

The President, speaking in his capacity as the representative of the USSR, noted his Government's regret that the two previous resolutions 377 (1975) and 379 (1975) had not been implemented. He thanked the Secretary-General for his efforts to keep the Security-Council informed of the situation and reiterated his Government's position which advocated the decolonization of Western Sahara and the achievement of the right of the peoples of the Territory to determine their future in accordance with the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples.⁹⁷⁷

THE SITUATION IN TIMOR

Decision of 22 December 1975 (1869th meeting): resolution 384 (1975)

By letter dated 7 December 1975⁹⁷⁸ the representative of Portugal informed the President of the Security Council that the Republic of Indonesia had launched an offensive action against the Territory of Portuguese Timor on 7 December 1975. This intervention served to inhibit the exercise of the right to self-determination, freedom and independence by the people of Timor. Under these circumstances Portugal could neither restore the peace in Timor nor ensure that the process of decolonization would be accomplished through peaceful and negotiated means, in accordance with the Charter of the United Nations. The representative of Portugal requested an urgent meeting of the Council so that the aggression by Indonesia might be terminated and the peaceful process of decolonization in Timor might be continued.

At its 1864th meeting on 15 December 1975, the Council included the item in its agenda and considered it at its 1864th, 1865th and 1867th to 1869th meetings from 15 to 22 December 1975. During the consideration of the item, the representatives of Australia, Guinea, Guinea-Bissau, Indonesia, Malaysia and Portugal were invited, at their request, to participate without vote in the discussions of the item on the agenda.⁹⁷⁹ At the 1864th meeting, the following persons were invited: Mr. Jose R. Horta, Mr. Abilio Araujo, Mr. Guilherme Maria Gonçalves, Mr. Mario Carrascalão and Mr. Jose Maretins⁹⁸⁰ in accordance with rule 39 of the provisional rules of procedure.

At the 1864th meeting the President drew the attention of the Council to the letter dated 12 December 1975 from the Secretary-General informing the Security Council that the General Assembly had adopted resolution 3845 (XXX) on 12 December.⁹⁸¹ Under paragraph 6 of this resolution, the Assembly drew the attention of the Security Council to the critical situation in the territory of Portuguese Timor and recommended that

the Council take urgent action to protect the territorial integrity of Portuguese Timor and the right of its people to self-determination.⁹⁸²

The representative of Portugal gave an account of the process of decolonization of Timor and of the events which had led to the 7 December attack by Indonesia. He noted the claim by the Foreign Minister of Indonesia that his country had invaded Timor at the request of the Unias Democratica de Timor (UDT) and that Indonesian troops would be withdrawn as soon as peace was restored.

Portugal viewed this aggression as a blatant violation of the Charter, in particular of Article 2, paragraphs 3 and 4. If a threat to the peace and security of Indonesia had existed, it should have been brought to the attention of the Council in accordance with Article 35 of the Charter. The Government of Portugal failed to understand why the Indonesian Government did not use peaceful means to resolve a perceived threat to its peace and security, as provided for in Article 33 of the Charter and considered Indonesia's action as an act of aggression falling under the provisions of Article 39 of the Charter. Indonesia's aim was not to conquer Timor militarily, but to create conditions which would lead to the merger of the two territories. The withdrawal of Indonesian troops would therefore not be sufficient; it would also be necessary to restore to the people of Timor their right to self-determination. The representative maintained that both Portugal and the United Nations were duty-bound to create such conditions. The Government of Portugal therefore called for the cessation of hostilities and the withdrawal of all occupation forces and suggested that the good offices of the Secretary-General be utilized to help bring about conditions in which the people of Timor could freely determine their future.⁹⁸¹

The representative of Indonesia emphasized his country's geographic, ethnic and cultural ties to Portuguese Timor and reviewed the background of events leading to the current situation. Fighting had broken out on 11 August between the UDT and FRETILIN creating numerous problems for Indonesia; refugees fled to Indonesian Timor and FRETILIN terrorized people who had supported integration with Indonesia. The Government of Indonesia had come under increasing pressure to protect these people, especially since those who advocated integration considered themselves to be Indonesian nationals, and thus entitled to protection from Indonesia. In addition, armed bands had infiltrated Indonesia to steal cattle, food and property and Indonesian territory was occasionally hit by mortar fire from the other side. On 28 November, FRETILIN unilaterally declared independence, prompting the four other political parties, APODETI, UDT, KOTA and TRABALHISTA to declare the integration of East Timor into Indonesia. Fighting broke out and Indonesia took military action to re-establish order in the territory

