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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 3rd meeting

Held at Headquarters, New York, on Monday, 7 October 2013, at 3 p.m.

Chair: Mr. García González (El Salvador)

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The meeting was called to order at 3.05 p.m.

Agenda item 56: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (A/68/23 (chaps. VII and XIII), A/68/64 and A/68/64/Add.1)

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Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/68/23 (chaps. VIII-X and XIII) and A/68/330)

Requests for hearings

1. **The Chair** said that decolonization had been one of the defining issues of the latter part of the twentieth century. Thanks to the untiring efforts of the United Nations, particularly its Special Committee on decolonization, nearly all of the world's population had availed itself of the decolonization process. In 1960, the General Assembly had adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples, and in 1961 had set up a special committee to monitor implementation of the Declaration. The Special Committee was currently composed of 29 Member States, and it had performed sterling work that had been one of the hallmarks of the Organization's success since its inception.

2. **Mr. Reyes Rodríguez** (Cuba), speaking as Acting Chair of the Special Committee on decolonization, noted that on 17 May, in a historic decision, the General Assembly had recognized that French Polynesia continued to be a Non-Self-Governing Territory as defined in the Charter, effectively adding one more territory to the list of Territories under the Special Committee's purview.

3. The Special Committee intended to intensify its dialogue with the administering Powers, with the main objective of drawing up programmes for the decolonization of specific Territories, based on a case-by-case analysis. That implied the need to review and update the list of the Territories, to hear the views of their representatives, to send visiting missions to them and to organize seminars on their political, social, economic and educational situations. It was particularly important to disseminate information in order to mobilize public opinion in support of the decolonization process. In the current year, the Special Committee had taken preliminary steps along those lines with regard to Territories such as Pitcairn and American Samoa.

4. The responsibility of the administering Powers was not limited to the regular transmission to the Secretary-General of information relating to the Territories. By virtue of Article 73 *b* of the Charter, they also had a responsibility "to assist [the Territories] in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement".

5. The Chair and the Bureau of the Special Committee had been promoting ideas which had been put forward in various forums, including its annual substantive session and the regional seminar held in Quito, Ecuador. Such events provided an opportunity to examine the political, economic and social conditions in the Non-Self-Governing Territories and seek the most appropriate means of ensuring that their peoples could exercise their right to self-determination.

6. The Special Committee had always stressed that the difficulties impacting the sustainable development of the Non-Self-Governing Territories must be approached from a holistic point of view. Tokelau, for example, illustrated the importance of placing the priorities of those Territories at the centre of the post-2015 development agenda, as it was still not eligible for many of the funds provided by the United Nations to assist the small island developing States. The discussion of that agenda had to be open, transparent and inclusive, and it must make due allowance for the special characteristics of the Non-Self-Governing Territories, especially the islands among them, which were deeply affected by the consequences of climate change and needed the urgent attention of the

international community and decisive action by the Member States.

7. The Special Committee had considered other topics on its agenda relating to the Non-Self-Governing Territories. Regarding the question of the Falkland Islands (Malvinas), it had reiterated the call for a “peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland” (A/AC.109/2013/L.7). It had also renewed by consensus its decision relating to Puerto Rico (A/AC.109/2013/L.6), which, *inter alia*, reaffirmed “the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV)”.

8. A further topic discussed by the Special Committee had been the dissemination of information on decolonization, with special emphasis on the options for self-determination available to the peoples of the Non-Self-Governing Territories. The lack of preparation or adequate information in some Territories with respect to those important options had been an ongoing theme expressed by their representatives in the regional seminars.

9. Finally, the Special Committee had reaffirmed its readiness to take part in a constructive dialogue with all the stakeholders, especially the administering Powers, to achieve the elimination of colonialism.

