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WORK OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO
THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN 1991
AND OF THE GENERAL ASSEMBLY AT ITS FORTY-SIXTH SESSION

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INTRODUCTION

The General Assembly, by its resolution 1654 (XVI) of 27 November 1961, established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to examine the application of the Declaration contained in Assembly resolution 1514 (XV) of 14 December 1960 and to make suggestions and recommendations on the progress and extent of its implementation. In fulfilment of its mandate, the Special Committee has, since its inception, actively promoted and facilitated the process of decolonization with respect to the Trust and Non-Self-Governing Territories, which in 1963 numbered 64 and in 1991, 18. At each session, following its consideration of the Committee's annual report, the General Assembly adopts a number of resolutions on decolonization issues and extends the Committee's mandate in relation to the remaining Trust and Non-Self-Governing Territories for a further year.

The present issue of the Decolonization bulletin summarizes the Special Committee's activities in 1991, its recommendations to the General Assembly (see sect. I) and the work of the Assembly at its forty-sixth session on decolonization issues (see sect. II).

I. WORK OF THE SPECIAL COMMITTEE IN 1991

A. General

In 1991, the membership of the Special Committee comprised: Afghanistan, Bulgaria, Chile, China, Congo, Côte d'Ivoire, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Norway, Papua New Guinea, Russian Federation (formerly Union of Soviet Socialist Republics), Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Venezuela and Yugoslavia.

For its 1991 session, the Special Committee re-elected the following officers: Mr. Tesfaye Tadesse, Permanent Representative of Ethiopia to the United Nations, Chairman; Messrs. Ricardo Alarcón de Quesada, Permanent Representative of Cuba, Sverre J. Bergh Johansen (Norway) and Alexander Slaby (Czechoslovakia), Vice-Chairmen; and Mr. Mohammad Najdat Shaheed (Syrian Arab Republic), Rapporteur.

The Committee decided to maintain its three subsidiary bodies, namely, the Working Group, the Subcommittee on Petitions, Information and Assistance, and the Subcommittee on Small Territories, with the following membership:

Working Group: the officers of the Special Committee and the subcommittees, plus Congo, Fiji and Iran (Islamic Republic of);

Subcommittee on Petitions, Information and Assistance: Afghanistan, Bulgaria, Congo, Cuba, Czechoslovakia, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Papua New Guinea, Sierra Leone, Syrian Arab Republic, Tunisia and United Republic of Tanzania;

Subcommittee on Small Territories: Afghanistan, Bulgaria, Chile, Côte d'Ivoire, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Norway, Papua New Guinea, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Venezuela and Yugoslavia.

Mr. Renagi Renagi Lohia, Permanent Representative of Papua New Guinea, was elected Chairman of the Subcommittee on Petitions, Information and Assistance; Mr. Ghazi Jomaa (Tunisia) and Mr. José Acosta-Fragachan (Venezuela) were elected Chairman and Rapporteur, respectively, of the Subcommittee on Small Territories.

In organizing its work for the year, the Special Committee, on the recommendation of its Chairman, allocated some items for consideration in plenary meetings and others to its subsidiary bodies.^{1/} The Committee and subcommittees took into account information contained in working papers prepared by the Secretariat and transmitted by administering Powers under Article 73 e of the Charter of the United Nations, as well as material from published sources.

On 23 April, the Special Committee decided to establish an open-ended working group to consider the rationalization of its work and to submit recommendations. The open-ended Working Group, under the chairmanship of Mr. Lohia, held nine meetings between 29 April and 23 May and submitted a report to the Committee.^{2/}

Among the recommendations of the Working Group, which the Special Committee decided to adopt, were the merger of its two subcommittees into the Subcommittee on Small Territories, Petitions, Information and Assistance, effective 1 January 1992, and the streamlining and consolidation of resolutions on a number of Territories into an omnibus resolution.

During its August session, the Special Committee decided to establish an open-ended drafting group to prepare the draft resolutions and decisions on activities of foreign economic and other interests, military activities and arrangements, and implementation of the Declaration by the specialized agencies.

Participation of administering Powers

In compliance with the provisions of relevant resolutions and in their capacity as the administering Powers of the Territories concerned, the delegations of New Zealand (Tokelau), Portugal (East Timor) and the United States of America (American Samoa, Guam and the United States Virgin Islands) continued to participate in the work of the Special Committee. The United States did not take part in the Committee's consideration of the Trust Territory of the Pacific Islands as it considered that the matter fell within the purview of the Trusteeship Council and the Security Council, not the General Assembly. France did not participate in the Committee's consideration of New Caledonia.

