



SUMMARY RECORD OF THE 17th MEETING

Chairman: Mr. TREIKI (Libyan Arab Jamahiriya)

later: Mr. KAREPA (Papua New Guinea)

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The meeting was called to order at 10.55 a.m.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Question of Western Sahara: hearing of petitioners (A/C.4/38/6/Add.6 and Add.8)

1. At the invitation of the Chairman, Mr. Rachid (Front de libération et de l'unité) and Mr. Maoul Ainine (Association des anciens membres de L'Armée de libération marocaine dans les provinces sahariennes) took places at the petitioners' table.

2. Mr. RACHID (Front de libération et de l'unité) said that the Front de libération et de l'unité (FLU) had been formed by the people of the Saharan territory during the critical time of the invasion by Spain's colonial army, and it was now fighting plots and manoeuvres by Algeria's army. The inhabitants of the region had consistently fought a national liberation struggle to force the withdrawal of any foreign presence from their soil and had constantly had to devise new ways of countering new threats as they arose. They rejected any attempt to split their territory and change their Moroccan status. With the assistance of the Moroccan people and their King, they were waging a heroic struggle that history would recognize.

3. The resistance by Morocco and its Saharan people to Spanish occupation had culminated in 1975 in the recovery by Morocco of its Saharan territory, following the advisory opinion of the International Court of Justice, which had recognized its legitimate claims, and the Green March, which had reinforced them. Those who wanted to endorse genuine national legitimacy true to United Nations principles, human rights and the interests of world peace and security must recognize the legitimacy of that struggle by the Moroccan and Saharan people.

4. Each Moroccan initiative to counter the latest colonialist intervention by Algeria incited the Algerian leaders to even greater efforts to usurp as much as possible of Morocco's Saharan territory. Thus, Algeria - unhappy with the social and cultural structures and the prosperity that prevailed in Moroccan Sahara - had established a group of mercenaries known as the Frente para la Liberación de Saguia el-Hamra y Río de Oro (Frente POLISARIO) to serve its expansionist aims, a group unheard of until Algeria had called attention to its existence. A review of the Committee's records would corroborate the fact that the only entity demanding direct negotiations with Spain regarding Western Sahara at the time of colonialism had been Morocco, and that the Frente POLISARIO had not existed then.

5. Algerian megalomania, in promoting the fallacious notion of a people with a supposed claim to the Saharan people's land, had led to bloodshed in the region, for the FLU fighters had been battling the gang of mercenaries for many years.

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(Mr. Rachid)

Assured of the justice of their cause, the Saharan people were in the process of thwarting the so-called Frente POLISARIO both politically and militarily, and they would crush any plot to disrupt their own Moroccan integrity and deny their Moroccan identity.

6. Indeed, in 1974, the then President of Algeria himself had publicly spoken out in favour of Morocco's inalienable right in Western Sahara. It was only after 1976 that Algeria had concocted the "question of Western Sahara" and had sought to make itself an interested party to that question by any means at its disposal. When in 1981 King Hassan of Morocco had agreed to a second referendum in its Saharan territory, Algeria had created a series of obstacles, the latest being the Algerian President's call a few days before for international recognition of the legitimacy of the artificial republic of mercenaries it had fabricated.

7. It was incumbent upon all States to support Morocco's resistance to hostilities from Algerian-based mercenary gangs. What Algeria really wanted, of course, was hegemony over the entire region in order to make it an extension of Algerian Sahara. Algeria would be entirely responsible for whatever ensued.

8. The Committee had unaccountably chosen to give a hearing some days earlier to the mercenary insurgents falsely claiming to represent the cause of the Saharan people. Those who were inclined to believe the claims that the Frente POLISARIO controlled 90 per cent of the Saharan territory should visit it and see for themselves. The Algerian-sponsored mercenaries, alien to the territory, must be unmasked for what they were.

9. Any resolution that lent any support to the mercenaries would be rejected by the Saharan people. The only proper course would be to hold the referendum proposed by King Hassan II of Morocco as soon as possible, and see what the Saharan people themselves decided. His organization committed itself to assisting the United Nations and the Organization of African Unity (OAU) in carrying out the referendum. King Hassan II had the entire confidence and allegiance of the Saharan people, who were bound to him by both ethnic loyalty and a concern for territorial integrity. They asked the international community only for peace and justice.

10. Mr. MAOUL AININE (Association des anciens membres de l'Armée de libération marocaine dans les provinces sahariennes) said that the Saharan issue, the foremost nationalist cause in his country, was important to all Moroccans, especially since the Saharan territory had been recovered by Morocco in strict accordance with international law and a formal international agreement.