10. **Mr. Ja’afari** (Syrian Arab Republic), speaking as Rapporteur of the Special Committee on decolonization, introduced the report contained in document A/68/23, which covered the work of the Special Committee during 2013. Chapters I to XII of the report contained detailed information on the Special Committee’s activities, including under such specific themes as the current Third International Decade for the Eradication of Colonialism, the dissemination of information on decolonization, and the question of visiting missions to the Non-Self-Governing Territories. Some chapters reported on the Special Committee’s consideration of specific Non-Self-Governing Territories and presented recommendations in the form of draft resolutions.

11. During its substantive session in June 2013, the Special Committee had reaffirmed its central role as the main vehicle for advancing the decolonization process and monitoring the situation in the Non-Self-

Governing Territories. As it had not been possible to conduct any visiting missions since 2006, the regional seminars, in conjunction with the Special Committee’s annual sessions, had become valuable tools for assessing the current situation in each Territory.

12. The General Assembly had, by consensus, given the Special Committee an eloquent vote of confidence by entrusting it with the question of the self-determination of French Polynesia. In resolution 67/265, the General Assembly had declared, *inter alia*, that the Government of France, as the administering Power of French Polynesia, had an obligation under Article 73 *e* of the Charter to transmit information on the Territory.

13. **Mr. Khazaei** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement attached great importance to the universal goal of decolonization and the exercise of the legitimate right to self-determination of peoples under colonization and alien domination. Despite significant successes by the Special Committee, there were still 17 Non-Self-Governing Territories under the purview of the General Assembly. Colonialism in any form or manifestation, including economic exploitation, was incompatible with the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights. The Movement stressed, yet again, the importance of the recommendation contained in the Final Document of the Sixteenth Summit Conference of Heads of State or Government of Non-Aligned Countries, in which the call to the United Nations to fulfil its responsibilities and speed up the process of decolonization had been renewed.

14. The Special Committee continued to grapple with the thorny political problems of countries and Territories that remained under foreign domination. It needed to find different ways to improve its interaction with the administering Powers and ensure the active participation of the peoples of the Non-Self-Governing Territories in the determination of their own future. The administering Powers should grant their full cooperation and support to the activities of the Special Committee.

15. The Movement believed that all peoples who had been or still were subjected to colonial rule or foreign occupation were entitled to receive from the

administering Powers fair compensation for the human and material losses suffered as a result. Furthermore, it was necessary to ensure that activities of the administering Powers did not jeopardize the interests of the peoples of the Non-Self-Governing Territories but rather promoted development and assisted them in the exercise of their legitimate right to self-determination. In addition, Member States were urged to implement the decisions and resolutions of the United Nations Educational, Scientific and Cultural Organization concerning the return of cultural properties to peoples who had been or still were under colonial rule.

16. The Movement reaffirmed the right of the people of Puerto Rico to self-determination and independence on the basis of General Assembly resolution 1514 (XV) and urged the United Nations actively to consider the question of Puerto Rico in all its aspects. It continued to support the inalienable right of the Palestinian people to self-determination and the establishment of an independent and viable State of Palestine on the basis of relevant international resolutions, with East Jerusalem as its capital.

17. **Mr. Reyes Rodríguez** (Cuba), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), reiterated the Community's firm support for the process of decolonization and stressed the importance of ensuring that all peoples throughout the world exercised their inalienable right to self-determination, one of the core objectives of the United Nations since its foundation, as stated in resolutions 1514 (XV) and 1541 (XV), as well as in other relevant General Assembly resolutions. Although the Special Committee on decolonization had achieved a great deal in its 51 years of existence, the fact that there were still 17 Non-Self-Governing Territories was an indication that decolonization — including that of French Polynesia — must remain a priority of the United Nations.

18. CELAC renewed its call to the administering Powers to adopt the necessary measures to bring rapidly to fruition the decolonization of each of the Non-Self-Governing Territories, including those that were the subject of sovereignty disputes, and also to communicate regular and accurate information on each of the Territories under their administration, pursuant to Article 73 *e* of the Charter.