⁹⁷⁷ 1854th mtg., paras. 120-123

⁹⁷⁸ S/11899, *OR*, 30th yr., *Suppl. for Oct.-Dec. 1975*, pp. 53-54

⁹⁷⁹ For details, see chapter III

⁹⁸⁰ 1864th mtg., para. 4. For further details, see chapter III

⁹⁸¹ *Ibid.*, para. 5. The letter was issued in document S/11909

⁹⁸² Resolution 3485 (XXX), para. 6. The Assembly invoked Article 11, para. 3, of the Charter in drawing the attention of the Council to this situation

⁹⁸³ 1864th mtg., paras. 8-64

and prevent any intervention by outside powers. The representative emphasized that Indonesia was prepared to work with the United Nations and countries in the region to restore peace in the area and enable the people of East Timor to exercise their right to self-determination.⁹⁸⁴

Mr. Horta described the events leading up to the 28 November declaration of independence by FRETILIN and pointed out that the declaration was merely a formal act which legalized a *de facto* situation which had existed for three months. He maintained that the subsequent declaration by the anti-Communist movement, calling for the integration of East Timor into Indonesia, was made in Indonesia. Indonesia's calls for unification based on a common culture and ethnic origin were not sufficient reasons for integration; the common tie was, in fact, many centuries remote from the present. Indonesia's claim that the situation in East Timor, a country of 650,000 people, had represented a threat which warranted military intervention was also questionable. Mr. Horta called on the Security Council to condemn Indonesia's aggression, demand its complete withdrawal from the national territory of East Timor, and send a fact-finding mission to evaluate the situation in East Timor and enforce the decisions of the Security Council. He also declared that the Government of the Democratic Republic of East Timor was willing to hold talks with the Government of Indonesia.⁹⁸⁵

The representative of Malaysia reviewed the events in East Timor and called on the Security Council to hold Portugal responsible for the existing situation in Portuguese Timor. He also suggested that the assistance of countries in the region be employed to discharge the responsibilities of the administering Power, that a United Nations mission be sent to the territory to assess the situation and make appropriate recommendations and that the people of Portuguese Timor be allowed to exercise their right to self-determination.⁹⁸⁶

At the 1865th meeting the representative of China condemned the armed aggression by Indonesia and stated that the pretexts used to invade East Timor reflected clichés used by aggressors throughout history. The tacit acceptance of such pretexts by the Security Council would mean the weakening of the principles of the United Nations. Indonesia and the Democratic Republic of East Timor should establish good relations based on the five principles of peaceful coexistence and join forces to prevent super-Power meddling in the region. Because of Indonesia's persistence in pursuing acts of aggression, however, he called on the Security Council to condemn strongly Indonesia's invasion and annexation of Timor and requested that the Security Council call for the immediate and unconditional withdrawal of Indonesian troops from East Timor.⁹⁸⁷

Mr. Carrascalão explained that his group opted for integration with Indonesia because it felt that an

underdeveloped nation with an illiteracy rate of 93 per cent could not survive alone. He said that as soon as conditions had improved in the area, the people would be granted their right to self-determination with assistance from, and under the supervision of, the United Nations, and warned that if Indonesian troops were withdrawn at the present time, the situation would become more chaotic.⁹⁸⁸

The representative of Australia urged the Council to take practical steps to enable the people of Portuguese Timor to exercise their right to self-determination. The representative suggested that the United Nations assist in such arrangements. He recommended that the Secretary-General might appoint a special representative who could meet with the concerned parties and make further suggestions on action to be taken. The representative also noted that if security were quickly restored, it would perhaps be possible for 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 assume responsibility under its mandate from the General Assembly.⁹⁸⁹

At the 1867th meeting, the representative of the United Republic of Tanzania condemned Indonesia's invasion of East Timor and indicated that its reasons for the invasion were not credible. The Charter did not give any country the right to assume responsibility for an administering Power which had failed in its functions. Indonesia should be required to withdraw all its forces and Portugal should play a more positive and responsible role in East Timor. The representative also drew the attention of the Council to the fact that in accordance with the principles of the United Nations the modalities for the decolonization of Timor remained in the purview of the General Assembly.⁹⁹⁰