11. The records of the United Nations showed that Morocco had from the start demanded the return of its Saharan territory immediately after the Spanish occupation had begun. Morocco's stand had been consistent: it had relied on dialogue and peaceful means.

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(Mr. Maoul Ainine)

12. When Spain had occupied Western Sahara, the lands had already been inhabited by the Saharan people, who had throughout proclaimed their allegiance to the King of Morocco. In 1975, the International Court of Justice had underscored that allegiance to Morocco in its advisory opinion on the question. It was on that basis that Morocco had organized the Green March calling for direct negotiations with Spain, and negotiations had in fact begun, in accordance with General Assembly resolution 2072 (XX), leading to the Madrid Agreement between Morocco and Spain.

13. Since then, the population of the region had enjoyed complete freedom as part of Morocco, which had continued to exercise its legitimate right of sovereignty. As a result of elections held in 1976, the inhabitants were represented in Parliament by eight members and were thus able to exercise their constitutional rights in full. In social, economic and cultural matters too, the region had been making constant progress.

14. Africa and the entire international community had been given ample testimony of Morocco's readiness to hold a referendum in the region; OAU had acknowledged the good will and initiative evinced by King Hassan II in that regard. But Morocco opposed all attempts to create tension in the region for the benefit of those who were merely puppets in the hands of foreign interests; it was wrong that, in an international forum, a fictitious entity such as the Frente POLISARIO should be placed on an equal footing with a sovereign State. The population of the region had recognized the subversive elements for the mercenaries and adventurers they really were. To heed such elements and their supporters would hamper the work of the OAU Implementation Committee on Western Sahara. The true struggle for national liberation had been begun and successfully waged in and by Morocco - as the international community well knew.

15. The Fourth Committee should not allow itself to be influenced by false allegations, which could be readily refuted. Moroccans would be only too pleased if the Committee were to organize a fact-finding mission with a view to assuring the world community of the true situation and showing in which quarters, in fact, the desires and decisions of international bodies were being thwarted.

16. The inhabitants of the Saharan lands recovered by Morocco were living in peace and security; they rejected any claim by the Frente POLISARIO to represent them and any manoeuvres which would bring their territorial integrity into question. The Fourth Committee would surely view the situation with wisdom and objectivity, basing its approach on the principles of the United Nations and rightly rejecting the claims of those whose contentions were based on false premises.

17. Mr. Rachid and Mr. Maoul Ainine withdrew.

18. Mr. Karepa (Papua New Guinea) took the Chair.

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AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

(a) REPORT 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 (continued) (A/38/23 (Part VI) and Add.1, A/38/23 (Part VIII); A/C.4/38/L.2-4; A/AC.109/724 and Corr.1, 725, 726 and Corr.1, 727, 728 and Corr.1, 729-736, 737 and Corr.1, 738, 739, 740 and Corr.1, 741, 742, 746, 749 and Corr.1, 753 and 754)

(b) REPORT OF THE SECRETARY-GENERAL (continued) (A/38/555)

AGENDA ITEM 102: INFORMATION FROM NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER OF THE UNITED NATIONS (continued) (A/38/125)

(a) REPORT OF THE SECRETARY-GENERAL (continued) (A/38/477)

(b) REPORT 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 (continued) (A/38/23 (Part IV))

AGENDA ITEM 104: 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 (continued)

(a) REPORT 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 (continued) (A/38/23 (Part IV); A/AC.109/L.1472, L.1475 and Add.1, L.1487)

(b) REPORT OF THE SECRETARY-GENERAL (continued) (A/38/111 and Add.1-2, Add.3 and Corr.1, Add.4; A/AC.109/L.1462)

AGENDA ITEM 12: REPORT OF THE ECONOMIC AND SOCIAL COUNCIL (continued) (A/38/3 (Part II))

AGENDA ITEM 105: UNITED NATIONS EDUCATIONAL AND TRAINING PROGRAMME FOR SOUTHERN AFRICA: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/469; A/C.4/38/L.5)

AGENDA ITEM 106: OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF NON-SELF-GOVERNING TERRITORIES: REPORT OF THE SECRETARY-GENERAL (continued) (A/38/549; A/C.4/38/L.6)

General debate (continued)

19. Mr. NGENDANGANYA (Burundi) said that his delegation appreciated the Committee's work to promote the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; it reiterated its support for that Declaration and for the inalienable right of all colonial peoples to freedom.