The United Kingdom of Great Britain and Northern Ireland, which is responsible for the administration of the Territories of Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Gibraltar, Montserrat, Pitcairn, St. Helena and the Turks and Caicos Islands, did not participate in their consideration by the Special Committee.^{3/} The Subcommittee on Small Territories reiterated its regret at the non-participation of the United Kingdom and appealed to the administering Power to reconsider its decision and to resume its participation in the work of the Special Committee, especially in view of the Committee's efforts to streamline and rationalize its work.

In a related context, the Special Committee, on 9 August 1991, adopted a resolution on the question of sending visiting missions to Territories ^{4/} by which the Committee, "noting with regret that some administering Powers do not participate in the work of the Special Committee", called upon the administering Powers to cooperate or continue to cooperate with the United Nations by receiving visiting missions. It also called upon those administering Powers that were not participating in the work of the Committee to reconsider their decisions.

B. East Timor, Gibraltar, New Caledonia, Western Sahara and the Falkland Islands (Malvinas)

1. Requests for hearing

The Special Committee allocated the questions of East Timor, Gibraltar, New Caledonia, Western Sahara and the Falkland Islands (Malvinas) for consideration in its plenary meetings.

In connection with its consideration of these Territories, the Special Committee granted a number of requests for hearing and heard 25 petitioners: 18 concerning East Timor, 2 concerning New Caledonia, 1 concerning Western Sahara and 4 concerning the Falkland Islands (Malvinas):

<u>Petitioner</u>	<u>Meeting at which petitioner was heard</u>
<u>Question of East Timor</u>	
Ms. Beryl Gaffney, M.P. Parliamentarians for East Timor	1383rd
Mr. Michel Robert Mouvement contre le racisme et pour l'amitié entre les peuples and l'Association de solidarité avec le Timor oriental	1383rd
Ms. Carmel Budiardjo TAPOL The Indonesian Human Rights Campaign	1383rd
Mr. Jeffrey Rudolph East Timor Alert Network and Canada-Asia Working Group	1384th
Mr. Douglas McGregor on behalf of Hobart East Timor Committee	1384th
Mr. Geoffrey Robinson on behalf of Amnesty International	1384th
Mr. Michael Jendrzeczyk on behalf of Asia Watch	1384th
Mr. Kan Akatani Free East Timor Japan Coalition	1384th
Mr. Pedro Pinto Leite International Platform of Jurists for Support of East Timor's Right to Self-determination	1384th
Mr. Bruno Khan	1384th
Mrs. Merril Findlay on behalf of the Australian Council for Overseas Aid	1384th
Mr. Antonio de Souza Lara, M.P. Social Democratic Party of Portugal	1385th
Mr. Carlos Candal, Member of Parliament Socialist Party	1385th
Mr. José Manuel Mendes, Member of Parliament Communist Party	1385th

<u>Petitioner</u>	<u>Meeting at which petitioner was heard</u>
Mr. Kan Akatani on behalf of the 92 members of the Japanese Diet Members' Forum on East Timor	1385th
Mr. Pedro Pinto Leite The Komitee Indonesia/Funding Agency Xminus Y/East Timor Working Group	1385th
Mr. João Viegas Carrascalao Timorese Democratic Union (UDT)	1385th
Mr. José Luis Guterres Frente Revolucionaria de Timor-Leste Independente (FRETILIN)	1385th
<u>Question of New Caledonia</u>	
Mr. Yann Céléné Uregei Front uni de libération kanak (FULK)	1383rd
Mr. Jacques Sarimin Boenghi Front de libération nationale kanake socialiste (FLNKS)	1388th
<u>Question of Western Sahara</u>	
Mr. Mouloud Said Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO)	1393rd
<u>Question of the Falkland Islands (Malvinas)</u>	
Miss Norma Edwards	1387th
Mr. Lewis Clifton	1387th
Mr. Luis Gustavo Vernet	1387th
Mr. Juan Scott	1387th

The views expressed by these petitioners are reproduced in the records of the Committee meetings (A/AC.109/PV.1383-1385, 1387, 1388, 1393).

