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Summary record of the 8th meeting

Held at Headquarters, New York, on Tuesday, 16 October 2018, at 10 a.m.

Chair: Mr. Kemayah, Sr. (Liberia)

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* Items which the Committee has decided to consider together.

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The meeting was called to order at 10 a.m.

Agenda item 59: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations
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1. **Mr. Shaddad** (Jordan) said that the number of people living under colonialism had fallen from 750 million in 1945 to less than two million in 2018 thanks to the efforts of the United Nations. However, decolonization remained unfinished business and so must remain a priority, and in the process the particularities of each Non-Self-Governing Territory must be taken into consideration.

2. The right to self-determination was an inalienable right of all peoples, including the Palestinian people. All United Nations resolutions without exception recognized the Palestinian people's right to a future of peace, dignity and hope, which were the core of the two-State solution, the only path to comprehensive and lasting peace.

3. On the question of Western Sahara, Jordan welcomed the positive engagement by the Kingdom of Morocco in proposing its autonomy initiative as the basis for a political solution, as well as the economic and infrastructure programmes it had set up in the Sahara region. The autonomy initiative was serious, realistic and credible, was in keeping with international law, the Charter of the United Nations and Security Council resolutions, and took into account the specificities of the region as well as Moroccan sovereignty and the integrity of its national territory. Jordan also greatly valued the efforts of the Secretary-General and his Personal Envoy for Western Sahara to move the political process

forward towards a realistic and lasting solution to the question.

4. **Mr. Bai** (Fiji) said that, as a member of the Melanesian Spearhead Group, his country appreciated what the Committee, the administering Power and the United Nations had done to advance the now-imminent referendum on self-determination for New Caledonia. Such progress was a testament to how constructive dialogue and cooperation had helped bring about a lasting solution for the people of New Caledonia, despite the challenging road it had travelled. The referendum would signify an important achievement for both New Caledonia and the United Nations as a whole. Progress had been made through the Matignon Agreements and the Nouméa Accord, but while more remained to be done, the successful fulfilment of the Organization's mandate for the people of New Caledonia was clearly now within reach. Vigilance was nevertheless required: maintaining a peaceful dialogue between all parties involved in conducting the referendum was essential throughout that critical process, which required transparency, openness, impartiality and accountability if it was to lead to the new, secure New Caledonia that all desired.

5. **Mr. Ley De Araujo Mantilo** (Timor-Leste) said that subjecting peoples to alien subjugation and exploitation constituted a denial of their fundamental human rights and impeded the right to self-determination. The Committee had played a significant role in the realization of self-determination for his own people, which had obtained independence in 2002. The issue in Western Sahara was one of decolonization, and his delegation reiterated its strong support for that Territory's right to self-determination. The Frente POLISARIO, as recognized in General Assembly resolutions 34/37 and 35/19, was the legitimate representative of the people of Western Sahara. The Secretary-General's Personal Envoy had taken the initiative to convene a round-table meeting in Geneva in December 2018 between Algeria, Mauritania and Morocco, and his delegation welcomed the Frente POLISARIO's commitment to engage in the direct negotiations without preconditions. The role of the United Nations Mission for the Referendum in Western Sahara (MINURSO), as mandated by the Security Council, was crucial. The Security Council must therefore address the long-standing issues that impeded MINURSO from undertaking that role to facilitate a long-awaited and acceptable solution for the people of Western Sahara.

6. There had been limited progress regarding the 17 Non-Self-Governing Territories during the Third International Decade for the Eradication of Colonialism,

with almost 2 million people living in disputed Territories who were yet to exercise the right to determine their future. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (the Special Committee) must increase its efforts and continue to work closely with the administering Powers on a case-by-case basis to enable all Territories to achieve self-determination. In turn, the administering Powers must cooperate with the Special Committee to schedule visiting missions where appropriate, as they could serve as an important tool in decolonization.

7. The referendum scheduled for November 2018 would mark a milestone for the people of New Caledonia, and should be conducted with fairness, transparency, credibility and inclusivity. In French Polynesia, the dialogue between the administering Power and the parties concerned should continue, with a view to enabling that people to determine its future political status. On the question of the Falkland Islands or Malvinas Islands, Argentina and the United Kingdom should continue negotiations to find a peaceful and permanent solution in accordance with the relevant United Nations resolutions. In the case of Gibraltar, the United Kingdom and Spain should also continue their dialogue to resolve the question of Gibraltar definitively, in accordance with the United Nations resolutions on that issue.

8. **Mr. Smith** (Belize), reiterating his Government's support for the rights of the Sahrawi people, said that it was urgent for it to become master of its own country and resources. Despite resolution after resolution and the promise of a referendum 26 years earlier by the United Nations, it was shameful that nothing substantive had changed. Nevertheless, it was encouraging that some progress had been made towards re-starting negotiations between Morocco and the Frente POLISARIO. The Secretary-General's Personal Envoy for Western Sahara – after what must surely have been hard work – had managed to convene the round-table meeting soon to be held in Geneva between or with the two parties. Dialogue was the first step on the road to peace. He welcomed the trajectory of the United Nations-led process, to which the African Union had decided to extend its support by establishing the African Union Troika.

9. **Mr. Ousseïn** (Comoros) said that since its independence, his country had continuously faced problems that were a hindrance to its sustainable development, including coups d'état and separatist agitation. It supported the ongoing process for a negotiated political solution to the situation in Western

Sahara under the auspices of the Secretary-General and his Personal Envoy, as well as the application of Security Council resolution 2414 (2018) urging progress towards a realistic, practicable and enduring political solution. The round-table talks that would bring together Algeria, Morocco and Mauritania in December 2018 deserved encouragement, and were a source of hope.

10. The Comoros, given its own territorial disputes with France, fully supported the struggle by the Government of Morocco to safeguard its territorial integrity, as it did the Moroccan initiative to grant substantial autonomy to the local population of its Sahara region, the national investments in infrastructure for the socioeconomic development of the region, and the implementation of the human rights measures welcomed in Security Council resolution 2414 (2018). It was also imperative to conduct a census of the Saharan population in the Tindouf camps in compliance with international humanitarian law.

11. Resolving the Western Sahara dispute would help the countries of the Maghreb to rally their efforts to face major challenges such as extremist violence and crime, climate change, the issue of migration and the implementation of the Sustainable Development Goals, particularly poverty eradication, in order to help achieve the regional peace to which all aspired.

12. **Mr. Kafle** (Nepal) said that his country stood firmly against colonialism and in support of independence for the peoples under foreign rule. Colonization and foreign domination ran counter to the principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. The United Nations had been instrumental in the decolonization process, and while progress had been made, with the achievement of independence for many peoples, the Special Committee still had 17 Non-Self-Governing Territories on its agenda and should do all it could to expedite the process and complete its mandate. There were nearly 2 million people aspiring for independence and freedom who must not be left behind. Ending colonialism was a shared international responsibility, and the administering Powers must fully cooperate with the Special Committee in the pursuit of decolonization.

13. **Mr. Brou** (Côte d'Ivoire) said that the Third International Decade for the Eradication of Colonialism required all responsible for the dependent Territories to demonstrate their determination to take forward-looking approaches, appropriate to each situation, in order to make real progress. His Government endorsed the Moroccan autonomy initiative, which formed a basis for

negotiations, as well as the various socioeconomic development programmes organized by Morocco in Western Sahara. The adoption of Security Council resolution 2414 (2018) reaffirmed the process for achieving a negotiated and mutually acceptable political solution. The Secretary-General's Personal Envoy for Western Sahara should continue his efforts, through frank and regular discussions, to bring the different parties to the negotiating table to achieve a lasting political solution to that regional dispute. The willingness of Morocco to find such a solution had been demonstrated in its commitment to playing an active role in the round-table talks scheduled for December 2018. Such developments had given a new dynamism to the whole process. It was imperative that the negotiations lead to a just and lasting solution that was in accordance with the relevant Security Council resolutions and in the interests of all the peoples of the region. That would help to reinforce rapprochement and cooperation among the States of the Maghreb, thereby increasing their ability to face the numerous regional challenges successfully.

14. **Mr. Kapambwe** (Zambia) said that General Assembly resolution 1514 (XV) had provided a basis for his people to petition for independence from colonization by the United Kingdom. At the time, the Committee had embodied his own people's hope for justice and its right to self-determination and the dignity of self-governance, and the same hope was held by the 17 Non-Self-Governing Territories. As a beneficiary and product of the Declaration on decolonization, Zambia considered it its duty to support all colonial peoples striving for self-determination worldwide. Having therefore once hosted the liberation movements fighting against apartheid in Southern Africa, it now welcomed the meeting organized by the Secretary-General's Personal Envoy between the Frente POLISARIO and Morocco on the question of Western Sahara, and wished the parties successful deliberations.

15. The commitment to justice proclaimed in the United Nations was at odds with the fact that some Member States continued to hold people under colonial administration. There was a time when the Committee had had an impressive record in supporting the cause of self-determination for colonial peoples. However, decades had passed since a Non-Self-Governing Territory had been granted independence through the efforts of the United Nations. The Committee should be a forum in which ideals were matched with action, so that it could continue to be a beacon of hope for justice and the safeguarding of human rights for all colonial peoples around the world.

16. **Mr. Shava** (Zimbabwe) said that 58 years after the adoption of General Assembly resolution 1514 (XV) affirming that all peoples had the inalienable right to self-determination, it was disturbing that there were still 17 Non-Self-Governing Territories on the United Nations list. With only two years until the end of the Third International Decade for the Eradication of Colonialism, the administering Powers must take the necessary steps to facilitate self-determination for those peoples.

17. MINURSO had been deployed in Western Sahara in 1991 to organize a referendum, which had still not taken place. The Sahrawi children who had been born in refugee camps were already adults, and they were looking to the United Nations for help in the realization of self-determination. The revival of negotiations between Morocco and the Frente POLISARIO by the Secretary-General and his Personal Envoy, and the acceptance by the parties to attend the scheduled meeting without preconditions, was encouraging, as was the willingness of Algeria and Mauritania to participate as well. The parties must negotiate in good faith in order to reach a mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara. The African Union had for its part taken initiatives on Western Sahara, notably by establishing the mechanism comprising the African Union Troika, intended to support United Nations-led efforts. Recent rulings by the High Court of South Africa and the European Court of Justice confirming that Morocco had no claim over the Territory's resources were to be commended. The Security Council should renew the MINURSO mandate at the end of October 2018 and must insist that it hold an independent referendum for the Sahrawi people without delay, in accordance with the relevant decisions of the African Union and resolutions of the United Nations.

18. **Mr. Faati** (Gambia) said that the Kingdom of Morocco had taken constructive steps to ensure that the political process to resolve the regional dispute over Moroccan Sahara proceeded in a peaceful, timely manner and would lead to a lasting solution. Moreover, investments in infrastructure and socioeconomic projects in the Sahara region by the Moroccan Government were a clear demonstration of its efforts to ensure that the fruits of development were enjoyed throughout the region. The Gambia supported the ongoing political process launched by the Secretary-General in the Sahara and the efforts of his Personal Envoy to achieve a mutually acceptable political solution to the dispute, and also supported Security Council resolution 2414 (2018). The efforts of Morocco and the United Nations would of course yield positive

results only if neighbouring countries worked constructively to support the peace process, and the Secretary-General's Personal Envoy had done well to invite Algeria and Mauritania to the Geneva round-table talks, which Morocco had agreed to attend, as usual, in a positive spirit.

19. The Moroccan autonomy initiative was the viable solution to the question of the Sahara, because it took into consideration the desire of the local population for self-determination, and thus offered a realistic compromise that could contribute to the stability and security of the Sahel region. The other stakeholders should complement the efforts of Morocco to achieve peace for all concerned. The recent human rights achievements of Morocco and its efforts to maintain full cooperation with the Secretary-General's Personal Envoy and the Office of the United Nations High Commissioner for Human Rights were also commendable.

20. **Mr. Nguyen** (Viet Nam) said that 17 Non-Self-Governing Territories remained, with nearly 2 million people unable to enjoy their rights. International peace and stability could be fully achieved only once people were able to exercise their inalienable right to self-determination in accordance with the Charter of the United Nations. Decolonization, a fundamental goal of the United Nations, was also a prerequisite to realizing the 2030 Agenda for Sustainable Development, in terms of the promotion of human rights and the pursuit of socioeconomic advancement. Viet Nam strongly advocated the complete eradication of colonialism by the United Nations in the spirit of the Declaration on decolonization and General Assembly resolution [65/119](#). In that endeavour, the Organization should act according to the Charter and international law to remove any obstacles. The administering Powers should cooperate fully with the Special Committee to ensure that their activities did not negatively affect the legitimate interests of the peoples in the Non-Self-Governing Territories, but rather would promote their socioeconomic development, protecting their environment and assisting them in exercising their rights to self-determination, in line with the Charter and the relevant resolutions. Viet Nam reaffirmed its commitment to join other Member States in working with the Committee towards a successful outcome, to advance their shared goal of decolonization and self-determination.

21. **Mr. Sisilo** (Solomon Islands), recalling that he himself had been in the hall over 30 years earlier when the General Assembly had re-inscribed New Caledonia on the list of Non-Self-Governing Territories, said that at long last, thanks to the constructive, inclusive way in

which France and the people of New Caledonia had managed the process, a self-determination referendum was scheduled to be held in a matter of weeks. However, the failure to register certain Kanak voters for the referendum, owing to perceived difficulties in verifying their locations, was of particular concern, and should be resolved before 4 November 2018. On the question of French Polynesia, the administering Power and the competing political parties and groups in that Territory should be helped to engage in peaceful dialogue in determining its future status. The constructive engagement, on the other hand, between Tokelau and its administering Power, New Zealand, deserved full support. The ongoing political process in Western Sahara, held under the exclusive auspices of the Secretary-General and his Personal Envoy, aimed to achieve a mutually acceptable and negotiated political solution to that dispute, based on compromise, as called for in Security Council resolution [2414 \(2018\)](#) and all other Council resolutions since 2007.

22. **Mr. Umar** (Nigeria), reaffirming support for the Declaration on decolonization and the numerous General Assembly and Security Council resolutions pertaining to Non-Self-Governing Territories, said that his country stood with the peoples of Non-Self-Governing Territories, all of whom were entitled to self-determination. Any unresolved issues should be resolved promptly, for the need to achieve tangible results in the Third International Decade for the Eradication of Colonialism was urgent. The administering Powers and the peoples of the Territories should find peaceful means and paths towards the implementation of the Declaration on decolonization.

23. The lingering question of Western Sahara was of great concern to Nigeria, which supported the efforts being made by the African Union Troika to address it. His Government also supported the negotiation process initiated by the Security Council and the recent efforts of the Secretary-General and his Personal Envoy in conducting both formal and informal meetings on the issue. MINURSO as well should play a more assured role in organizing the mandated referendum. Resolution of the question of Western Sahara would strengthen the bonds of kinship within the African continent.

24. **Mr. Shingiro** (Burundi) said that the growing instability and lack of security in the Sahel and surrounding regions made tackling the long-standing conflict in Western Sahara a matter of urgency, especially because it was hindering the further integration of the Maghreb that had become all the more indispensable. The parties to the conflict should begin genuine negotiations, under the auspices of the Secretary-General, to work out a definitive political

solution. Since neither party could expect to have all its demands met, they should settle for a negotiated, mutually acceptable political solution, based on realism and a spirit of compromise, as recommended by the Security Council in resolution [2414 \(2018\)](#), which also called on the neighbouring States to contribute to the political process and increase their engagement in the negotiating process, and recognized that enhanced cooperation between the member States of the Arab Maghreb Union would contribute to stability and security in the Sahel region. Bilateral discussions must continue with the parties to develop the outlines of an acceptable compromise so that they could then reach a lasting settlement. Negotiation involved both human and political factors, and the Secretary-General should keep striving for improved relations between the two parties directly concerned.

25. The conflict in Western Sahara should be tackled as part of a broader regional strategy for the Sahel, the regional dimension being vital in any approach to the problem. Thus, the Personal Envoy should step up his contacts with other countries in the region and with subregional organizations, in order to promote ownership of the issue at the subregional level. He should also encourage the political and economic dynamic under way in the Sahara region. The visits by the Personal Envoy to the Sahara region with the cooperation of Morocco in June 2018, and the scheduled convening of the round-table meeting involving all parties concerned were positive measures, as were the recent achievements of Morocco in the sphere of human rights. The two parties directly concerned should work unceasingly towards resolving their dispute, availing themselves of the good offices of the Secretary-General.

26. **Mr. Condor** (Saint Kitts and Nevis) said that his nation understood the importance of respecting the desire for self-determination, having attained independence and the opportunity to steer the affairs of its own people. Meanwhile, the six Non-Self-Governing Territories that remained in the Caribbean were hindered from beneficial multilateral engagement at the regional level by their status. His delegation fully supported the United Nations-led decolonization process in Western Sahara and hailed the adoption of Security Council resolution [2414 \(2018\)](#), which called for a realistic, practicable and enduring political solution to the question. The Security Council had welcomed the Moroccan autonomy initiative as a serious and credible effort to move the process forward, and indeed the proposal sought to address fairly the wishes of the Territory's people.

27. All Member States responsible for dependent Territories had to make good-faith efforts to come to the

respective negotiating tables committed to the goals of the peoples concerned. If Member States believed in earnest in the ills of colonialism as set out in resolution 1514 (XV), the will to end it rested with them.

28. **Mr. Da Silva** (Guinea-Bissau) said that his Government favoured a realistic approach to the question of Western Sahara that would pave the way for lasting peace and security in that region. Comprehensive dialogue and political compromise would enable the parties to reach a negotiated and mutually acceptable resolution. Guinea-Bissau commended the Secretary-General's Personal Envoy for his remarkable work in bringing the parties together and welcomed the invitation extended to Algeria, Morocco and Mauritania to round-table talks in Geneva in December 2018. Lastly, it endorsed the United Nations-led political process based on realism and compromise and the Moroccan autonomy initiative, which had enormous potential to bring about a positive transformation in the political, economic, social and cultural life of the Western Sahara region.

29. **Ms. Nobre Fassinou** (Benin) said that her delegation fully supported the United Nations-led political process in Western Sahara, and the terms of Security Council resolution [2414 \(2018\)](#), the latest to call for realistic good-faith negotiations in a spirit of compromise. Benin welcomed the initiative of the Secretary-General's Personal Envoy to hold round-table discussions involving Algeria, Morocco and Mauritania in December 2018, also noting with appreciation the Moroccan authorities' promptly expressed readiness to participate. The Security Council had recognized the Moroccan Government's various measures to promote socioeconomic development and human rights in Western Sahara. Benin continued to endorse the serious and credible Moroccan autonomy initiative, which would provide an appropriate framework and basis for the subsequent round of negotiations. She hoped that the diplomatic efforts under way would infuse the negotiation process with new dynamism and ultimately foster stability in the entire region, to the benefit of its inhabitants.

30. **Mr. Kpayedo** (Togo) said that the only realistic way of achieving peace in Western Sahara was through negotiation. The Moroccan proposal to grant a high degree of autonomy to the Territory was constructive, striking a balance between the expectations of the two parties to the dispute, satisfying the requirements of self-determination and of international law, and attesting to the willingness of Morocco to cooperate with the United Nations in its efforts to reach a negotiated, mutually acceptable political solution to the dispute. The Western Saharans should respond

positively and constructively to the proposal in order to achieve progress on the issue. The development efforts pursued by Morocco in Western Sahara should also be applauded, as should the smooth conduct of the 2015 municipal elections in Western Sahara in a noteworthy atmosphere of peace and tranquillity.

31. A political process was under way under the auspices of the United Nations and the parties should heed the Security Council's call to show a spirit of compromise. Morocco had been cooperative in allowing the visit of the Personal Envoy to Laayoune, Dakhla and Smara. In the Tindouf camps in Algeria, however, humanitarian considerations still demanded that a census of the Saharan refugees be permitted, as recommended repeatedly by the Office of the United Nations High Commissioner for Refugees (UNHCR), the Security Council and the Secretary-General.

32. The conflict in Western Sahara must be resolved as a matter of urgency. The consequences were devastating not only for the Saharan people but also for the prospects of regional cooperation. Acts by extremists and terrorists in the wider Sahelo-Saharan region could further jeopardize peace and stability in the Territory and were a serious cause for concern. Furthermore, the Secretary-General was right to maintain in his report [S/2017/307](#) that the resolution of the question of Western Sahara was subject to an improvement in relations between Morocco and Algeria. Togo urged the two Governments to pursue dialogue with a view to advancing a peaceful settlement.

33. **Ms. Hassan** (Djibouti) said that the Committee's wide-ranging deliberations gave indispensable guidance to the work of the Organization in the areas of peace and security, and that the Committee was well served when dealing with decolonization by receiving excellent analytical reports from the Secretary-General and the Special Committee on decolonization. Regarding the question of Western Sahara, her Government applauded the Secretary-General's efforts to bring together the parties to the dispute in a frank and constructive dialogue requiring a readiness to compromise so as to reach a mutually acceptable and negotiated political settlement, in accordance with Security Council resolutions since 2007. Djibouti welcomed the visit to Western Sahara by the Secretary General's Personal Envoy, and hoped that the December round-table talks he had scheduled in Geneva would contribute to the stability and security of the Maghreb region.

34. **Ms. Sulimani** (Sierra Leone) said that her Government welcomed the Secretary-General's support for the political process under way to resolve the long-standing question of Western Sahara with a view to

achieving a mutually acceptable and negotiated political settlement. Greater cooperation was needed between member States of the Arab Maghreb Union to promote the stability and security of the region while at the same time hastening a peaceful settlement of the dispute.

35. Sierra Leone supported the Moroccan autonomy initiative and especially the devolution of authority to the local population. Morocco had done much to develop the Sahara region socioeconomically and infrastructurally and had been cooperative in facilitating the Personal Envoy's visit to the cities of Dakhla, Laayoune and Smara to meet with the democratically elected representatives there. Furthermore, the Security Council had recognized various human rights advances Morocco had made in the region. Elsewhere, however, the situation of the Tindouf camp refugees was cause for concern, and their numbers should be properly registered.

36. Since the Special Committee on decolonization made informed decisions on the basis of information from the inhabitants of the Territories, its invitation to elected representatives of Western Sahara to attend its 2018 regional seminar and June session had proved useful. Her delegation wholeheartedly welcomed the Personal Envoy's invitation to the major stakeholders to participate in the forthcoming Geneva round-table meeting in order to discuss the way forward to a peaceful settlement of the dispute.

37. **Ms. Mele Colifa** (Equatorial Guinea) said that her Government urged the parties to the conflict in Western Sahara as well as the neighbouring countries to accept the invitation to the forthcoming round-table talks in Geneva, as a resumption of dialogue was the only way to resolve the conflict. She lauded the efforts of Morocco to protect human rights and to find a definitive political solution, and in particular its support for the visit of the Secretary-General's Personal Envoy to Laayoune, Smara and Dakhla in Western Sahara in June and July 2018.

38. MINURSO had been a reliable and effective tool in the search for a mutually acceptable and lasting political solution to the conflict, and its mediation had been successful in maintaining the observance of the ceasefire agreements. Accordingly, its mandate should be extended for another year in order to grant the Personal Envoy and the Mission itself enough time to create the proper conditions for the political process.

39. The parties should continue to support and collaborate with MINURSO so that it could resolve possible ceasefire violations and enforce related military agreements. All neighbouring countries and all parties directly or indirectly involved in the conflict

must work actively with the United Nations to reactivate the political process along the lines stipulated by the Security Council since 2007. Lastly, the those living in the Tindouf refugee camps must have access to humanitarian aid and a census of their actual numbers should be conducted.

40 **Mr. Jiménez** (Nicaragua) said that the decolonization of the remaining 17 Non-Self-Governing Territories was the most urgent matter to be addressed before the close of the Third International Decade for the Eradication of Colonialism. The peoples of the Territories must be able to exercise their right to self-determination and independence, and must not be excluded from the implementation of the 2030 Agenda for Sustainable Development and the principle of leaving no one behind. Having long fought for its own independence, Nicaragua fully supported the liberation of all peoples and hoped that the colonizing Powers would increase their cooperation with the Special Committee. More than half of the remaining Territories were in the Latin American and Caribbean region, and his country hoped to contribute to the decolonization process by sharing its experiences and promoting the principles of peace, harmony, dialogue, unity and consensus.

41. Nicaragua supported the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

42. Puerto Rico was a Latin American and Caribbean nation that needed the support of its neighbours more than ever before, having been gravely affected by recent hurricanes and economic troubles. The colonial Power should resolve the situation through dialogue and negotiation. The need to decolonize Puerto Rico had become even more urgent in the light of the country's inability to cope with natural disasters and its serious debt situation, which directly affected the socioeconomic condition of Puerto Ricans as well as their ability to achieve sustainable development.

43. Nicaragua supported the Sahrawi people in their struggle for self-determination and independence, and it was hoped that negotiations between the Sahrawi Arab Democratic Republic and Morocco would be resumed soon.

44. **Mr. Alduwaisan** (Kuwait) said that his Government strongly supported the principle of self-determination enshrined in the Charter of the United Nations and General Assembly resolution 1514 (XV). Even though the State of Palestine was not a Non-Self-Governing Territory under consideration by the Committee, the Israeli occupation must end in all the

Occupied Palestinian Territories, and the Palestinian people must be given all its political rights, including the right to self-determination and the ability to establish an independent state on its land with East Jerusalem as the capital. As the occupying Power, Israel must withdraw from all Arab lands occupied since 1967; that was the only way to achieve a comprehensive, just and lasting peace.

45. One of the greatest achievements of the United Nations was the attainment of independence by numerous States. Accordingly, his delegation renewed its call for the Special Committee on decolonization to search for other ways to enhance its capacities and to work with the administering Powers of Non-Self-Governing Territories, on a case-by-case basis and in accordance with relevant resolutions, to ensure that their peoples could decide their own futures. Administering Powers must cooperate with the Special Committee and provide it with accurate information on the political, social, economic and educational conditions in the Territories, in accordance with Article 73 *e* of the Charter of the United Nations.

46. Kuwait endorsed Security Council resolution [2414 \(2018\)](#) and the efforts of the Secretary-General and his Personal Envoy to find a mutually acceptable political solution to the question of Western Sahara. It also supported the Personal Envoy's invitation to all the parties involved to attend the scheduled round-table meeting in Geneva and appreciated the swift and positive Moroccan response. The important role given to the Moroccan National Human Rights Council and its commissions in Dakhla and Laayoune, and the Moroccan Government's cooperation with the special procedures of the United Nations Human Rights Council should be highlighted. Those steps to protect human rights and also the seriousness and credibility of the Moroccan autonomy initiative showed the readiness of Morocco to find a just and comprehensive solution that would respect its sovereignty and territorial integrity. It should be noted that the Gulf Cooperation Council had taken a unified position on the question of Western Sahara and hoped for a solution in the near future to bring security and stability to the Arab Maghreb Union and the Sahel region.

47. **Mr. Boukadoum** (Algeria) said that year after year, Member States returned to the Committee to take on the same stagnant decolonization agenda, both hopeful that success in fulfilling that mandate would finally be achieved and uneasy at continuing to grapple with an issue from a bygone era. Failure to act decisively to end all remaining colonial situations was tantamount to endorsing colonialism, opposing the onward march of

history and depriving millions of the right to choose their own future as equals.

48. As the Organization commemorated the 100th birthday of Nelson Mandela amidst well-deserved fanfare, the great man's commitment to freedom and self-determination could hardly be overlooked. The right of self-determination was enshrined in the first Article of the Charter of the United Nations, and also of the Covenant of the League of Nations, underscoring the responsibility of Member States as well as the Secretariat – which had a Decolonization Unit – and the press and civil society to uphold that principle.

49. While he agreed that all colonial situations were not alike and that compromises must be made, those compromises must be aimed at finding ways to end colonization, not at accommodating it. Member States, particularly those that had once been colonies, should draw inspiration from their own histories and show solidarity to those peoples not yet able to speak for themselves. The United Nations, where its decolonization process had been successful, had been instrumental in securing rights for those former colonies that they, now independent States, even had the right to deny to others. Again, it was the Organization's duty to spearhead the effort to eradicate the scourge of colonization – considered by some to be a crime against humanity – once and for all.

50. As the Third Decade on the Eradication of Colonialism drew to a close, 17 Non-Self-Governing Territories remained on the agenda of the Special Committee on decolonization, whose mandate his Government fully supported. Concerning the question of Western Sahara, the only African Territory on the list since 1963, his country's stance, as a neighbouring country where numerous Sahrawis had sought refuge, was widely known. The conflict pitted the Frente POLISARIO against Morocco. The 1975 advisory opinion of the International Court of Justice had concluded that the Sahrawi people had the inalienable right to the free and fair exercise of self-determination. Subsequent United Nations resolutions had repeatedly reaffirmed the legal nature of the conflict and the principle of self-determination that was at issue. MINURSO had been established precisely to oversee a referendum, but its mandate had been repeatedly extended by the Security Council.

51. The African Union, which had also remained seized of the matter, including at the highest level of Heads of State and Government, had also called for the referendum to be held and established a troika to support the endeavour and the United Nations mechanism. In addition, the mandate of the Special Envoy of the

African Union for Western Sahara had been strengthened.

52. The Court of Justice of the European Union had had its final legal say on the issue through a clear decision taken in February. With regard to the Sahrawi refugees in the Tindouf camps in Algeria, the latest report of the Office of the United Nations High Commissioner for Refugees had addressed the question of a refugee census.

53. His delegation welcomed the appointment of the new Personal Envoy of the Secretary-General for Western Sahara and his relaunching of the negotiation process by scheduling round-table talks between the parties in December, to be attended also by the two neighbouring States, Mauritania and Algeria. His Government, as an official observer of the peace process, had accepted the invitation. The fact that the two parties, the Frente POLISARIO and Morocco, had expressed their willingness to participate in good faith and without preconditions was encouraging.

54. Hostility had never been his country's choice. Algeria had acted in a transparent manner in advocating justice, freedom and progress for all the peoples of the Maghreb, consistent with its belief in equal rights for all. Algerians could no more turn their backs on the principle of self-determination than they could turn their backs on their own history, marked as it was by the costly struggle for their freedom. Upholding the rights of all would make all nations stronger.

55. **Mr. Hilale** (Morocco) said that once again his delegation called upon the Committee to discontinue consideration of Moroccan Sahara. Keeping the question on the Committee's agenda was in blatant violation of Article 12 of the Charter of the United Nations, which stipulated that while the Security Council was taking action on any dispute or situation, the General Assembly should not make any recommendation unless the Security Council so requested.

56. The question of Moroccan Sahara was not a decolonization issue but rather a matter of restoring the territorial integrity of Morocco. It was an undeniable fact that the Sahara had always been an integral part of Morocco, well before its occupation by Spain in 1884. It had been recovered by Morocco in 1975 under the Madrid Agreement, which had been recognized by the United Nations in General Assembly resolution 3458B (XXX).

57. The principle of territorial integrity was a timeless rule of inter-State relations that predated the advent of international organizations and the development of jus

cogens. As a fundamental principle of international law, it had been enshrined in Article 2 of the Charter of the United Nations and had pre-eminence over the principle of self-determination, which was a principle of positive law and a product of the Second World War. Moreover, clear guardrails had been established in General Assembly resolutions 1514 (XV), 1541 (XV) and 2625 (XXV) and in the Bandung Declaration so that self-determination would not be implemented at the expense of the territorial integrity of States. The principle of territorial integrity safeguarded the sovereignty of States, barred interference by third parties in their internal affairs and forbade States to arm, form and finance separatist groups or to authorize any other activities that threatened the territorial integrity of another State. The principle of respect for the territorial integrity of other States had been given expression in General Assembly resolution 2625 (XXV).

58. There had been a fundamental shift in the views of the Security Council regarding the political process in Moroccan Sahara, as evidenced by resolution [2414 \(2018\)](#), which had called for a realistic, practicable and enduring political solution based on compromise, but had not linked that solution to self-determination in any way. The new language in the Council resolution decisively buried all plans prior to 2007 and in particular the referendum, which no Security Council resolution had referred to since 2001. Whereas the Security Council had previously called on all parties to show their realism and spirit of compromise, it had now gone further and stipulated aspects of the solution, which must be realistic, practicable, enduring and based on compromise.

59. His Government's autonomy initiative of 2007 was perfectly in line with those new Security Council paradigms and had from the start been recognized by it and the international community as serious and credible. The proposed Moroccan solution was realistic, since it was based on the socioeconomic and political reality of the Southern Provinces of Morocco. It was practicable since it included the various political, tribal, generational, professional, and gender constituents of the populations of the Sahara. It would be enduring since it integrated that solution to the regional dispute into a wider perspective, based on the peace, stability and economic integration of all parts of the Maghreb region. It was based on compromise because Morocco had moved away from its original positions in the interest of settling the dispute, unlike the other parties, which had maintained their extremist and unworkable positions over the course of four decades.

60. Following his visit to Moroccan Sahara with the Kingdom's full cooperation, the Personal Envoy had

invited Morocco, Algeria and Mauritania to participate in a round-table meeting in Geneva on 5 and 6 December 2018. Morocco had been the first to accept the invitation, once again confirming its engagement in the United-Nations-led political process. Morocco noted with appreciation that the Government of Algeria had also accepted the invitation to the round-table talks.

61. The legitimate representatives of Moroccan Sahara were those elected by the region's population in 2015 and 2016 in elections certified as transparent and democratic by both United Nations officials and international observers. Those elected representatives, who lived in the region, managed its daily affairs and worked for its political and socioeconomic development, had recently taken part for the first time in a regional seminar and a substantive session of the Special Committee on decolonization, had met with the Secretary-General's Personal Envoy, and had served as spokespersons for the region in numerous regional and international entities, including the European Union.

62. In contrast with those elected representatives, the Frente POLISARIO was an armed group which claimed to represent the population even as it had forcibly confined them in camps for four decades and was violating their most fundamental rights. It was an authoritarian gerontocracy living off the humanitarian tragedy of some 40,000 residents of the Tindouf camps. It was a separatist group that had in fact been created more than a year after the question of Western Sahara had been included on the agenda of the United Nations at the request of Morocco. The group had no legal foundation, no popular legitimacy, no demographic basis and certainly no historic validity.

63. It was true that the right to development was applicable to Moroccan Sahara; it was an inalienable right enshrined in the Universal Declaration of Human Rights, the international human rights covenants and the Declaration on the Right to Development, and its exercise must not be subject to any restriction or condition on political or other grounds. Therefore, his Government sought to ensure the right to development for the citizens of its Southern Provinces, just as in the rest of Morocco. It had approved massive public investments in the Sahara region, where human development indicators actually exceeded the national average, and where the socioeconomic development had attracted major regional conferences and branches of international businesses. Those investments had not gone unnoticed by MINURSO, which had noted the scope of the Moroccan projects in the Sahara region.