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(Mr. Ngendanganya, Burundi)

20. In southern Africa, military force was still being used to prevent the Namibian people from exercising its rights. That situation, in which the backing of certain Western and other Powers enabled South Africa to go on occupying Namibia, was a matter for the gravest concern. Burundi condemned especially the recruitment and training of Namibians and foreign mercenaries to assist South African forces in Namibia, and called for an end to the colonialist and racist aggression against the Namibian people and its sole legitimate representative, the South West Africa People's Organization.

21. In Western Sahara, Morocco continued its illegal occupation in spite of many resolutions of the United Nations and OAU. The International Court of Justice had noted, in an advisory opinion, that Western Sahara had no legal ties with Morocco of such a nature as to imply its territorial integrity with that country. No efforts had been spared by OAU to seek a lasting solution; among other measures, it had formed an Implementation Committee with the aim of seeking a peaceful settlement of the dispute between Morocco and the Frente POLISARIO. Largely as a result of Morocco's reluctance to implement the relevant General Assembly and OAU resolutions, the Saharan Arab Democratic Republic had been recognized by roughly one third of the international community; the delegation of that Republic had exercised great forbearance in refraining from attending the latest session of the OAU Assembly, in order that the latter's work would not be further disrupted. In view of the OAU decisions, including resolution AHG/Res.104 (XIX), which had been adopted by consensus, even Morocco itself could not deny that it was opposing the will of the overwhelming majority of the international community. That OAU resolution was a well-balanced text which should be supported in its entirety; to reject even a part of it would be to thwart its purpose. Burundi advocated unanimous support for it.

22. Mr. AKHTAR (Bangladesh) said that his delegation's support for the Declaration on the Granting of Independence to Colonial Countries and Peoples was founded on the country's constitutional commitment to support all oppressed peoples in their just struggle against imperialism, colonialism and racism; it also stemmed from the conviction that decolonization was inevitable and the struggle for freedom inexorable. Bangladesh recognized the United Nations role in helping many Non-Self-Governing Territories to attain independence.

23. In southern Africa, a racist régime was still attempting to reverse the tide of history. It was of fundamental importance that Namibia should achieve independence in accordance with United Nations resolutions, particularly Security Council resolutions 385 (1976) and 435 (1978), which formed the only viable basis for a peaceful transition to independence. No formula outside the United Nations framework was acceptable; nor were any attempts to link Namibia's independence to extraneous issues. The Head of the Bangladesh Government addressing the Seventh Conference of Heads of State or Government of Non-Aligned Countries, had stated that the persistent presence of colonialism and racism in southern Africa was an outrage to humanity, posing a continuing threat to peace and security in the region, and that Bangladesh pledged its unstinting support for their legitimate struggle for freedom and human dignity.

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(Mr. Akhtar, Bangladesh)

24. The time had come for decisive action. The report of the Special Committee stressed the effort being made to solve outstanding problems. The Special Committee had identified the issues in respect of the different Non-Self-Governing Territories and the administrative measures that should be taken to facilitate the speedy implementation of the Declaration. It had concluded that the peoples of the Non-Self-Governing Territories needed to be properly educated about the options available to them with regard to their future. It was incumbent upon the administering Powers to promote the welfare of the local peoples and to desist from any activities, economic or military, which would impede decolonization.

25. OAU had made commendable efforts towards bringing about a settlement of the question of Western Sahara. His delegation shared the view that the United Nations should shoulder its responsibility for the decolonization of Western Sahara and that the people of the Territory should be enabled to exercise their right to self-determination without further delay. It trusted that the problem of Western Sahara would be resolved expeditiously in a manner consistent with the Charter.

26. The United Nations Educational and Training Programme for Southern Africa was a significant contribution towards decolonization. Its special importance was that it also looked to the future. Despite financial constraints, Bangladesh had recently announced a contribution to the Programme, and at the same time offered scholarships for students from Namibia through the Commonwealth Secretariat. His delegation hoped that the Programme would continue to be generously supported, especially by the developed countries. The people of the region had been deprived of satisfactory education because of the colonial system that prevailed there. Many students had been compelled to take refuge in neighbouring countries. While it was encouraging that the international community should be extending such assistance, the volume of assistance was still inadequate.

27. Stressing his Government's deep-rooted commitment to decolonization, he said that the international community should do everything possible to eradicate the last vestiges of colonialism and apartheid, in particular through the speedy implementation of all pertinent General Assembly resolutions.

28. Mr. SHAMAYLEH (Jordan) said that the report of the Secretary-General in document A/38/111 and its addenda made it clear that the role of the specialized agencies and the international institutions associated with the United Nations in the implementation of the Declaration was to extend support to those peoples still under colonial domination. The expansion of that role to meet the real needs of the inhabitants of those regions was a noble mission that should receive full financial and other support from the Member States.

