

Agenda Item 19

IMPLEMENTATION OF THE DECLARATION ON THE  
GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Mr. President,

While my delegation incontestably supports the spirit behind Resolution L.20, that the exercise of the right to self-determination should be available to all, we regret that the resolution contains questionable assumptions and assertions, and propositions which are not acceptable.

In particular, Mr. President, we have reservations ~~inter alia~~ regarding operative paragraph 10 <sup>inter alia</sup> which is based on an invalid assumption, already rejected by the 4th Committee, that the presence of military bases necessarily constitutes an impediment to the exercise of self-determination.

Accordingly, Mr. President, my delegation will abstain on Resolution L.20.

However, my delegation was gratified to hear <sup>you, Mr. President</sup> ~~the~~ ~~Chairman~~ state that the adoption of this resolution in no way constitutes a decision to inscribe the so-called question of Puerto Rico on the agenda of UNGA 37 as proposed in Paragraph 87 of the report of the Special Committee. This proposition was put to the Committee in the full knowledge that the people of Puerto Rico have already exercised their right to self-determination. We note from the Committee's

report that only ten members out of the twenty-five on the Committee supported the resolution. Should such a resolution have been put before the General Assembly, my delegation would have opposed it on the grounds that it is a violation of Article 2 (7) of the Charter.

Statement in Fourth Committee by J. Alan Beesley November 12, 1981

Item 94 - Explanation of Vote

I should like to make a few observations about Resolution A/C4/36/L4 in explanation of vote.

The government and people of Canada share the abhorrence of apartheid expressed by so many previous speakers, as has been made clear by Canada on many occasions and in many ways. It is well known that Canada is actively participating in the efforts to reach an internationally acceptable settlement in Namibia.

It is all the more unfortunate that a resolution directed towards the situation in Namibia contains a number of principles and propositions with which my delegation disagrees and, as a consequence, must vote against.

Of fundamental importance to my delegation is the issue of the extraterritorial application of domestic, economic and commercial law. One of the basic tenets of multilateral consideration of international trade and investment standards is that home governments of transnational corporations may not exercise their national laws in an extraterritorial manner. This is one of the fundamental principles adopted by the Group of 77 in deliberations of the U.N. Commission on transnational corporations. It is a principle firmly supported by Canada as a major host country of foreign transnationals. Operative paragraph 11 is in contradiction to this position. Accordingly, my delegation cannot subscribe to it.

Neither is my delegation able to accept the proposition in operative paragraph four which indiscriminately condemns all activities of foreign economic interests in the colonial territories. Indeed, these propositions are themselves disclaimed in operative paragraph seven which speaks of some of the positive aspects of such economic activity.

My delegation is also somewhat disappointed that the level of rhetoric in this year's resolution surpasses that of last year. Once again, its broad scope and generalizations detract from its serious intent. As in the past, Mr. Chairman, we urge the drafters of the reports on which this resolution is based, and the co-sponsors of the resolution itself, to give careful consideration in the future to focussing the work under this agenda item annually on specific aspects of the question, such as conditions of employment and access to training, in an effort to achieve practical results from these discussions. Mr. Chairman, surely this kind of approach to the work would be more likely to attract the attention and co-operation of the individuals, enterprises and governments concerned than does the present approach, and, in so doing, would have a better chance of contributing in a practical and positive fashion to improve the living conditions of so many South African people.

Mr. Chairman, we have made these remarks in an effort to contribute to the value and concrete results of the extensive effort which goes into the question before us. In closing, I should like to reiterate that while, for the reasons given, we cannot accept all the provisions of the resolution before us, Canada strongly supports the goals of economic and human justice in Southern Africa.