19. CELAC commended the work of the Department of Public Information aimed at promoting the goals of the Declaration on the Granting of Independence to Colonial Countries and Peoples and expressed in particular its appreciation for the fact that information was posted on the decolonization website in all six official languages.

20. In their special communiqué on the Malvinas Islands (A/67/727), adopted at the first CELAC Summit, the Heads of State and Government of Latin America and the Caribbean had reaffirmed their 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. They had called for the resumption of negotiations between Argentina and the United Kingdom, in accordance with the relevant resolutions of the United Nations and the Organization of American States (OAS), and had highlighted the ongoing willingness of the Argentine Government to reach a peaceful and definitive solution to that anachronistic colonial situation. They had reiterated the importance of observing the provisions of United Nations General Assembly resolution 31/49, under which the two parties were to refrain from introducing unilateral modifications in the situation during the negotiation process, and had asked the Secretary-General to provide an update on his progress in carrying out his mission of good offices to bring the two parties to the dispute to the negotiating table.

21. The question of Puerto Rico had been considered in the Special Committee for over 40 years. A total of 32 resolutions had been adopted, reaffirming *inter alia* the inalienable right of the Puerto Rican people to self-determination and independence and emphasizing that Puerto Rico was a Latin American and Caribbean nation with its own distinctive national identity.

22. As for the small island Territories of the Caribbean and the Pacific, which made up the majority of the Non-Self-Governing Territories, CELAC considered it necessary that measures to facilitate the sustained and balanced growth of their fragile economies should continue to be taken, and that the indigenous peoples should be allowed to exercise their right to self-determination if they so desired. CELAC therefore remained concerned about the situation in the Turks and Caicos Islands and underscored the need to ensure truly inclusive, democratic and representative governance there. More attention should be paid to the

special challenges facing small islands, such as the accelerating loss of land caused by sea-level rise resulting from climate change, and the damage caused by hurricanes, volcanic eruptions and other natural disasters.

23. CELAC endorsed all the resolutions adopted by the General Assembly and the Security Council on the question of Western Sahara and continued to support the efforts of the Secretary-General and his Personal Envoy to reach a just, lasting and mutually acceptable political solution leading to the self-determination of the people of Western Sahara.

24. **Mr. Moreno** (Bolivarian Republic of Venezuela), speaking on behalf on the member States of the Southern Common Market (MERCOSUR), said that it was currently a particularly propitious time for redoubling international efforts in favour of decolonization, in line with the proclamation of the Third Decade for the Eradication of Colonialism. Despite the progress made, some colonial situations persisted, impeding universal respect for the human rights and fundamental freedoms of the peoples subject to colonial domination. There could be no relaxation of efforts to bring about the effective implementation of the relevant General Assembly resolutions on the subject.

25. The resolutions adopted on the question of Puerto Rico reaffirmed the inalienable right of the Puerto Rican people to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). In the joint communiqué of the MERCOSUR States parties and associated States, adopted on 12 July 2013 (A/68/482), the Heads of State and Government had reaffirmed the terms of the Malvinas Declaration of 25 June 1996 and those of the Mendoza Declaration of 29 June 2012. They had reiterated their 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. They had stressed that the United Kingdom's military presence in the islands was contrary to the region's policy of seeking a peaceful solution to the dispute, and had rejected the United Kingdom's unauthorized hydrocarbon activities in that area. In 1833, the United Kingdom had replaced the Argentine population on the islands with British nationals, thereby creating a "colonial territory" even though there was no colonized population. In numerous resolutions, the General

Assembly and the Special Committee had described the situation as "special and particular" and had emphasized the importance of a peaceful and negotiated solution between Argentina and the United Kingdom, as the sole parties to the dispute. MERCOSUR welcomed the Argentine Government's consistently constructive attitude and the good offices mission of the Secretary-General, and called for a renewal of the negotiations between the Argentine Republic and the United Kingdom, as mandated by the international community.