29. Colonialism, apartheid and racism were among the worst policies still prevailing in the world. Despite all efforts, many peoples were still unable to achieve self-determination and looked to the United Nations for assistance. It was appropriate for the Fourth Committee, therefore, to concentrate its efforts on all aspects of decolonization, including those foreign economic and other interests which impeded the attainment of independence. It was clear, despite the claims of

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(Mr. Shamayleh, Jordan)

some administering Powers that they were labouring in the interests of the people under their domination, that colonialism in fact had led only to the spread of ignorance, disease and poverty in the colonized regions.

30. His delegation wished to place on record its gratitude to those countries which had offered study and training facilities for inhabitants of Non-Self-Governing Territories, as listed in document A/38/549. At the same time, it was unable to understand how an imperialist country such as Israel could offer scholarships to the inhabitants of those Territories while at the same time maintaining the strongest ties with the colonialist régime of South Africa.

31. The greatest contribution Israel could make to decolonization, besides breaking off its ties with South Africa, would be to cease its occupation of the Arab territories and to permit the Palestinian people to exercise self-determination in their own homeland, Palestine. The traditional form of colonialism was based on invasion and occupation, followed by domination and exploitation and the refusal to grant self-determination to the indigenous people. Palestine had suffered a special form of colonialism, namely, zionism. When the Zionists had arrived in Palestine they had come not as traditional colonialists, to occupy the country and exploit it and then depart, but to stay. They had not even tried to exploit the colonialists' traditional justification namely development of the country for the benefit of the local inhabitants, but had claimed instead that Palestine was a land without a people while the Jews were a people without a land, as if the three million Palestinians had no rights in their own country. Moreover, the new settlers had not accepted the idea that another people should live among them but had sought a purely Jewish State. The Palestinian people had thus been deprived of their right to self-determination. It was on that basis that Israel's policies and principles in regard to decolonization should be assessed.

32. Mr. WAYARABI (Indonesia) said that the work of the Special Committee on decolonization, of which Indonesia had been a member since its establishment, had in the main been guided by an effort to take into account the distinctive characteristics of each Non-Self-Governing Territory. The Organization could be proud of the advances that had been made through the work of the Special Committee, but a still greater effort must be made to conclude the decolonization process. Efforts to that end had been greatly strengthened by the founding of the Movement of Non-Aligned Countries, the majority of whose members were beneficiaries of decolonization. At their Seventh Summit Conference the non-aligned countries had reaffirmed their determination to eradicate the last vestiges of colonialism.

33. Indonesia, like many other States in Asia and Africa, had been greatly influenced by the struggle for national independence and the subsequent need to give substance to that independence through a process of nation-building and socio-economic development. From the outset it had developed a strong feeling of solidarity with all struggles for freedom from colonial rule and against oppression and injustice everywhere.

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(Mr. Wayarabi, Indonesia)

34. The central decolonization issue confronting the Organization was the independence of Namibia. Though no other question of decolonization had aroused such international solidarity, the South African régime nevertheless was able to continue with impunity to strengthen its colonial domination over the Territory. That state of affairs reflected the tendency in certain quarters to take advantage of what was essentially a decolonization issue to advance interests which were incompatible with it. Such an approach must be opposed, and all efforts must be directed towards intensifying mandatory and voluntary sanctions against South Africa.

35. The Government of Indonesia had contributed to the Trust Fund for the United Nations Educational and Training Programme for Southern Africa and would continue to do so as far as its means allowed. Development of the human resources of colonial territories was a major element of decolonization. His delegation was therefore heartened by the efforts of the specialized agencies and the international institutions associated with the United Nations to carry out assistance programmes for national liberation movements in Namibia and South Africa in implementation of the Declaration. It shared the concern, however, about the collaboration between the International Monetary Fund (IMF) and South Africa in defiance of General Assembly resolutions and trusted that the attitude of IMF would be reversed.

36. The Special Committee's report on the status of the Non-Self-Governing Territories (A/38/23) was basically a positive assessment. The administering Powers should continue to promote the exercise of the right to self-determination in accordance with the expressed will of the majority in the Territories concerned. Indonesia had always regarded decolonization as being outside political and ideological considerations. The right to self-determination was a universal right to be exercised in accordance with the wishes of the colonial peoples; the interjection of outside factors was detrimental. The progress being made towards the decolonization of the remaining Non-Self-Governing Territories was reflected in the fact that Brunei was about to become independent. His delegation looked forward to mutually beneficial relations with that country.