The representative of the USSR reaffirmed his Government's support for the principles of self-determination and called upon Indonesia to withdraw its troops from East Timor. He stated that the people of Timor should decide, by themselves, how they would exercise their right to self-determination and that the Soviet delegation would support any constructive measure by the Security Council which was in accordance with the United Nations Declaration on decolonization and with resolution 3845 (XXX).⁹⁹¹

The representative of Japan proposed as necessary steps towards a solution agreement on a cease-fire and talks among the parties concerned. He also suggested that the Security Council might ask the Secretary-General to facilitate consultations among the parties. He urged the Council to issue a strong appeal to the parties to refrain from any action which would lead to a deterioration of the situation.⁹⁹²

⁹⁸⁴ *Ibid.*, paras 67-94

⁹⁸⁵ *Ibid.*, paras 96-137

⁹⁸⁶ *Ibid.*, paras 140-157

⁹⁸⁷ 1865th mtg., paras 3-9

⁹⁸⁸ *Ibid.*, paras 12-29

⁹⁸⁹ *Ibid.*, paras 97-106

⁹⁹⁰ 1867th mtg., paras 5-26

⁹⁹¹ *Ibid.*, paras 41-48

⁹⁹² *Ibid.*, paras 49-54

The representative of Portugal maintained that in view of the United Nations special obligation to Non-Self-Governing Territories, the Organization had the right to actively intervene in the situation in Timor. He explained that Portugal would be willing to take part in talks with the political parties representing the people of Timor and send naval and military forces to the area to ensure order and security during the process of decolonization. Portugal would be prepared to act in such a manner, however, only if the Indonesian forces were withdrawn from the Territory of Timor, if Indonesia stated formally that it would not commit any other acts of aggression against Timor and would not intervene in the Territory's affairs, and if the countries of the region, particularly Australia, guaranteed that Portugal would have the assistance and logistical facilities which it would require for such a programme. The representative proposed that the Secretary-General send a special representative to investigate the situation, propose appropriate measures, and verify the withdrawal of all Indonesian armed forces. Based on the representative's suggestions, Portugal and the Secretary-General would convene a conference involving the parties representing the people of Timor, with other States from the area participating as observers. In a second stage, after the withdrawal of Indonesian troops, and after the administrative structure had been determined, Portuguese troops, with the co-operation of the United Nations, would ensure that peace was preserved during the transition phase in preparation for self-determination. The representative added that if the Security Council preferred to send a multinational contingent of troops, Portugal would be prepared to participate, provided it assumed command of the force.⁹⁹³

At the 1868th meeting the representative of Indonesia, responding to criticism that an area as small as Timor could not present a threat to Indonesia, observed that any territory, no matter how small, could constitute a threat if it was torn by conflict, because it could open the way to confrontation involving interested big military powers outside the region. He reiterated his Government's support for self-determination and maintained that whatever role was to be delegated to Portugal, the matter should be decided through consultations between the United Nations and the people of the Territory.⁹⁹⁴

At the 1869th meeting, the draft resolution was put to the vote and adopted unanimously as resolution 384 (1975).⁹⁹⁵ The resolution reads as follows:

The Security Council,

Having noted the contents of the letter of the Permanent Representative of Portugal (S/11899),

Having heard the statements of the representatives of Portugal and Indonesia,

Having heard representatives of the people of East Timor,

Recognizing the inalienable right of the people of East Timor to self-determination and independence in accordance with the principles

of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Noting that General Assembly resolution 3485 (XXX) of 12 December 1975, *inter alia*, requested 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 send a fact-finding mission to East Timor,

Gravely concerned at the deterioration of the situation in East Timor,

Gravely concerned also at the loss of life and conscious of the urgent need to avoid further bloodshed in East Timor,

Deploping the intervention of the armed forces of Indonesia in East Timor,

Regretting that the Government of Portugal did not discharge fully its responsibilities as administering Power in the Territory under Chapter XI of the Charter,

1. *Calls upon* all States to respect the territorial integrity of East Timor as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV);

2. *Calls upon* the Government of Indonesia to withdraw without delay all its forces from the Territory;

3. *Calls upon* the Government of Portugal as administering Power to co-operate fully with the United Nations so as to enable the people of East Timor to exercise freely their right to self-determination;

4. *Urges* all States and other parties concerned to co-operate fully with the efforts of the United Nations to achieve a peaceful solution to the existing situation and to facilitate the decolonization of the Territory;

5. *Requests* the Secretary-General to send urgently a special representative to East Timor for the purpose of making an on-the-spot assessment of the existing situation and of establishing contact with all the parties in the Territory and all States concerned in order to ensure the implementation of the present resolution;

6. *Further requests* the Secretary-General to follow the implementation of the present resolution and, taking into account the report of his special representative, to submit recommendations to the Security Council as soon as possible;

7. *Decides* to remain seized of the situation.