26. **Ms. Morgan** (Mexico) said that Mexico had included the self-determination of peoples, which was an inalienable right, in its foreign policy as a binding principle. It urged the United Nations to continue to involve itself in the process of decolonization, particularly in the context of the Third Decade for the Eradication of Colonialism.

27. In the case of Western Sahara, Mexico supported the efforts to reach a just and lasting solution to the conflict, in accordance with the relevant resolutions of the Security Council and the General Assembly. It reiterated its profound commitment to the right of the Saharan people to self-determination. They should exercise that right through a referendum that included all options for the determination of their future, accepted by all stakeholders. Mexico confirmed its support for the United Nations Mission for the Referendum in Western Sahara (MINURSO), emphasized the vital importance of listening to the will of the Saharan people and, welcoming the efforts of the Personal Envoy of the Secretary-General, called on all stakeholders to continue to cooperate with him.

28. Mexico recognized the Argentine claim to sovereignty over the Malvinas Islands and the surrounding maritime areas as legally and historically valid and called on Argentina and the United Kingdom, countries which had values in common and were united by a variety of ties, to refrain from unilateral actions and to renew negotiations in order to achieve a peaceful, just and lasting solution to the conflict, in accordance with the resolutions and declarations adopted by the United Nations, OAS and other international bodies. In that regard, the two parties should accept the Secretary-General's offer to use his good offices, as well as the General Assembly President's offer of mediation.

29. **Mr. De Aguiar Patriota** (Brazil) observed that the current year was the 180th anniversary of the occupation of the Malvinas Islands by the United Kingdom, which had resulted in a special and particular colonial situation. Brazil's position encompassed the whole scope of Argentina's claim to sovereignty, as it supported Argentina's legitimate rights in the sovereignty dispute not only over the Malvinas Islands but also over the South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The entire Latin American and Caribbean region shared that position and wanted the two parties to the dispute to settle the issue peacefully, in accordance with the principles of the Charter and the relevant resolutions of the General Assembly. The United Kingdom's military, fishing and hydrocarbon activities in the area were contrary to the provisions of General Assembly resolution 31/49, which called on the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands were going through the process of seeking a rapid and peaceful solution to the sovereignty dispute. The South Atlantic was a zone of peace and cooperation in which unilateral military actions had no place. The Latin American and Caribbean region had a common position on the issue, as reflected in the Mendoza Declaration adopted at the 2012 MERCOSUR Summit, in which the countries of the region had reaffirmed their sovereignty over their natural resources and had agreed to exchange information on vessels or naval structures related to the question of the Malvinas Islands. The dispute was of particular concern to Brazil, as it involved sovereignty and a dispute with a country outside the region. Brazil trusted that the use of the Secretary-General's good offices would be instrumental in promoting a peaceful solution. The fact that one of the parties to the dispute was unwilling to engage in direct dialogue was a matter of concern.

30. **Mr. Wei Zonglei** (China) said that, with a view to assisting colonial peoples to exercise the right of self-determination, as provided for in the Charter, the General Assembly in 1960 had adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples. Even though the Special Committee on decolonization had done much to promote the decolonization process in the interim, there were still two million people living in a colonial situation in 17 Non-Self-Governing Territories. Decolonization was an arduous process; nevertheless, in accordance with the

Charter and the 1960 Declaration, Member States had an obligation to promote the interests of the peoples of Non-Self-Governing Territories and help them to achieve self-determination.

31. China supported the launching of the Third International Decade for the Eradication of Colonialism, hoped that the Committee would continue to strengthen its contacts with the Non-Self-Governing Territories and help them to make further progress, and called on the administering Powers to engage in closer cooperation with the United Nations.

32. **Mr. Estreme** (Argentina) said that his country asserted its full support for and commitment to the decolonization process, which should be led by the United Nations in accordance with the Charter and General Assembly resolution 1514 (XV). It was worth mentioning that resolution 1514 (XV) made it clear that more than one form of colonialism existed and established two principles to address the various cases: self-determination and territorial integrity.