2. Question of East Timor

The representative of Indonesia opposed any discussion of the question of East Timor, stating that the process of decolonization had been carried out 15 years before when the overwhelming majority of the people of East Timor chose to exercise their right to self-determination. He reiterated that East Timor was a province of Indonesia with the same constitutional rights and obligations as the other provinces of the country.

Following the statement of the representative of Indonesia and the testimony of 18 petitioners, the Special Committee decided to continue consideration of the item at its 1992 session, subject to any directives that the General Assembly might give in that connection at its forty-sixth session.

3. Question of Gibraltar

After taking into account the continuing discussions between the parties concerned on Gibraltar, the Special Committee decided that it would resume consideration of the question at its 1992 session.

4. Question of New Caledonia

Following the statements of petitioners, a statement was made by the representative of Vanuatu on behalf of the seven members of the South Pacific Forum (Australia, Fiji, New Zealand, Papua New Guinea, Samoa, Solomon Islands and Vanuatu) which are also States Members of the United Nations. He stated that at the July 1991 meeting of the South Pacific Forum, the Heads of Government once again drew attention to the close links that existed between the people of New Caledonia, particularly the indigenous Kanaks, and the other peoples of the South Pacific. The Forum had also acknowledged the constructive actions being taken by all involved to facilitate the further development of those links and had noted the positive measures being pursued by the French authorities, in cooperation with all sectors of the population, to promote equitable political, economic and social development in order to provide a framework for the Territory's peaceful evolution to self-determination. The Heads of Government had stressed that equitable economic and social development as well as transparency in the preparation of electoral rolls and continued dialogue among all the parties were of great importance in preparing for an act of self-determination consistent with the principles and practices of the United Nations, in which all options, including independence, would be open and the rights of the indigenous Kanaks and all other New Caledonians would be safeguarded. The Forum had also expressed the hope that the

French authorities and others would expand their assistance for education and training opportunities for the Kanak population and they reiterated their hope that the French authorities would facilitate regular visits to New Caledonia by visiting missions of the United Nations.

In introducing a draft resolution on the item, the representative of Papua New Guinea stated that the text took note of the new developments, especially in the economic and social fields, that were encouraged by the French authorities. It was important that positive developments towards a genuine act of self-determination and independence be fully and genuinely encouraged by all parties concerned, especially the administering Power. His and other delegations wished to see a reference to visiting missions included in the draft resolution. The Committee thereafter adopted the draft resolution without a vote.5/

5. Question of Western Sahara

In view of the peace process which was under way in respect of Western Sahara, and after hearing a statement by the representative of the Frente POLISARIO, the Special Committee decided, subject to any directives that the General Assembly might give in that connection at its forty-sixth session, to transmit all relevant documentation on Western Sahara to the General Assembly to facilitate the latter's consideration of the question.

6. Question of the Falkland Islands (Malvinas)

The representative of Argentina participated in the Committee's consideration of the question and stated that his Government was determined to recover its sovereignty over the Territory through a process of dialogue and negotiation, with the approval of the international community. The restoration of diplomatic relations between Argentina and the United Kingdom had resulted in progress in areas such as fisheries and maritime safety. Also, several working groups were meeting regularly to discuss a variety of issues, demonstrating that progress could be made through negotiations. Unfortunately, however, negotiations on the sovereignty dispute over the Islands had not yet begun. That failure, which was contrary to the spirit of détente, was particularly disappointing given the involvement of a permanent member of the Security Council. Argentina considered that it was time to put an end to the sovereignty dispute, but until that goal had been achieved, parties to the dispute should refrain from unilateral measures, especially regarding the use of natural resources.

The Special Committee adopted, by 21 votes to none, with 3 abstentions, a resolution on the Falkland Islands (Malvinas),^{6/} by which it requested Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute. It reiterated its firm support for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly.

C. American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands, United States Virgin Islands, Pitcairn, St. Helena and Trust Territory of the Pacific Islands

The Special Committee granted a number of requests for hearing and heard four petitioners: two concerning the United States Virgin Islands and one each concerning Guam and the Trust Territory of the Pacific Islands:

<u>United States Virgin Islands</u>	<u>Meeting at which petitioner was heard</u>
Ms. Judith L. Bourne, on behalf of the Save Long Bay Coalition, Inc.	1387th
Ms. Aurelia Rashid, on behalf of Virgin Islands 2000	1387th
<u>Guam</u>	
Mr. Ron Rivera, on behalf of the Organization of People for Indigenous Rights	1387th
<u>Trust Territory of the Pacific Islands</u>	
Mr. J.A. González-González	1387th

The representative of the Governor of the United States Virgin Islands participated in the work of the Special Committee in its consideration of that Territory.

