colonial countries and peoples should attain independence not later than the end of 1961 and take their rightful place among the community of nations.

By the second USSR amendment, the Assembly would decide to consider the question of the implementation of the declaration at its sixteenth session (to open in September 1961).

Guatemala also proposed an addition to the 43-power draft to provide that "the principle of the self-determination of peoples may in no case impair the right of territorial integrity of any state or its right to the recovery of territory." This amendment was withdrawn on 14 December at the request of the Indonesian representative, who felt that it was already covered by operative paragraph (6) of the 43-power draft, dealing with attempts to disrupt the national unity and territorial integrity of countries.

On 14 December, the Assembly voted first on the USSR draft declaration, in two parts. The part by which Member states would proclaim certain "demands" was rejected by a roll-call vote of 32 in favour to 35 against, with 30 abstentions. The rest of the draft was rejected, also by roll-call, by 25 in favour to 35 against, with 22 abstentions.

The first USSR amendment to the 43-power draft was then rejected by a roll-call vote of 29 in favour to 47 against, with 22 abstentions. The second USSR amendment was also not adopted as it failed to obtain the necessary two-thirds vote: the roll-call vote was 41 in favour to 35 against, with 22 abstentions.

The draft resolution sponsored by 43 Asian and African countries was then adopted, on 14 December 1960, as resolution 1514(XV), by a roll-call vote of 89 to 0, with 9 abstentions. Honduras did not press its draft resolution to the vote.

DOCUMENTARY REFERENCES

GENERAL ASSEMBLY—15TH SESSION
General Committee, meeting 130.
Plenary meetings 902, 903, 925-939, 944-947.

A/4501. Letter of 23 September 1960 from Chairman of Council of Ministers of USSR proposing for agenda item entitled: "Declaration on the Granting

of Independence to Colonial Countries and Peoples." A/4502 and Corr.1. Declaration on granting of independence to colonial countries and peoples submitted by Chairman of Council of Ministers of USSR, Chairman of USSR Delegation.

A/L.312. USSR: draft resolution.

A/L.312/Rev.1. USSR: amendment (replacing A/L.312) to recommendation of General Committee, adopted by Assembly by acclamation on 13 October 1960, meeting 903.

A/L.323 and Add.1-6. Afghanistan, Burma, Cambodia, Cameroun, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Somalia, Sudan, Togo, Tunisia, Turkey, United Arab Republic, Upper Volta: draft resolution.

A/L.324 and Rev.1, 2. Honduras: draft resolution and revisions.

A/L.325. Guatemala: amendments to 43-power draft resolution, A/L.323 and Add.1-6.

A/L.328. USSR: amendments to 43-power draft resolution, A/L.323 and Add.1-6.

RESOLUTION 1514(xv), as submitted by 43 powers, A/L.323 and Add.1-6, adopted by Assembly on 14 December 1960, meeting 947, by roll-call vote of 89 to 0, with 9 abstentions, as follows:

In favour: Afghanistan, Albania, Argentina, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian SSR, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Somalia, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian SSR, USSR, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Australia, Belgium, Dominican Republic, France, Portugal, Spain, Union of South Africa, United Kingdom, United States.

"The General Assembly,

"Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

"Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly

relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

"Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

"Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

"Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

"Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

"Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

"Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

"Welcoming the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

"Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

"Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

"And to this end

"Declares that:

"1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

"2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

"3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

"4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

"5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

"6. Any attempt aimed at the partial or total dis-

ruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

"7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity."