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## Special Political and Decolonization Committee (Fourth Committee)

### Summary record of the 2nd meeting

Held at Headquarters, New York, on Monday, 2 October 2023, at 3 p.m.

*Chair:* Ms. Joyini . . . . . (South Africa)

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\* Reissued for technical reasons on 6 March 2024.

\*\* Items which the Committee has decided to consider together.

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*The meeting was called to order at 3 p.m.*

### **Statement by the President of the General Assembly**

1. **Mr. Francis** (Trinidad and Tobago), President of the General Assembly, said that the Fourth Committee was grappling with a multitude of pressing global issues, each of which had far-reaching implications for millions of vulnerable people worldwide. Accordingly, the urgent need for the United Nations to deliver tangible results had been underscored by world leaders during the recently concluded high-level debate of the current session of the General Assembly. To meet that challenge, Member States must unite in their pursuit of common ground, foster constructive dialogue to achieve optimal outcomes and tirelessly strive for inclusive progress.

2. The work of the Committee should be guided by an unwavering commitment to the safety and well-being of the peoples of the United Nations, in line with the preamble to its Charter, as well as the principle of leaving no one behind. The Committee should seek to tackle the root causes of challenges, including in its efforts to achieve complete decolonization and through the realization of a two-State solution to the Israeli-Palestinian conflict. Active advocacy for just, equitable and viable political solutions, which had the best prospects of enduring, should also be prioritized. A recommitment to the principles of the Charter of the United Nations, including the principle of the peaceful settlement of disputes, would ensure that no one was left behind.

3. The Committee played a key role in efforts to devote more attention and resources to the achievement of peace, progress, prosperity and sustainability for all. Further action was needed to address geopolitical tensions, which were being exacerbated by the Ukraine war, in addition to conflicts in Africa and the Middle East and the deteriorating situation in Haiti. During their deliberations, all delegations should reflect more deeply on ways to maximize the effectiveness of United Nations institutions and resources and collaborate in crafting tailored solutions to address the challenges faced by nations in conflict and post-conflict situations. Active engagement with all relevant stakeholders, including regional and subregional organizations, was vital in that regard.

4. Awareness of the credibility crisis surrounding the multilateral system, including peacekeeping and special political missions, was crucial. The Fourth Committee could assist in averting the exacerbation of such a crisis and serve to cultivate trust in the Organization, including by combating misinformation and

disinformation, in particular given the role of artificial intelligence. Nonetheless, certain United Nations institutions were inadequately resourced, an issue that required immediate and abiding attention. In that connection, the funding gap of \$170–190 million faced by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which provided a lifeline for over five million refugees, needed to be addressed if the Agency was to maintain its core services to the end of the year. Transformative solutions were needed to ensure that the United Nations could continuously deliver its vital work and thereby avoid the most vulnerable being left further behind.

5. The exploration and use of outer space must remain peaceful, for the benefit of all humankind. Meanwhile, sustainability must also be part of all endeavours. Member States must work together to combat misinformation and disinformation and to bridge the digital divide, while also focusing on the experiences of women and girls online. Moreover, the empowerment of women in all decision-making processes was paramount; their voices must be amplified to afford them meaningful opportunities to shape the decisions that directly affected their own lives and societies at large.

6. At its sixty-third session, the Committee for Programme and Coordination had been unable to provide conclusions and recommendations on 10 programmes, which should now be considered by the Main Committees. The Fourth Committee should examine the relevant programmes as a matter of urgency and share its conclusions with the Fifth Committee as soon as possible. At the current pivotal juncture, which was characterized by multiple challenges, decisive action and the delivery of tangible outcomes were imperative, in order to have a positive impact on lives. All parties should engage in the work of the Fourth Committee with a genuine commitment to problem-solving and a rekindled confidence in the principles of multilateralism, united in their efforts to work towards the ideals of peace, prosperity, progress and sustainability for all.

**Agenda item 54: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations** (A/78/23 and A/78/63)

**Agenda item 55: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories** (A/78/23)

**Agenda item 56: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations** (A/78/23 and A/78/66)

**Agenda item 57: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories** (A/78/67)

**Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples** (*Territories not covered under other agenda items*) (A/78/23, A/78/65 and A/78/249)

7. **Mr. Nasir** (Indonesia), Vice-Chair of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization), speaking on behalf of Mr. Sabbagh (Syrian Arab Republic), Rapporteur of the Special Committee, and introducing the report of the Special Committee on its work in 2023 (A/78/23), said that chapter I provided a general account of the Special Committee's activities during its 2023 session and its plan for future work. Chapters II to VII focused on specific themes, while chapters VIII to XII focused on the individual situations in the Non-Self-Governing Territories. Chapter XIII contained the Special Committee's recommendations to the General Assembly in the form of draft resolutions. Annex I contained the list of Special Committee documents for 2023 and annex II presented a report of the 2023 Pacific regional seminar.

8. At the regional seminar, held from 24 to 26 May 2023 in Bali, Indonesia, and during its session in June 2023, the Special Committee had been able to engage with a significant number of Territories in discussing the decolonization agenda, achievement of the Sustainable Development Goals and efforts to combat climate change, while also addressing political, socioeconomic, environmental and other developments in the Territories, in accordance with its mandate and the relevant General Assembly resolutions. The Special Committee would continue to accompany those Territories towards decolonization. He was grateful to

the members of the Fourth Committee for supporting its work.

9. **Ms. Rambally** (Saint Lucia), speaking as the Chair of the Special Committee on decolonization, said that the Pacific regional seminar had provided an opportunity for reflection on the importance of the 2030 Agenda for Sustainable Development and the challenges faced by the Territories in their efforts to achieve the Sustainable Development Goals. The Special Committee had benefited from the participation and contribution of a number of Territories, Member States and stakeholders, both at the regional seminar and at its plenary sessions, and had thus been able to integrate the information provided into the draft resolutions it had adopted.

10. She was grateful to all Special Committee members for their active participation in the 2023 session, which had been characterized by an atmosphere conducive to constructive dialogue. They were duty-bound to continue and to intensify such dialogue, while ensuring that the work of the Special Committee was guided by the Charter of the United Nations and all relevant resolutions, on a case-by-case basis.

11. Nonetheless, the Special Committee faced budgetary constraints that affected its ability to carry out its programme of work, jeopardizing the implementation of activities such as the annual regional seminar and visiting missions. That situation, although faced by the Special Committee every year, had been particularly acute in 2023, due to the increased financial demands associated with the Pacific regional seminar. Given the importance of fulfilling its mandate to eradicate colonialism, the Special Committee had sought the necessary resources for the achievement of short- and long-term solutions, with a view to overcoming those budgetary constraints. The cooperation and political will of all relevant actors would help to accelerate the decolonization process, undertaken on a case-by-case basis.

12. **Mr. Akram** (Pakistan) said that, since its independence, Pakistan had actively championed the decolonization process promoted by the United Nations, which had resulted in some 80 former colonies gaining independence since 1946. However, there were still peoples who were denied the right to self-determination, notably those of Jammu and Kashmir and of Palestine. Lasting peace in the Middle East could be achieved only through a two-State solution and the establishment of a viable, independent and contiguous State of Palestine on the basis of the pre-1967 borders, with Al-Quds Al-Sharif as its capital.

13. The Indian occupation of Jammu and Kashmir was the worst manifestation of modern-day colonialism. The Security Council had explicitly recognized the right to self-determination of the people of Jammu and Kashmir in its resolution 47 (1948) and subsequent resolutions, in which it stated that the final status of the State of Jammu and Kashmir should be decided by its people through a free and fair plebiscite held under the auspices of the United Nations. The resolutions had been accepted by both India and Pakistan and, pursuant to Article 25 of the Charter of the United Nations, both parties were obliged to implement them. However, India had avoided doing so, through force and fraud, for more than 75 years. Starting in 1989, it had conducted a brutal campaign of repression in Jammu and Kashmir, killing over 100,000 Kashmiris. Since 5 August 2019, India had taken unilateral and illegal steps to annex occupied Jammu and Kashmir, in what leaders had ominously termed “a final solution”. In its resolution 122 (1957), the Security Council provided that unilateral measures to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State, meaning that the unilateral actions of India were illegal, and therefore null and void.

14. Kashmir was the place with the most densely massed occupation force in the world, with 900,000 Indian occupying troops deployed in a territory the size of Belgium. The occupying force had carried out a vicious campaign of extrajudicial killings, including in “cordon and search” operations; it was responsible for the abduction and enforced disappearance of some 15,000 Kashmiri boys; and it destroyed and burned entire villages and urban neighbourhoods as a form of collective punishment. India had incarcerated the entire Kashmiri leadership, and several had died in custody. India was seeking to convert occupied Kashmir from a Muslim-majority State to a Hindu-majority territory. It had issued more than 3.4 million fake domicile certificates to Hindus from all across India to settle in Kashmir, and was confiscating Kashmiris’ land and property for military use. The brutal oppression was driven by Hindutva, an ideology that advocated the religious and ethnic supremacy of Hindus, as well as hate of Muslims. The non-governmental organization Genocide Watch had warned that the oppression in Kashmir could lead to genocide in occupied Jammu and Kashmir and against Muslims within India itself.

15. The resolution of the Jammu and Kashmir dispute was essential to ensuring lasting peace in South Asia. The onus was on India to create the conditions for dialogue: it must cease all human rights violations in the occupied territory and reverse the illegal, unilateral measures imposed on and after 5 August 2019. The

United Nations, and in particular the Fourth Committee, must promote a peaceful settlement of the dispute in accordance with the resolutions of the Security Council and the wishes of the Kashmiri people. Pakistan would continue to pursue that objective through all the modalities provided for in the Charter, notably Articles 33, 34 and 99.

16. **Mr. França Danese** (Brazil), speaking on behalf of the Southern Common Market (MERCOSUR), said that MERCOSUR reaffirmed its support for the legitimate rights of the Argentine Republic in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The principle of self-determination was not applicable to that special and particular situation, because the British population on the Islands had been implanted during an illegal occupation and did not constitute a people in the legal sense. The Malvinas Islands were an Argentine territory and the principle of the territorial integrity of States should be observed, in accordance with international law.

17. Since the adoption of General Assembly resolution 2065 (XX) in 1965, the General Assembly and the Special Committee on decolonization had recognized that the question of the Malvinas Islands involved a sovereignty dispute between the Argentine Republic and the United Kingdom, and that the way to put an end to that special and particular colonial situation was the peaceful and negotiated settlement of the dispute between the two parties.

18. In a joint communiqué adopted on 4 July 2023, the Presidents of the MERCOSUR member States had reiterated the terms of the 1996 Declaration of Potrero de los Funes on the Malvinas Islands and the legitimate rights of the Argentine Republic in the sovereignty dispute. It would be in the interests of the region if the protracted sovereignty dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were resolved as soon as possible in accordance with the relevant United Nations resolutions and the declarations of the Organization of American States, MERCOSUR and other regional and multilateral forums.

19. In accordance with General Assembly resolution 31/49, the parties must refrain from taking decisions that would imply introducing unilateral modifications in the situation of the Malvinas Islands. In addition, the United Kingdom must cease its exploration and exploitation of natural resources and refrain from carrying out military exercises in the disputed area. Unilateral action in the

disputed area was incompatible with the relevant United Nations resolutions. The Argentine Republic was entitled to take legal action, in full respect for international law, against unauthorized activities in the area. The South Atlantic was a zone of peace and cooperation, dedicated to the peaceful settlement of disputes.

20. The forthcoming pro tempore presidency of MERCOSUR would request that the Secretary-General renew his efforts to fulfil the mission of good offices entrusted to him by the General Assembly with a view to the resumption of negotiations in order to find, as soon as possible, a peaceful solution to the dispute, and to report on the progress made. MERCOSUR called on the United Kingdom to resume negotiations, something that the Government of Argentina was fully prepared to do, with a view to reaching a definitive solution to the sovereignty dispute.

21. **Mr. Shatil** (Bangladesh) said that his country was committed to supporting the peoples of the Non-Self-Governing Territories to achieve self-determination and independence. In the third year of the Fourth International Decade for the Eradication of Colonialism, his delegation urged full implementation of all the resolutions relating to decolonization, including by the administering Powers.

22. The 2030 Agenda could not be achieved if the peoples of the Non-Self-Governing Territories were left behind. A tailored approach was needed in order to improve their political, economic and social situation, particularly in light of the current financial crisis. While the specialized agencies and other organizations of the United Nations system had a key role to play in that regard, the main responsibility lay with the administering Powers. Those Powers should fully cooperate in the formulation of specific proposals for bringing about an end to colonialism, on a case-by-case basis, in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples. It was also crucial for the Special Committee to conduct visits to the Non-Self-Governing Territories. In that regard, his delegation called on the administering Powers to give their full support to implementation of the request made by Member States for at least one visit to be undertaken each year.

23. The illegal occupation of Palestinian territories by Israel and the continued encroachment on Palestinian land and natural resources was a matter of concern. Bangladesh supported the just cause of Palestine for an independent, viable and sovereign Palestinian State, with East Jerusalem as its capital, under a two-state solution based on the pre-1967 borders.

24. **Mr. Ilichev** (Russian Federation) said that the Declaration had been adopted on the initiative of the Soviet Union in 1960. However, in recent decades, the decolonization process had lost its earlier momentum and the 17 remaining Non-Self-Governing Territories and Puerto Rico had been unable to fulfil their legitimate right to determine their own destiny. It was not merely a question of them being unable to achieve political independence; they were also unable to foster their sustainable economic and social development and uphold their human rights. The administering Powers often illegally exploited natural resources and even militarized territories, as in the Malvinas (Falkland) Islands, where the United Kingdom had been providing military training to a contingent from the non-recognized entity of Kosovo. The Russian Federation had consistently supported direct negotiations between the Governments of Argentina and the United Kingdom to find a political and diplomatic solution to the sovereignty dispute, based on General Assembly resolutions.

25. Pending the decolonization of the remaining Non-Self-Governing Territories, the Russian Federation would continue to participate actively in the vital work of the Special Committee.

26. Unfortunately, neocolonial practices were on the rise. Under the guise of freedom, equality and cooperation, former empires interfered in the internal affairs of States, subjugated them politically and militarily, exerted economic pressure and imposed their will in multilateral institutions, including the United Nations and international financial institutions. It was considered taboo to refer to the crimes of colonizers, including ethnic cleansing, the slave trade, and the looting and destruction of cultural heritage, and just demands for reparation and repentance were ignored. The Russian Federation would continue to take all possible measures to ensure that the negative consequences of colonialism were not forgotten and to address its contemporary manifestations.

27. **Ms. González López** (El Salvador) said that the United Nations owed it to the millions of people living in the Non-Self-Governing Territories to complete the task of decolonization. The maintenance of colonial situations was wholly incompatible with the purposes and principles of the Charter of the United Nations and was an obstacle to social, cultural and economic development. The Organization must place the inhabitants of the Non-Self-Governing Territories at the centre of its discussions, address the multiple challenges they faced and identify ways to continue providing assistance, including by responding to the impacts of climate change and natural disasters.

28. El Salvador supported the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which it recognized as a special and particular situation, one in which the principle of self-determination did not apply and the principle of territorial integrity must be upheld. Her delegation acknowledged the ongoing willingness of the Government of Argentina to resume bilateral negotiations with a view to resolving the dispute and its commitment to multilateralism and the rules-based international order. The parties should resume negotiations with a view to finding a just, peaceful and definitive solution as soon as possible, in accordance with the principles and purposes of the Charter of the United Nations and the relevant General Assembly resolutions. The good offices of the Secretary-General were of the utmost importance to finding such a solution. The illegal unilateral actions taken in the disputed area, including the exploration and exploitation of natural resources and the deployment of new military actors, were of deep concern and seriously contravened the relevant General Assembly resolutions, notably resolution 31/49.

29. Her delegation welcomed the efforts of the Personal Envoy of the Secretary-General for Western Sahara, Staffan de Mistura, to facilitate the political process under the exclusive auspices of the Secretary-General, including his recent visit in September 2023. El Salvador supported the efforts of Morocco to find a realistic, practicable and enduring political solution to the question and considered that the autonomy initiative advanced by Morocco in 2007 constituted a viable solution that was key to those efforts.

30. **Ms. Rivera Reyes** (Honduras) said that the United Nations must ensure the continuation of ongoing self-determination and independence processes. Honduras remained committed to working within the framework of international law to make Latin America and the Caribbean a region free of colonialism.

31. Honduras appreciated the valuable work done by the Special Committee in its consideration of the question of the Malvinas Islands since the adoption, in 1965, of General Assembly resolution 2065 (XX). Her delegation firmly 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, and urged Argentina and the United Kingdom to take a constructive position with a view to ensuring that Argentina recovered the full exercise of its sovereignty over the disputed area, in line with international law and the relevant United Nations resolutions.

32. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela), speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, said that the United Nations had made great strides on decolonization. However, the task remained incomplete: 17 Non-Self-Governing Territories, in addition to Palestine and Puerto Rico, remained to be decolonized. The Group of Friends maintained its long-standing position on decolonization issues – it remained committed to the Declaration and to the full realization of the inalienable rights of all the Non-Self-Governing Territories, which had been severely affected by the current global crisis. The administering and occupying Powers should proactively initiate dialogue with a view to reaching fair and comprehensive solutions to each of those questions. They must respect the inalienable right of the Non-Self-Governing Territories to their natural resources, which encompassed the Territories' right to establish and retain control over their current and future use. They must therefore avoid any economic, military or other activities that might adversely affect the interests or well-being of the peoples of the Territories. Colonialist countries must also pay compensation for the economic, social and cultural impact of their occupation. All those who had been or continued to be subject to colonial domination or occupation were entitled to receive fair compensation for the human and material losses they had suffered. Decolonization could not be brought to an end without a fair process for reparations.

33. The Fourth International Decade for the Eradication of Colonialism would have run its course in 2030, at which point the international community should also have achieved the Sustainable Development Goals. Member States would have to hold themselves to account for the progress they had made to remove the obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation, as called for in General Assembly resolution 70/1. In the 2030 Agenda, Member States had promised to leave no one behind, but colonialism adversely affected the social and economic development of peoples, as well as their full enjoyment of their human rights. The Group of Friends would make every effort to promote and uphold the Charter of the United Nations and would continue to participate actively and constructively in all efforts aimed at achieving a world free of colonialism. The Group expressed its solidarity with the peoples around the world that had long been subject to exploitation and domination, including to neocolonial practices such as the looting of natural resources. Member States must keep decolonization high on the agenda of the United Nations and must continue to raise awareness of the negative impact of



colonialism and the transatlantic slave trade and their lasting consequences, which were only increasing as a result of a proliferation of neocolonial practices.

34. Speaking in his national capacity, he said that the Bolivarian Republic of Venezuela was deeply concerned by the situation of Puerto Rico, whose people had been denied their rights to self-determination and independence for more than 125 years. His country staunchly supported the inalienable right of Puerto Rico to choose its own political, economic, social and cultural systems to address the pressing structural challenges it faced. The Government of the United States of America should put an end to its colonial tutelage over Puerto Rico.

35. The Bolivarian Republic of Venezuela also maintained its unwavering solidarity with the Sahrawi people. A peaceful, fair, enduring and mutually acceptable solution was needed to the question of Western Sahara, based on the relevant resolutions of the General Assembly and the Security Council. His delegation hoped that the Personal Envoy would meet with success in his efforts to revive the political process and ensure that the United Nations Mission for the Referendum in Western Sahara (MINURSO) was able to fulfil its mandate.

36. His delegation also firmly supported the independence and inalienable right of the Palestinian people to self-determination and the fulfilment of their legitimate national aspirations. It was committed to working towards a free, independent and sovereign State of Palestine, based on the pre-1967 borders, with East Jerusalem as its capital and with full membership of the United Nations.

37. The last few months had once again revealed the cynicism and double standards of some countries which, even now, saw themselves as empires and maintained neocolonial interests around the globe. Those countries, which included the United Kingdom, presented themselves as champions of the rule of law and defenders of the Charter of the United Nations, but their actions spoke otherwise. If the United Kingdom was genuinely committed to the Charter of the United Nations, its Government should immediately take concrete steps to conclude the pending decolonization processes and restore the sovereign rights of the Territories that it still occupied in the twenty-first century. Specifically, the Bolivarian Republic of Venezuela reiterated its unequivocal support for 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. It called upon the United Kingdom to resume

direct negotiations, in accordance with the provisions of General Assembly resolution 2065 (XX), in order to achieve a peaceful, just and definitive solution. Similarly, it reaffirmed its support for Mauritius in the sovereignty dispute over the Chagos Archipelago. It called upon the United Kingdom to bring an end to its administration of the Archipelago, in accordance with General Assembly resolution 73/295.

38. His delegation likewise called on France to make progress in the pending decolonization of French Polynesia and New Caledonia, where the inhabitants had expressed their wish to exercise their right to self-determination. The French authorities should also end their occupation of Mayotte and restore to the Comoros its legitimate sovereignty rights over that territory.

39. **Mr. Al-thani** (Qatar) said that, as a principled position, Qatar fully supported decolonization and all relevant international instruments, including General Assembly resolution 1514 (XV). His delegation called on all parties to cooperate in order to reach just settlements in all cases in accordance with international law, taking into consideration the merits of each case.

40. Regarding the Moroccan Sahara, it was his country's principled position that disputes must be settled peacefully and through dialogue and negotiations, in accordance with international law and the Charter of the United Nations. Qatar supported the efforts of the Secretary-General to reach a lasting and mutually acceptable political solution that respected the sovereignty of Morocco, through a political process under the auspices of the United Nations and in accordance with Security Council resolutions. It also welcomed the efforts of the Personal Envoy. His country supported the autonomy initiative proposed by Morocco, which it considered to be a viable solution. Every effort should be made to reach a definitive settlement that would establish peace, protect the interests of the parties and maintain international peace and security.

41. **Mr. Nguyen** (Viet Nam) said that his country supported decolonization and the inalienable right to self-determination of the 17 Non-Self-Governing Territories. Those issues should remain among the highest priorities for the United Nations. Having endured great suffering from being colonized for many centuries, Viet Nam profoundly appreciated the value of independence and self-determination. Amid the current geopolitical tensions and conflicts, it was encouraging to see Member States demonstrate unity and commitment in support of the ongoing United Nations-led or United Nations-sponsored processes and negotiations aimed at achieving political solutions.

42. Viet Nam urged the administering Powers to enhance their cooperation with the United Nations in order to expedite the decolonization process and the full implementation of the Declaration, without preconditions and in good faith, in conformity with the purposes and principles of the Charter of the United Nations and relevant General Assembly resolutions. At the same time, the United Nations should promote multilateral efforts to ensure that negotiations were carried out in a constructive and substantive manner, and that actions taken by the administering Powers did not negatively affect the legitimate interests of the peoples of the Non-Self-Governing Territories, while also helping them to address new and emerging challenges.

43. **Mr. Moriko** (Côte d'Ivoire) said that, with regard to the dispute over the Moroccan Sahara, his Government supported the political process conducted under the exclusive auspices of the Secretary-General, with a view to finding a realistic, pragmatic and lasting political solution that was accepted by all. For that reason, his delegation supported the efforts of the Personal Envoy to relaunch the political process, including the informal consultations held with Morocco, Algeria, Mauritania and the "Polisario" in March 2023 and the recent visits conducted, notably to the Moroccan Sahara in September 2023. All parties should support the initiatives and good offices of the Personal Envoy, which would give new momentum to the political process. In that regard, his delegation called for a continuation of the round-table discussions, in accordance with Security Council resolution [2654 \(2022\)](#), and urged Morocco, Algeria, Mauritania and the "Polisario" to remain engaged in the political process, with a view to reaching a political solution to the question of the Moroccan Sahara.

44. The peaceful and definitive settlement of that long-standing regional dispute was crucial to strengthening cooperation among States members of the Arab Maghreb Union and to ensuring stability and security in the Sahel region. Côte d'Ivoire supported the Moroccan autonomy initiative, which was a compromise solution consistent with international law, the Charter of the United Nations and the relevant resolutions, and which granted broad prerogatives to the local populations who participated in the political, economic, social and cultural life of the Sahara, as reflected in their participation in the general elections in Morocco, most recently in September 2021.

45. Côte d'Ivoire commended the considerable investments made by Morocco in the development of the Sahara, which had a remarkably high human development index. It also commended the achievements of Morocco in the area of human rights,

as recognized in various Security Council resolutions. His delegation remained concerned about the allegations regarding the situation of human rights in the Tindouf camps and called for respect for the recommendations of the Office of the United Nations High Commissioner for Refugees, international humanitarian law and the relevant Security Council resolutions.

46. It was essential to maintain a climate of peace in the region in order to create conditions conducive to negotiations as part of an engaged political process. His delegation commended the compliance of Morocco with the ceasefire and the existing military agreements, as well as its collaboration with MINURSO. It urged the various parties to facilitate implementation of the mandate of that mission, which played an essential role in upholding security in the Moroccan Sahara region.

47. **Mr. Cisneros Chávez** (Mexico) said that, although an agreed framework was in place to guide the remaining decolonization processes, a commitment to the full implementation of the relevant General Assembly and Security Council resolutions was lacking. Regrettably, the political interests of a few States continued to prevail over the ideals of justice and peaceful coexistence of peoples. Owing to the maintenance of colonial structures in the 17 remaining Non-Self-Governing Territories, almost 2 million people were unable to fully exercise their political rights.

48. His delegation supported efforts to find a just and lasting solution to the question of Western Sahara in accordance with the relevant General Assembly and Security Council resolutions. It was important to listen to the will of the Sahrawi people and to respect their right to self-determination. All parties must support the efforts of the Secretary-General and his Personal Envoy in order to build trust and thus reduce tensions and make progress towards a peaceful and lasting solution to the conflict. The work of MINURSO was also key to ensuring stability and the ceasefire. Human rights monitoring should be undertaken in the Territory with a view to strengthening accountability.

49. The right to self-determination could not be realized in isolation from the right to territorial integrity. His delegation remained convinced that the rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were legally and historically valid, in line with the Declaration adopted by the Heads of State and Government of the Community of Latin American and Caribbean States (CELAC) in January 2023. Mexico called on the Secretary-General to continue his mission of good offices, in accordance with General Assembly resolution



43/25 and successive resolutions. The Secretary-General had broad powers to fulfil the mandate set out in Article 99 of the Charter of the United Nations with a view to ensuring the resumption of negotiations leading to a peaceful solution to the dispute, while informing the General Assembly of the progress towards fulfilling that mandate. Mexico called on the parties to find a solution based on dialogue, respect for international law and the peaceful settlement of disputes, consistent with the Declaration of the European Union-CELAC Summit of 2023.

50. **Mr. Amorín** (Uruguay) said that the concept of decolonization had evolved and expanded beyond territorial sovereignty to include political, economic and cultural emancipation. The hearing of petitioners from the Non-Self-Governing Territories was of paramount importance for ensuring inclusion, democracy, justice and equality, and enhanced the Committee's discussion of decolonization by incorporating the perspectives of those directly affected. By giving the Non-Self-Governing Territories a direct and participatory role, the international community recognized the agency of the Territories to determine their own destinies. The process of decolonization was not only about granting independence, but also about fostering genuine dialogue that respected the diverse voices and unique circumstances of each Non-Self-Governing Territory. The United Nations had helped more than 80 former colonies to gain independence. Nevertheless, some 60 years after efforts to end colonialism had begun, Non-Self-Governing Territories continued to exist as vestiges of an anachronistic, artificial and forced colonialism.

51. While Uruguay was a firm supporter of the principle of self-determination, that principle was inapplicable in the case of the Malvinas Islands, South Georgia Islands and South Sandwich Islands. Instead, the other guiding principle of decolonization applied, namely the principle of territorial integrity. Uruguay reaffirmed its support for the sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Its claim was historically, legally and geographically justified. The Malvinas Islands were a "special and particular" colonial situation, as recognized in General Assembly resolutions 2065 (XX), 37/9 and other relevant resolutions. His delegation urged the parties to respect Assembly resolution 31/49, which called upon them to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands were going through the process recommended by the General Assembly. The situation involved a sovereignty dispute between

Argentina and the United Kingdom as the only concerned parties, and, consequently, it could be resolved only through bilateral negotiations between the parties. Rapprochement between the parties and constructive dialogue would enable progress towards a peaceful, just and definitive solution to the sovereignty issue, addressing all aspects of the future of the Islands.

52. **Mr. Romero Puentes** (Cuba) said that his delegation joined the international call to eradicate the scourge of colonialism, which persisted in the 17 Non-Self-Governing Territories, over six decades on from the adoption of the historic Declaration.

53. The people of occupied and besieged Palestine had the inalienable right to self-determination and to an independent and viable State, with East Jerusalem as its capital. Israel was pursuing a policy aimed at annexing the occupied territories. The rights of the Palestinian people continued to be violated with impunity, including through restrictions on freedom of movement, the demolition of homes, settler violence and the confiscation of property. The necessary steps should be taken to enable Palestine to become a full State Member of the Organization as soon as possible.

54. The people of Western Sahara had the right to self-determination, in line with the purposes and principles of the Charter of the United Nations, international law and the relevant resolutions of the United Nations. His delegation advocated a mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara in accordance with General Assembly resolution 1514 (XV). Cuba did not support unilateral decisions that went against the interests and rights of the Sahrawi people, who required the support of the international community.

55. Cuba supported the legitimate rights of Argentina in the sovereignty dispute relating to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were part of Argentine territory. A negotiated, just and definitive solution to that dispute should be found as soon as possible, taking into account respect for the territorial integrity of Argentina and recognition of the interests of the inhabitants of the Islands. Until a definitive solution was reached, the parties should refrain from taking decisions that would imply introducing unilateral modifications in the legal situation of the Islands.

56. It had been 125 years since the intervention of the United States in Puerto Rico. However, all those years of colonial domination had not been enough to eradicate the culture, identity and national sentiment of the Puerto Rican people. Despite the efforts of the Special Committee, the people of Puerto Rico remained unable

to exercise their legitimate right to self-determination, while the colonial Power continued in its efforts to strengthen its economic, political and social domination. The Special Committee had adopted 41 resolutions and decisions on Puerto Rico, in which it had reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence in accordance with General Assembly resolution 1514 (XV). The Free Associated State imposed on Puerto Rico was a farce, enabling the United States Government to disguise what was a clear act of colonial domination. The United States Supreme Court, Congress and even the Administration itself had clearly confirmed that Puerto Rico did not enjoy sovereignty and was a colonial territory entirely subject to the rule of Washington, D.C. The Heads of State and Government of CELAC, in the Declaration adopted in January 2023, had highlighted the Latin American and Caribbean character of Puerto Rico and had pledged to continue working, within the framework of international law, to bring to a speedy and unconditional end colonialism in all its forms and manifestations in the Latin American and Caribbean region.

57. Cooperation with the inhabitants of the Non-Self-Governing Territories was essential for their collective well-being and socioeconomic development. Despite the brutal economic, commercial and financial blockade and the maximum pressure policy applied by the Government of the United States, Cuba was committed to solidarity with other peoples and collaborated with the Non-Self-Governing Territories to the best of its ability, for example by enabling hundreds of young people from Western Sahara to study in Cuba.

58. **Ms. Jimenez de la Hoz** (Spain) said that Gibraltar had been militarily occupied by the United Kingdom during the War of the Spanish Succession. Under the Treaty of Utrecht of 1713, Spain had been forced to cede to the United Kingdom only the town and castle of Gibraltar, together with its port, fortifications and forts, without ceding territorial jurisdiction. Nonetheless, after the military conquest of Gibraltar, the United Kingdom had expelled the original inhabitants and had subsequently illegally occupied the adjacent isthmus, constructing a fence in 1909. In 1934, it had added a landing strip, which had been converted in 1938 into a military airfield jutting more than half a kilometre into the territorial waters of Spain. It was abundantly clear under the terms of the Treaty of Utrecht that Spain retained sovereignty over the isthmus and surrounding waters of Gibraltar and its airspace.

59. For more than half a century, the General Assembly, the Fourth Committee and the Special Committee had called on Spain and the United Kingdom to begin negotiations on ending the colonial situation of

Gibraltar. Her delegation reiterated its willingness to do so and its support for the legal doctrine on the decolonization of Gibraltar developed by the Assembly through a series of resolutions, including resolution 2231 (XXI), in which the Assembly had called on the two parties to continue their negotiations and had asked the administering Power to expedite, without any hindrance and in consultation with the Government of Spain, the decolonization of Gibraltar; resolution 2353 (XXII), in which it had established that the decolonization process should be governed by the principle of territorial integrity; and resolution 2429 (XXIII), in which it had requested the administering Power to terminate the colonial situation in Gibraltar no later than 1 October 1969.

60. The core issue was thus the British military presence, which contravened the resolutions of the General Assembly. The administering Power had, however, ignored the doctrine of the United Nations. In 1967, it had held a referendum on questions of sovereignty without United Nations involvement, which had been condemned by the Assembly in resolution 2353 (XXII). The Assembly had clearly denied the existence of an alleged right to self-determination of the alleged people of Gibraltar. With the Brussels Declaration of 1984, the United Kingdom had reciprocated the desire of Spain to engage in a process of negotiation, but had later broken it off unilaterally. Year after year, her country had called for that process to be reopened.

61. The question of Gibraltar was not only a matter of illegitimate occupation or violation of territorial integrity. The presence of a colonial enclave in her country had harmful effects for the economy, the environment and security, in particular in Campo de Gibraltar. The special tax system in Gibraltar had led to serious distortions in the local economy, including through illicit trafficking, to the detriment of the region's prosperity and the collection of tax revenue in Spain and the European Union. The exit of the United Kingdom from the European Union, and the end of the unique relationship between Gibraltar and the European Union, through the administering Power, provided an opportunity to try to resolve many of the problems arising from the colonial situation. Her delegation saw potential for prosperity in the area, provided that a fair framework could be established.

62. In the context of negotiations to ensure that the departure of the United Kingdom from the European Union was as orderly as possible, the two countries had negotiated an international agreement on taxation and the protection of financial interests regarding Gibraltar, which had entered into force on 4 March 2021. They had

also signed four memorandums of understanding concerning, respectively, citizens' rights, police and customs cooperation, the environment, and tobacco and other products. At present, only the memorandum on citizens' rights was in force. On 31 December 2020, Spain and the United Kingdom had reached an understanding that should serve as the basis for a future agreement between the European Union and the United Kingdom on Gibraltar, with the ultimate aim of creating an area of shared prosperity. However, no provision of that understanding and no measure taken to implement it should be understood to indicate a change in the legal position of Spain regarding sovereignty and jurisdiction over Gibraltar. Spain remained open to dialogue.

63. **Mr. Pary Rodríguez** (Plurinational State of Bolivia) said that the United Nations had played a central role in decolonization, which was not a straightforward or uniform process. Each nation faced unique and considerable challenges in its struggle for self-determination and independence. More than 60 years had passed since the adoption of the Declaration, which had established the legal framework for decolonization. The international community must continue to work together to advance decolonization by listening to the aspirations of colonized peoples, ensuring that they had access to the resources needed for sustainable development, and respecting their human rights. History had shown that a failure to respect peoples' rights and address colonial legacies could lead to social and armed conflict. Accordingly, all Member States had a responsibility to work to prevent and resolve conflicts related to decolonization and promote stability throughout the world.

64. Recalling that 17 Non-Self-Governing Territories remained on the agenda of the Special Committee on decolonization, among them the Malvinas Islands, Western Sahara and Puerto Rico, his delegation called on the international community to take all necessary measures and make every effort to ensure that the parties reached agreements as soon as possible, through dialogue, mediation and negotiation among the administering Powers, the Committee and the peoples of the Non-Self-Governing Territories, with a view to ending colonialism. His delegation also supported Palestine in its historic struggle.

65. **Mr. Nunes** (Timor-Leste) said that the Committee continued to play a crucial role in eradicating colonialism, which was a violation of human rights and an obstacle to the socioeconomic development and well-being of all peoples. Timor-Leste, as a former Non-Self-Governing Territory itself, was committed to contributing to the realization of the right of the remaining Non-Self-Governing Territories to self-

determination. To that end, it was important to engage in dialogue and understand the aspirations of the peoples concerned in relation to political status and at the social, economic, environmental and cultural levels.

66. His delegation was concerned by the escalating tensions in the disputed territory of Western Sahara since November 2020 and the implications for regional stability. The United Nations should strengthen its peacekeeping presence by adding a human rights component to the mandate of MINURSO, and the occupying Power should allow United Nations visiting missions and the International Committee of the Red Cross to visit the disputed territory. His delegation welcomed the recent diplomatic efforts of the Personal Envoy to encourage the resumption of talks aimed at finding a solution that was acceptable to all and in line with international law, the Charter of the United Nations and relevant resolutions, but noted that all parties involved would need to engage proactively to create a conducive climate. Only the Sahrawi people had the right to decide their own future. Any proposed solution, including the so-called autonomy proposal of the occupying Power, must be considered by the Sahrawi people through a free and fair referendum organized by MINURSO. His delegation called for the acceleration of the decolonization process, under the supervision of MINURSO, to allow the people of Western Sahara to decide their own future.

67. With regard to the situation in Palestine, Timor-Leste supported the two-State solution. His delegation continued to call for dialogue and supported all efforts based on the spirit of the Charter of the United Nations and the relevant resolutions. On the question of the Falkland Islands (Malvinas), Timor-Leste urged the parties involved to resume their dialogue to find a peaceful and permanent solution to the dispute, in accordance with the relevant United Nations resolutions. With regard to Gibraltar, his delegation urged the parties involved to continue a constructive dialogue towards a permanent solution, based on the relevant United Nations resolutions.

*Statements made in exercise of the right of reply*

68. **Ms. Meyrick** (United Kingdom), replying to the comments made by the representatives of Brazil, speaking on behalf of MERCOSUR, the Russian Federation, El Salvador, Honduras, the Bolivarian Republic of Venezuela, speaking on behalf of the Group of Friends in Defence of the Charter of the United Nations, Mexico, Uruguay, Cuba, the Plurinational State of Bolivia and Timor-Leste, said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands and South Georgia and the South

Sandwich Islands and surrounding maritime areas. The United Kingdom supported the right of the Falkland Islanders to self-determination, a right enshrined in the Charter of the United Nations, in article 1 of the International Covenant on Civil and Political Rights and in article 1 of the International Covenant on Economic, Social and Cultural Rights. The Falkland Islanders had as much right as any other people to determine their political status and freely pursue their economic, social and cultural development.

69. The relationship of the United Kingdom with the Falkland Islands, and all its Overseas Territories, was a modern one based on partnership, shared values and the right of the people of each territory to determine their own future. Argentina continued to deny that the fundamental human right of self-determination applied to the people of the Falkland Islands, and it actively sought opportunities in international forums to assert its sovereignty claim. Such behaviour was wholly incompatible with the principles established in the Charter of the United Nations. Ten years had passed since the referendum on sovereignty of the Falkland Islands, supervised by independent observers, in which 99.8 per cent of voters had voted to maintain the current status of the Islands as a self-governing territory of the United Kingdom. Consequently, no dialogue on sovereignty was possible unless the Falkland Islanders so wished.

70. The United Kingdom was not militarizing the Falkland Islands. The United Kingdom forces in the South Atlantic were entirely defensive and at an appropriate level to ensure the defence of the Falkland Islands against any potential threats.

71. Replying to the comments made by the representative of Spain, she said that her Government recalled its sovereignty over Gibraltar and the territorial waters surrounding it and reaffirmed that Gibraltar, as a separate Territory recognized by the United Nations and included since 1946 in its list of Non-Self-Governing Territories, enjoyed the rights accorded to it under the Charter of the United Nations, and its people enjoyed the right to self-determination. The 2006 Constitution, which had been endorsed in a referendum by the people of Gibraltar, provided for a modern and mature relationship between Gibraltar and the United Kingdom. The United Kingdom refuted the allegation that it had illegally occupied the isthmus and surrounding waters. Under international law, territorial waters flowed from sovereignty over the land.

72. **Mr. Alvarez** (Argentina), replying to the comments made by the representative of the United Kingdom concerning the question of the Malvinas Islands, said that his delegation reiterated the statements

made by the President of Argentina to the General Assembly on 19 September 2023 (A/78/PV.5) and by the Minister for Foreign Affairs of Argentina at the meeting of the Special Committee on 20 June 2023 (A/AC.109/2023/SR.7). The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of the national territory of Argentina and, being 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 10 resolutions on the issue, all of which recognized the existence of the sovereignty dispute and called on the Governments of Argentina and the United Kingdom 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, most recently the resolution adopted on 20 June 2023.

73. In line with the Charter of the United Nations, all Member States had a responsibility to resolve disputes peacefully and negotiate in good faith. The 2013 vote held in the Malvinas Islands was simply a unilateral action undertaken by the United Kingdom, devoid of any legal value; it in no way changed the essence of the question, it did not resolve the sovereignty dispute and it had no effect on the legitimate rights of Argentina. The solution to the sovereignty dispute was not dependent on the results of a vote in which British citizens had been asked whether they wished to remain British. Allowing the British inhabitants of the Islands to arbitrate in a dispute to which their own country was a party distorted the right to self-determination of peoples, given that there did not exist in the Malvinas a people within the meaning of international law. The interests and way of life of the inhabitants of the Malvinas Islands were adequately addressed by resolutions of the General Assembly and by the Constitution of Argentina.

74. The United Kingdom justified its military presence in the South Atlantic as being entirely defensive in nature. However, for the Argentine Republic, there was no other way to assert its rights than the path of diplomacy and peace, as was demonstrated by its willingness to resume the bilateral negotiation process with the United Kingdom in a constructive spirit, as called for by the international community, in order to find a peaceful and definitive solution to the sovereignty dispute. Argentina reaffirmed its legitimate sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the

surrounding maritime areas, which were an integral part of the national territory of Argentina.

75. **Ms. Gómez Aoiz** (Spain), replying to the comments made by the representative of the United Kingdom concerning Gibraltar, said that, as noted by the United Nations on many occasions, Gibraltar was a colony that destroyed the national unity and territorial integrity of Spain and was incompatible with the provisions of General Assembly resolution 1514 (XV). Since 1964, the Assembly had continuously called for the question of Gibraltar to be resolved definitively. The only way to do that was for Spain and the United Kingdom to enter into negotiations. Only the United Nations could decide when the process of decolonization of Gibraltar was complete. In its resolution 2353 (XXII), the General Assembly had affirmed that any colonial situation that partially or completely destroyed the national unity and territorial integrity of a country was incompatible with the purposes and principles of the Charter of the United Nations. Further to the provisions of that resolution, the decolonization of Gibraltar should take place in accordance with the principle of territorial integrity. In that same resolution, the Assembly had condemned the referendum on questions of sovereignty held in 1967.

76. The General Assembly had clearly denied the existence of an alleged right to self-determination of the alleged people of Gibraltar. Spain and the United Kingdom had been asked to take into consideration the interests of the inhabitants of Gibraltar. In that connection, she recalled that the cession of the Rock had been followed by the expulsion of the population living in Gibraltar to the surrounding area. In line with United Nations doctrine, Spain rejected the efforts of the administering Power and the authorities of the colonized Territory to change their political relationship and deny the existence of colonial ties, while at the same time asserting a supposed right to self-determination. The relationship was not a modern one; it was a colonial situation in new garb. Given that Spain was the country whose territory was colonized, Spain was the country with the right to decolonize Gibraltar through the restoration of its national unity and territorial integrity. Her delegation reiterated its willingness to enter into negotiations with the United Kingdom, as called for by the United Nations.

77. Spain did not recognize any rights of the United Kingdom over the maritime spaces of Gibraltar other than those set out in article 10 of the Treaty of Utrecht, yet the United Kingdom occupied part of the isthmus and the Spanish territorial sea, having increased the surface area of the Rock and extended the runway at Gibraltar airport. The British claim to sovereignty over

the waters surrounding Gibraltar had no basis in international law or the Treaty of Utrecht. Spain had no doubt about the limits of its territory, which included the waters surrounding Gibraltar. Spanish ships had been operating in those waters without incident since time immemorial and until recently.

**Requests for hearing** (A/C.4/78/2, A/C.4/78/3, A/C.4/78/4, A/C.4/78/5 and A/C.4/78/6)

78. **The Chair** drew attention to 213 requests for hearing under agenda item 58, one relating to the British Virgin Islands (A/C.4/78/2); 44 relating to French Polynesia (A/C.4/78/3); 7 relating to New Caledonia (A/C.4/78/4); one relating to the United States Virgin Islands (A/C.4/78/5); and 160 relating to Western Sahara (A/C.4/78/6). She took it that the Committee wished to grant those requests.

79. It was so decided.

*The meeting rose at 5.40 p.m.*