37. Despite the fact that the so-called question of East Timor was not on the agenda of the current session, some delegations had made unwarranted references to it. The same delegations which continued to belabour that non-issue year after year were also responsible for the circulation of Security Council documents containing deceptive and unsubstantiated accounts of developments in East Timor. His delegation had rebutted those allegations in Security Council document S/16132. He would merely note, therefore, that exaggerated reports of a major military offensive in East Timor and outrageous accusations of executions and killings continued to be circulated by representatives of the so-called Frente Revolucionária Timor Leste Independente (FRETELIN) and their supporters in the Committee. Those patently false accusations must stop, for they would harm the true interests of the people of East Timor themselves. Those who continued to support the misguided obsessions of a few should consider the facts rather than persisting in fiction. If they were to assess the geopolitical and socio-economic realities of East Timor, they might be able to accept the truth that the people had already chosen their fate and that decolonization had already taken place.

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38. Mr. BENHIMA (Morocco), speaking in exercise of the right of reply, said that certain delegations had tried to foist the Frente POLISARIO on Morocco as a credible partner in the dialogue over Western Sahara. It was notable that no mention had been made of that band of mercenaries before Morocco's recovery of its territorial integrity in 1976, although the people of Western Sahara had fought for reunification for 20 years. That people's true representatives had come to the Fourth Committee to proclaim their Moroccan identity and to reject the claim of the Frente POLISARIO to speak for them. The delegations in question had also spoken of the right of the Saharan people to self-determination.

39. The proposal made by His Majesty King Hassan II of Morocco to OAU about the exercise of that right had been welcomed by the whole international community, and his recent statement in the plenary Assembly had removed all shadow of doubt in that connection. Those who sought to prevent the referendum by linking it to extraneous considerations did so because they knew that the result of the referendum would be in Morocco's favour. Through their manoeuvres they sought to delay the practical action already decided on by the OAU Implementation Committee.

40. In his statement at the previous meeting, the representative of Algeria had ignored OAU Assembly resolution 103 - the basis of the peace process - and had called in question the decision of the Implementation Committee setting out the details of the referendum. Instead, he had drawn attention to OAU Assembly resolution 104 and placed on it a false interpretation. He had claimed that it urged the two parties to the conflict not only to negotiate a cease-fire, which was the prior condition for a peaceful and fair referendum, but also to arrange for the conduct of the referendum. His purpose was to give the Frente POLISARIO a right of veto over the peace process. He showed a disregard for the views of OAU in attempting to force an organization of mercenaries on the Saharan people as their representative against their wishes. The aim of the referendum was to allow the people of Western Sahara to determine their future freely and it was in the realization of that purpose that the United Nations was asked to assist.

41. Morocco was not in conflict with the Frente POLISARIO, which was merely a military arm in the service of those countries which organized, trained and equipped it. The presence in Morocco of prisoners of war that were members of the armed forces of those countries was proof of that. It was for the countries which provided the base for the aggression of the Frente POLISARIO to arrange for a cease-fire. Morocco desired a peace that would be in accordance with the decision of the Implementation Committee, which its opponents were trying to question. Tensions in the region would grow worse if the Committee allowed itself to be deceived by that manoeuvre.

42. Mr. MESSAHEL (Algeria), speaking in exercise of the right of reply, said that all the delegations which had taken part in the debate on Western Sahara, save for Morocco, had expressed support for the national aspirations of the people of Western Sahara and for the peace-making efforts of OAU and its Implementation Committee, and had fully endorsed the peace plan put forward in OAU Assembly resolution 104. Those delegations had all joined in urging the General Assembly to encourage OAU to pursue its efforts. Such unanimity made it clear that the Fourth

(Mr. Messahel, Algeria)

Committee was perfectly familiar with the background to the case. Morocco's only support had come from the petitioners, who had inadvertently revealed that country's true intention in bringing them to the United Nations: namely, to obstruct the expression by the people of Western Sahara of their desire for self-determination.

43. The representative of Morocco had charged the Algerian delegation with ignoring OAU resolution 103 and seeking to force Morocco to accept the Frente POLISARIO as a partner in the dialogue. The Frente POLISARIO had been recognized as such, however, throughout the world, and it was referred to in all the relevant decisions of OAU and its Implementation Committee. OAU resolution 104 was the culmination of the process that had started at the eighteenth session of the OAU Assembly, which had identified the parties to the conflict. The facts spoke for themselves: on the one side, there was a unanimous decision by OAU, and on the other, a single country that rejected it.

44. The CHAIRMAN announced that Democratic Yemen had joined the sponsors of draft resolutions A/C.4/38/L.5 and L.6, and Afghanistan those of draft resolution A/C.4/38/L.6.

The meeting rose at 12.55 p.m.