Following the vote, the representative of China pointed out that while China voted for the resolution, it had some reservations; paragraphs 3 and 4 were ambiguous and not directly related to the question with which the Security Council was dealing and with regard to paragraph 5, it questioned the usefulness of sending a representative of the Secretary-General. The representative also noted his Government's position that the responsibility of the Secretary-General was only to supervise the withdrawal of Indonesian troops from East Timor.⁹⁹⁶

The representative of Portugal objected to the section of the resolution under which the Council regretted that "the Government of Portugal did not discharge fully its responsibilities as administering Power in the Territory under Chapter XI of the Charter". He observed that the statement did not refer to the circumstances and difficulties which would help explain Portugal's behaviour. The resolution should have referred to the difficulties created for Portugal by Indonesia's interference in Timor and to the fact that Portugal did all it could to carry out its mission in East Timor.⁹⁹⁷

⁹⁹³ 1867th mtg., paras. 56-67

⁹⁹⁴ 1868th mtg., paras. 4-19.

⁹⁹⁵ 1869th mtg., para. 12.

⁹⁹⁶ *Ibid.*, paras. 14 and 15.

⁹⁹⁷ *Ibid.*, paras. 136-141.

Decision of 22 April 1976 (1914th meeting): resolution 389 (1976)

In accordance with resolution 384 (1975) the Secretary-General submitted a report to the Security Council on the situation in Timor. The Secretary-General noted that the parties to the conflict had expressed their readiness to continue consultations with the Special Representative and suggested that the consultations be preserved with the understanding that developments would be reported to the Security Council. The Secretary-General's report included the report by the Special Representative. In his report the Special Representative observed that it was difficult for him accurately to assess the situation in Timor because of difficulties he had encountered in reaching certain areas. He noted, however, that Indonesian flags were widely displayed and that Indonesia considered its personnel in East Timor to be volunteers whose presence had originally been requested by APODETI, UDT, KOTA and TRABALHISTA and, later, by the "Provisional Government of East Timor"; the volunteers would be withdrawn only at the request of the "Provisional Government of East Timor". The Special Representative reviewed the positions of the relevant parties as follows: the "Government of the Democratic Republic of East Timor" wanted a referendum allowing a choice between integration with Indonesia or independence under FRETILIN; Portugal, though in favour of a referendum, felt that the people of East Timor should decide on the procedure and supported a choice of integration with Indonesia or independence in consultation with all political parties in the Territory; the "Provisional Government" in Dili proposed that a People's Representative Council should either ratify complete integration with Indonesia or formulate other suggestions for the future political structure of East Timor; the Government of Indonesia proposed that the people of East Timor should determine for themselves the future of their territory and that the decision by the "Provisional Government" for integration with Indonesia should be ratified by the people of East Timor.¹⁰⁰⁰

At its 1908th meeting on 12 April 1976, the Security Council included the Secretary-General's report in its agenda and considered the item during its 1908th to 1915th meetings between 12 April and 22 April 1976. During these meetings the Council invited the representatives of Australia, Guinea, Guinea-Bissau, Indonesia, Malaysia, Mozambique, the Philippines, Portugal and Saudi Arabia, at their request, to participate, without vote, in the discussion of the item on the agenda.¹⁰⁰¹ Under rule 39 of the provisional rules of procedure the Council also decided to extend invitations to Mr. Guilherme Maria Gonçalves, Mr. Mario Carrascalão, Mr. Jose Gonçalves, Mr. Joao Pedro Soares, Mr. Jose Ramos Horta, Mr. Ken Fry and Mr. K. M. Syddell.¹⁰⁰²