On the basis of a recommendation of the Subcommittee on Small Territories, the Special Committee adopted an omnibus resolution.^{7/}

In the preamble to the general section, the Special Committee recalled previous resolutions, particularly resolutions 1514 (XV) and 1541 (XV), and reiterated that it was conscious of the need to ensure the full and speedy implementation of the Declaration in view of the target set by the United Nations to eradicate colonialism by the year 2000.

In the operative part of the general section (resolution A), the Committee reiterated the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of the Territories of their inalienable right to self-determination. The administering Powers were urged to promote the economic and social development of the Territories and to preserve their cultural identity as well as to safeguard and guarantee the inalienable right of their peoples to own, develop or dispose of the natural resources of those Territories. The Committee also urged the administering Powers to take all necessary measures to protect and conserve the environment and to counter problems related to drug trafficking.

The Special Committee urged the administering Powers to cooperate or continue to cooperate with the Committee in its work by providing timely and up-to-date information in accordance with Article 73 e of the Charter and by facilitating the dispatch of visiting missions to the Territories to secure firsthand information thereon and to ascertain the wishes and aspirations of the inhabitants; and appealed to the administering Powers to continue or to resume their participation in its work and to ensure the participation of representatives of the Non-Self-Governing Territories in the Committee's work.

The resolutions on each individual Territory dealt with unique aspects.

As regards Pitcairn, St. Helena and the Trust Territory of the Pacific Islands, the Special Committee adopted separate decisions on the basis of reports by the Subcommittee on Small Territories.^{8/} In respect of the Trust Territory of the Pacific Islands, the Committee took note of the adoption by the Security Council of resolution 683 (1990) of 22 December 1990, by which it determined, in the light of the entry into force of the new status agreements for the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, that the objectives of the Trusteeship Agreement had been fully attained and that the applicability of the Trusteeship Agreement had terminated with respect to those entities. The Committee also took note of the assurances of the Administering Authority that it was prepared to assist the Government of Palau, at its request, in any appropriate endeavour leading to the final

determination of a political status for Palau, in accordance with the free choice of its people, in strict conformity with the Charter and the Declaration.

D. Question of sending visiting missions to Territories

The Special Committee has always attached great importance to securing firsthand information on the political, economic and social conditions in the Non-Self-Governing Territories as well as to learning the views and aspirations of their inhabitants.

In 1991, by a resolution adopted by consensus on 9 August,^{9/} the Special Committee stressed the need to dispatch periodic visiting missions to colonial Territories in order to facilitate the full, speedy and effective implementation of the Declaration; called upon the administering Powers to cooperate or continue to cooperate with the United Nations by receiving visiting missions in the Territories under their administration; and continued to call upon those administering Powers that were not participating in the work of the Special Committee to reconsider their decisions and to take an active part in the work of the Committee.

E. Question of the list of Territories to which the Declaration is applicable

In continuing its review of the list of Territories to which the Declaration is applicable, the Special Committee considered its decision of 15 August 1990 concerning Puerto Rico. The Committee had before it the report of its Rapporteur,^{10/} in which he had drawn attention to related reports ^{11/} and a study on Puerto Rico.^{12/}

The Special Committee heard the statements of representatives of 55 organizations and on 15 August 1991 it adopted by a roll-call vote of 9 to 1, with 10 abstentions, a resolution ^{13/} submitted by the delegation of Venezuela on the question. The voting was as follows:

In favour: Chile, Cuba, Iran (Islamic Republic of), Iraq, Russian Federation, Syrian Arab Republic, Trinidad and Tobago, United Republic of Tanzania, Venezuela.

Against: Norway.

Abstaining: Afghanistan, Bulgaria, Côte d'Ivoire, Czechoslovakia, Fiji, India, Indonesia, Mali, Tunisia, Yugoslavia.