64. The international community and the European Union in particular had forcefully rejected the Frente

POLISARIO's attempts to subject the Sahara region to hunger, poverty and privation and keep it underdeveloped, as it had been before its reunification with Morocco. The Frente POLISARIO sought to do to the Southern Provinces what it had done in the Tindouf camps, where it engaged in profiteering by diverting to itself the humanitarian aid intended for camp residents.

65. Morocco called for a census and registration to be conducted of the Tindouf camp inhabitants. International humanitarian law required the census and registration of all refugees throughout the world as a *sine qua non* in order to protect them and quantify their humanitarian needs before moving on to permanent solutions. In the case of the Tindouf residents, registration would also ensure that the aid actually reached them and was not misappropriated. Yet they had never been counted, despite the repeated calls by the Security Council and multiple attempts by the United Nations High Commissioner for Refugees, which had been met by the categorical refusal of the host country, whose obligation it was to organize the census and registration.

66. Turning to another subject having to do with the territorial integrity of States, his delegation denounced the continuing occupation of the islands of Abu Musa, Greater Tunb and Lesser Tunb, which constituted an integral part of the territory of the United Arab Emirates. His Government rejected the imposition by force of a *fait accompli* in the islands and affirmed its full support for the national unity of the United Arab Emirates. It supported all peaceful measures by the United Arab Emirates to re-establish its full sovereignty over the three islands.

Statements made in exercise of the right of reply

67. **Mr. Sylvester** (United Kingdom), responding to the statement by Nicaragua, said that his Government had no doubt about its sovereignty over the Falkland Islands and surrounding maritime areas nor about the right of the Falkland Islanders to self-determination, as that principle was enshrined in the Charter of the United Nations and in article 1 of the two International Covenants on human rights, by virtue of which they freely determined their political status and freely pursued their economic, social and cultural development. None of the regional statements of diplomatic support for sovereignty negotiations invoked by Argentina modified or diluted the obligation of nations to respect the legally binding principle of self-determination. Therefore, no dialogue on sovereignty was possible unless the Falkland Islanders so wished. The 2013 referendum, in which 99.8 per cent of those who voted wanted to maintain their current status as an

Overseas Territory of the United Kingdom, had sent a clear message that the people of the Islands did not want dialogue on sovereignty. Argentina should respect those wishes.

68. The United Kingdom maintained a modern relationship with the Falkland Islands, and all its Overseas Territories, based on partnership, shared values and the right of the people of each Territory to determine their own future. The Republic of Argentina continued to deny that such fundamental rights applied to the people of the Falkland Islands, and also to act in ways that went against the principles of the Charter.

69. **Mr. Mazzeo** (Argentina), replying to the United Kingdom concerning the Malvinas Islands, and reflecting the statements delivered by the Argentine President to the General Assembly and by the Minister for Foreign Affairs and Worship to the Special Committee on decolonization in 2018, said that his Government reaffirmed that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine territory and that, having been illegally occupied by the United Kingdom, they were the subject of a sovereignty dispute between the two parties, which was recognized by a number of international organizations. That illegal occupation had led the General Assembly to adopt resolution 2065 (XX) and nine subsequent resolutions, all of which recognized the existence of the sovereignty dispute over the Malvinas Islands and called upon the two Governments to resume negotiations with a view to finding a peaceful and lasting solution to the dispute as soon as possible. For its part, the Special Committee had repeatedly adopted resolutions in the same vein, and the General Assembly of the Organization of American States had adopted each year a new statement on the question in similar terms.

70. The right to self-determination of peoples did not apply in the case of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The illegitimate "referendum" held there had been a unilateral exercise that in no way changed the colonial essence of the question; it could not resolve the sovereignty dispute and had no effect on the legitimate rights of Argentina or the work of the Special Committee. Any attempt to allow the British population on the islands to arbitrate a dispute to which their own country was a party distorted the right of self-determination of peoples, given that the situation did not involve a people in the sense of international law. The interests of the inhabitants of the Malvinas Islands were adequately addressed by resolutions of the General Assembly and by the Constitution of Argentina.

Argentina reaffirmed its legitimate sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

71. **Mr. Sahraei** (Islamic Republic of Iran), responding to the reference by Morocco to the islands of Abu Musa, Greater Tunb and Lesser Tunb in the Persian Gulf, said that his Government did not recognize any dispute between Iran and the United Arab Emirates over the islands. Throughout history, they had been an integral and inseparable part of Iranian territory, and any claim to the contrary was categorically dismissed. The Moroccan delegation had just highlighted the principles of State sovereignty and territorial integrity, and it should respect those same principles for other countries, in particular in the case of Iranian sovereignty over the islands.

72. **Ms. Al Hammadi** (United Arab Emirates) said that the islands of Abu Musa, Greater Tunb and Lesser Tunb in the Arabian Gulf were an integral part of the territory of the United Arab Emirates, and her Government decisively rejected the continued Iranian occupation of those Emirati islands as a violation of international law. Any Iranian claims of sovereignty over the islands were null and void. If Iran were willing to hold bilateral consultations, that would demonstrate its good faith and represent a possible solution for the issue, in accordance with the Charter of the United Nations.

The meeting rose at 1 p.m.