At its 1908th meeting, Mr. Horta stated that the people of East Timor had proclaimed their independence and that any suggestion by the United Nations

that Portugal was still the "administering Power" was a blatant contradiction of all United Nations principles. He referred to his letter dated 28 November 1975 to the Secretary-General, which stated that East Timor could not pursue its self-determination until Indonesian troops had been withdrawn. The United Nations thus had two alternatives: recognize the legitimate struggle of the people of East Timor under the leadership of FRETILIN, or legalize Indonesia's aggression against East Timor. He had observed in his letter that Indonesia had not complied with the Security Council resolution and that economic sanctions should therefore be applied. Mr. Horta indicated that his Government was willing to co-operate fully with the United Nations in order to find a just solution to the war in East Timor.¹⁰⁰⁰

The representative of Portugal deplored the fact that the Special Representative of the Secretary-General had been unable to make a complete study of the situation and establish direct contact with the leaders of FRETILIN in the Territory. He noted that the Provisional Government of East Timor, which, according to Indonesia, had invited the Indonesian troops, was not recognized by the United Nations or by the administering Power of the Territory, and could, therefore, not claim any legitimacy for requesting intervention by foreign troops. The representative called for a cease-fire and for increased participation by the United Nations in the process of decolonization in Timor. He suggested that the mandate given by the Council to the Secretary-General, be extended and indicated that his Government would view favourably the convening of a conference, under United Nations auspices, in which all interested parties would participate. The conference could seek to reach agreement on the withdrawal of Indonesian forces and the simultaneous establishment of a cease-fire; it could also discuss the forms and conditions under which self-determination would be exercised, and the establishment of a civilian and military administration for the Territory which would operate during the interim between the withdrawal of Indonesian forces and the effective exercise of the right to self-determination by the people of Timor. The representative also suggested that the Special Committee participate actively in the Timor case.¹⁰⁰¹

At the 1909th meeting the representative of Indonesia restated his Government's view that the solution to the question of East Timor must be based on the wishes of the people of the Territory. He noted also that the Territory was returning to normal and that Indonesian volunteers were assisting the Provisional Government of East Timor in the rehabilitation of the country. The armed volunteers were allowed to return to their place of origin by the Provisional Government of East Timor and their withdrawal had begun in February 1976.¹⁰⁰²

Mr. Fry noted several points which he had observed during two visits in Timor. He stated that there had been a serious and persistent misperception as to the strength of support for FRETILIN, and the strong

¹⁰⁰⁰ S/12011, *OR, 31st yr., Suppl. for Jan.-March 1976*, p. 119-121

¹⁰⁰¹ For details, see chapter III

¹⁰⁰⁰ 1908th mtg., paras. 13-75

¹⁰⁰¹ *Ibid.*, paras. 78-107

¹⁰⁰² 1909th mtg., paras. 5-26

desire on the part of the majority for independence. This misperception had led to errors in judgement by Indonesia, UDT and APODETI. He pointed out that the civil war in Timor was started by UDT and some APODETI supporters—not by FRETILIN—and that there was no civil war after mid-September 1975 when Indonesian forces began their aggression. The Provisional Government of East Timor did not represent the will of the majority of the people of East Timor. Mr. Fry called for the withdrawal of the Indonesian forces and suggested that the Council set up an alternate administration representing the three main parties which would function before democratic elections took place.¹⁰⁰³

At the 1910th meeting the representative of Japan expressed his delegation's support for the Secretary-General's recommendation and listed several objectives which the Security Council should pursue in its efforts to bring about peace in Timor. The Security Council ought to reaffirm the right of East Timor to self-determination in accordance with General Assembly resolution 1514 (XV) and continue its efforts to restore peace in East Timor. The Government of Indonesia should be called upon to withdraw its remaining forces from the Territory. He indicated his Government's support for the renewal of the Secretary-General's mandate and noted that a solution might be achieved more quickly if talks were established among the concerned parties.¹⁰⁰⁴

At the 1913th meeting, the President drew the attention of the Council to a draft resolution sponsored by Guyana and the United Republic of Tanzania.¹⁰⁰⁵

The representative of Guyana called for the complete withdrawal of Indonesian troops from the territory, without precondition, and introduced the draft resolution which his delegation co-sponsored together with the United Republic of Tanzania.¹⁰⁰⁶

At the 1914th meeting, the President drew the attention of the Council to an amendment to the draft resolution which was sponsored by Japan.¹⁰⁰⁷