By the above-mentioned resolution, the Special Committee reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence, in conformity with General Assembly resolution 1514 (XV), and the application of the fundamental principles of that resolution with respect to Puerto Rico. The Committee trusted that the United States Congress would adopt as soon as possible the legal framework to enable the people of Puerto Rico to exercise their right to self-determination, through popular consultations, in accordance with the principles and practice of the United Nations. The Committee requested the Rapporteur to report on the implementation of its resolutions concerning Puerto Rico and decided to keep the question under continuing review.

F. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

The Special Committee had before it working papers prepared by the Secretariat on economic conditions in Anguilla, the Cayman Islands, Montserrat and Bermuda ^{14/} with particular reference to foreign economic activities. The Committee granted one request for hearing.

Upon conclusion of the general debate on the item, the Committee adopted by 20 votes to none, with 4 abstentions, a resolution that it recommended for adoption by the General Assembly.^{15/}

By that resolution, the Special Committee reaffirmed its concern over the activities of those foreign economic, financial and other interests which continued to exploit, to the detriment of the people, the human and natural resources that were the heritage of the indigenous populations of the colonial and Non-Self-Governing Territories in the Caribbean, the Pacific and other regions, thus impeding the realization by those peoples of their legitimate aspirations for self-determination and independence.

The Special Committee condemned the collaboration of certain countries, in particular Israel, with the racist minority regime of South Africa in the nuclear field and called upon all States to take measures to terminate all collaboration with that regime.

The Special Committee decided to continue to monitor closely the situation in the colonial and Non-Self-Governing Territories to ensure that all economic activities there were aimed at strengthening and diversifying their economies and at promoting

their economic and financial viability. The Committee requested the administering Powers to take all necessary steps to protect the property rights of the peoples of the colonial and Non-Self-Governing Territories.

G. Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

In its decision on this question,^{16/} adopted by 20 votes to none, with 4 abstentions, the Special Committee reiterated its condemnation of all military activities and arrangements by colonial Powers in Territories under their administration that might run counter to the rights and interests of the colonial peoples concerned, especially their right to self-determination and independence; once again called upon the administering Powers concerned to terminate military activities and eliminate military bases in the Territories under their administration; and deplored the continued alienation of land in the small island Territories of the Pacific and Caribbean regions for military installations which could adversely affect the economic development of the Territories concerned.

H. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

As in previous years, the Special Committee took into account the report of the Secretary-General on action taken by the organizations of the United Nations system;^{17/} the report of its Chairman on his consultations with the President of the Economic and Social Council;^{18/} and the report of its Subcommittee on Petitions, Information and Assistance relating to consultations held with the representatives of some specialized agencies.^{19/}

In its resolution, ^{20/} the Special Committee requested the specialized agencies and other organizations of the United Nations system, as well as international and regional organizations, to examine and review conditions in each Territory so that they might take appropriate measures to accelerate economic and social progress in those Territories, and to provide, through an inter-agency framework, the assistance necessary to alleviate the adverse conditions arising from the interplay of a combination of factors.

Once again, the Committee urged the executive heads of the World Bank and the International Monetary Fund to draw the attention of their governing bodies to the resolution and to consider introducing flexible procedures to prepare specific programmes for the peoples of the colonial Territories.

I. Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

In its consideration of information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter, the Special Committee reaffirmed that in the absence of a decision by the General Assembly itself that a Non-Self-Governing Territory had attained a full measure of self-government in terms of Chapter XI of the Charter of the United Nations, the administering Power concerned should continue to transmit information under Article 73 e with respect to that Territory. The Committee requested administering Powers to transmit or to continue to transmit the information called for in Article 73 e, as well as the fullest possible information on political and constitutional developments in the Territories concerned, within six months after the end of the administrative year in the Territory to permit the timely preparation by the Secretariat of the working papers on the Territories concerned. The Committee also requested the Secretary-General to continue to ensure that adequate information was drawn from all available published sources in connection with the preparation of the working papers.

J. Other matters

During the year, the Special Committee maintained a close working relationship with the other United Nations bodies that had related interests, in particular the Special Committee against Apartheid, the Committee on the Exercise of the Inalienable Rights of the Palestinian People and the Committee on the Elimination of Racial Discrimination. The Special Committee followed closely the work of those bodies as it concerned colonial issues and, in its consideration of the various items on its agenda, took into account the relevant decisions that they adopted. The Committee drew the attention of the Security Council to developments relating to the Trust Territory of the Pacific Islands, as well as to developments concerning military activities and arrangements by colonial Powers in Territories under their administration.