The representative of Japan stressed that the main objective of the resolution would be to secure the continued implementation of Security Council resolution 384 (1975) by the Government of Indonesia. He urged the Council to take into consideration the Indonesian assertion that some of its forces had already been withdrawn and suggested that to reflect such recognition paragraph 2 of the draft resolution be amended to state "its remaining forces" rather than "its forces".¹⁰⁰⁸

The representative of Benin contended that the Indonesian troops had not been withdrawn from Timor in

accordance with General Assembly resolution 3485 (XXX) of 12 December 1975. He questioned the usefulness of continuing the efforts of the Special Representative and noted that the mission should not be renewed unless the Indonesian forces were withdrawn from East Timor. The representative indicated that his delegation would not participate in the vote for the draft resolution since it only represented a watered-down formula.¹⁰⁰⁹

The draft resolution and the amendment were then put to the vote. The amendment was rejected by 8 votes in favour and 1 against, with 5 abstentions.

The draft resolution was adopted by 12 votes in favour and none against, with 2 abstentions. One member did not participate in the voting.¹⁰¹⁰ The resolution reads as follows:

The Security Council,

Recalling its resolution 384 (1975) of 22 December 1975,

Having considered the report of the Secretary-General of 12 March 1976,

Having heard the statements of the representatives of Portugal and Indonesia,

Having heard the statements of representatives of the people of East Timor,

Reaffirming the inalienable right of the people of East Timor to self-determination and independence in accordance with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Believing that all efforts should be made to create conditions that will enable the people of East Timor to exercise freely their right to self-determination,

Noting that the question of East Timor is before the General Assembly,

Conscious of the urgent need to bring to an end the continued situation of tension in East Timor,

Taking note of the statement by the representative of Indonesia,

1. *Calls upon* all States to respect the territorial integrity of East Timor, as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV);

2. *Calls upon* the Government of Indonesia to withdraw without further delay all its forces from the Territory;

3. *Requests* the Secretary-General to have his Special Representative continue the assignment entrusted to him under paragraph 5 of Security Council resolution 384 (1975) and pursue consultations with the parties concerned;

4. *Further requests* the Secretary-General to follow the implementation of the present resolution and submit a report to the Security Council as soon as possible;

5. *Calls upon* all States and other parties concerned to co-operate fully with the United Nations to achieve a peaceful solution to the existing situation and to facilitate the decolonization of the Territory;

6. *Decides* to remain seized of the situation.

At the 1915th meeting the representative of France expressed his delegation's regret that the amendment to the draft resolution had been rejected and stated that a recognition of steps already taken by Indonesia would have served to encourage that country to continue in its course in accordance with the commitments made by its

¹⁰⁰³ 1909th mtg., paras. 58-84.

¹⁰⁰⁴ 1910th mtg., paras. 21-31.

¹⁰⁰⁵ 1913th mtg., para. 2. The draft resolution (S/12056) was subsequently adopted as resolution 389 (1976).

¹⁰⁰⁶ *Ibid.*, paras. 4-13. At the 1914th meeting, following the adoption of the resolution, the representative of Panama asked that his delegation be added as co-sponsors of the draft (1914th mtg., para. 50).

¹⁰⁰⁷ 1914th mtg., para. 2. The amendment (S/12057) was subsequently voted on and not adopted.

¹⁰⁰⁸ *Ibid.*, paras. 12-16.

¹⁰⁰⁹ *Ibid.*, paras. 18-31.

¹⁰¹⁰ For the two votes see *ibid.*, paras. 41 and 42. The draft resolution was adopted as resolution 389 (1976).

representatives. He also observed that the resolution just adopted was a substantial improvement over resolution 3485 (XXX) which the General Assembly had adopted ten days earlier. The Council resolution took into account the various points of view, rather than placing responsibility for the situation on one party only.¹⁰¹¹

The representative of the USSR stated that the political situation in Timor was complicated by the presence of foreign troops in violation of General Assembly and Security Council resolutions. He suggested that the Special Representative be asked to produce a second report which would clearly describe the situation and indicate the opinions of the various groups. Although the Soviet Union voted for the draft resolution because it was in accordance with previous decisions adopted by the United Nations, the Soviet delegation would have preferred a less ambiguous resolution.¹⁰¹²

The representative of the United Kingdom noted his regret that the Japanese amendment was not adopted, and emphasized that its rejection did not cast any doubt on the statements by the representative of Indonesia regarding the withdrawal of some Indonesian forces. But he pointed out that his Government could not agree with the claims put forth during the debate that self-determination had already taken place in Timor. Self-determination would require that there be peace in the area without external pressures and that procedures suited to the local circumstances be implemented.¹⁰¹³

The representative of the United States also regretted that the amendment submitted by Japan had not been adopted. In the view of the United States, a resolution could be used only for two purposes—to encourage co-operation or to extend the mandate of the Secretary-General. The resolution worked against the spirit of co-operation and was not necessary for the extension of the mandate since the continuation of the efforts by the Secretary-General and the Special Representative was advisable in any event. The representative emphasized, however, that his delegation's abstention did not indicate a weakening of support for the self-determination of the people of East Timor.¹⁰¹⁴

The President, acting in his capacity as representative of China, observed that the Special Representative was unable to get a total and clear picture of the situation because of obstacles which had been placed by the Indonesian authorities. The Council should have condemned Indonesia's refusal to implement the relevant resolutions of the General Assembly and Security Council and should have demanded that Indonesia respect the independence and territorial integrity of the people of East Timor; that it cease its air and naval blockade and military operations against the Territory and that it withdraw all its forces. With regard to paragraphs 3 and 4 of the resolution he reiterated his delegation's position that the responsibility of the Secretary-General was only to supervise Indonesia's military

withdrawal from East Timor and that the internal problems of East Timor were to be solved by the people themselves.¹⁰¹⁵

In a note issued on 21 June,¹⁰¹⁶ the President of the Council circulated the text of an invitation received on 10 June from the Government of Indonesia for the Security Council to visit East Timor concurrently with a mission of the Indonesian Government commencing on 24 June. The note stated that after holding consultations with the members of the Council, the President had replied to the representative of Indonesia that in view of its resolutions on the issue, the Council had concluded that it was unable to accept the invitation.

In accordance with the request of the Security Council in paragraph 4 of resolution 389 (1976), the Secretary-General submitted to the Council on 22 June 1976 a report¹⁰¹⁷ concerning the continuing assignment of his Special Representative and transmitted the second report on the contacts made by the Special Representative with the parties concerned.

The Special Representative described the consultations he had held with representatives of the Governments of Indonesia and Portugal, as well as of the "Provisional Government of East Timor". He had been unable to arrange a meeting with representatives of FRETILIN but had received various communications on behalf of the "Government of the Democratic Republic of East Timor". In view of the fact that his mandate derived from the resolutions of the Security Council, it had been decided that it would not have been appropriate for the Special Representative to respond to the invitations received from the Government of Indonesia to visit East Timor on 24 June, concurrent with the mission to be sent there by the Indonesian Government. Under the circumstances outlined in his report, the Special Representative concluded that it had not been possible to assess accurately the prevailing situation in East Timor, particularly with regard to the implementation of resolutions 384 (1975) and 389 (1976).

LETTER DATED 12 DECEMBER 1975 FROM THE PERMANENT REPRESENTATIVE OF ICELAND TO THE UNITED NATIONS

By letter¹⁰¹⁸ dated 12 December 1975 addressed to the President of the Security Council the representative of Iceland requested an urgent meeting of the Security Council in connection with an attack by British vessels on an Icelandic coastguard vessel. He stated that this attack constituted a flagrant violation of Iceland's sovereignty and endangered peace and security.

By a previous letter¹⁰¹⁹ dated 11 December 1975 addressed to the President of the Security Council the representative of Iceland charged the United Kingdom with deployment of its naval units in Icelandic waters

¹⁰¹¹ 1915th mtg., paras. 15-17.

¹⁰¹² *Ibid.*, paras. 19-27.

¹⁰¹³ *Ibid.*, paras. 28-32.

¹⁰¹⁴ *Ibid.*, paras. 41-43.

¹⁰¹⁵ *Ibid.*, paras. 45-50.

¹⁰¹⁶ S/12104, *OR*, 31st yr., *Suppl. for April-June 1976*, pp. 65-66.

¹⁰¹⁷ S/12106, *ibid.*, pp. 66-68.

¹⁰¹⁸ S/11907, *OR*, 30th yr., *Suppl. for Oct.-Dec. 1975*, p. 65.

¹⁰¹⁹ S/11905, *ibid.*, pp. 64, 65.