33. Argentina was a staunch defender of the right of self-determination in cases in which that right was applicable. No people should be subjected to alien subjugation, domination, exploitation or occupation, each of which was a denial of fundamental human rights and an impediment to the promotion of world peace and cooperation. Argentina therefore called on the administering Powers to cooperate with the Special Committee.

34. Although a defender of the principle of self-determination, Argentina could not accept the distortion of that principle to perpetuate, since 1833, an anachronistic colonial dispute that mutilated the territorial integrity of Argentina. The sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas had been recognized in successive resolutions of the General Assembly and the Special Committee on decolonization as a "special and particular colonial situation" which the sole two parties involved must resolve through negotiations, taking into account the interests of the inhabitants of the islands. Any attempt to allow the British population on the islands to arbitrate a dispute to which their own country was a party distorted the right of self-determination of peoples, given that the situation did not involve a people subjugated, dominated or exploited by a colonial Power. They were British

nationals whose status had not changed over the years they had resided there. Accordingly, the illegitimate “referendum” unilaterally organized by the United Kingdom in March 2013 in no way changed the essence of the question and did not affect Argentina’s undeniable rights of sovereignty.

35. The United Kingdom was illegally carrying out unilateral activities involving the exploration and exploitation of renewable and non-renewable natural resources in the disputed area in violation of the United Nations mandate set out in General Assembly resolution 31/49. The United Kingdom was also conducting military exercises, including the firing of missiles from the Malvinas Islands, which ran counter to the maritime safety standards of the International Maritime Organization and the regional policy of consistently seeking a peaceful settlement of the dispute. Such activities constituted an affront not only to Argentina but also to the rest of the countries of the region.

36. Other regions, too, had spoken out in support of Argentina’s position. It was time for the United Kingdom to honour the obligation devolving on it as a State Member of the United Nations to reach a solution to the dispute. As the President of Argentina had recently affirmed before the General Assembly, it was necessary to put an end to double standards and to ensure that all Member States complied equally with United Nations resolutions. For its part, Argentina reaffirmed its commitment to resolve the sovereignty dispute through dialogue, democratically, and pursuant to the terms of United Nations resolutions.

37. **Mr. Ntwaagae** (Botswana) said it was very unfortunate that Western Sahara remained on the agenda of the Special Committee as a Non-Self-Governing Territory. His delegation reiterated its support for the right of the Sahrawi people to self-determination, in accordance with the principles of the Charter. Genuine negotiations conducted in a spirit of compromise were crucial in addressing the issue. While the Secretary-General and his Personal Envoy were to be commended for their tireless efforts to find a lasting and mutually acceptable solution to the problem, that so little progress had been made since the early 1990s was disheartening. He welcomed the adoption of the resolution extending the mandate of MINURSO. Calling on the parties involved to summon the will and courage to address all aspects of the problem, he reiterated his country’s support for the

international community’s efforts to encourage the parties to remain constructively engaged in dialogue, noting also that an open referendum remained the only practical way of enabling the Sahrawi people to decide their own fate.

38. **Mr. Thornberry Naggy** (Peru) said that Peru had firmly supported United Nations efforts to eliminate colonial situations since the founding of the Organization. More than 80 Territories had gained their independence through those efforts, but the task was not yet concluded. The United Nations should step up its efforts to help the 17 remaining Non-Self-Governing Territories to achieve their independence during the Third International Decade for the Eradication of Colonialism.

39. The work carried out by the Special Committee was crucial, as were the endeavours of its Member States that had spared no effort to bring about a world in which the principle of self-determination took precedence over all other considerations. Two decisive factors must be brought jointly into play: firm political will and a case-by-case approach to the particular circumstances of each situation. It was important that the progress in each decolonization situation should be the subject of an ongoing review, and that the Special Committee should remain in direct contact with the parties involved in each individual case. The administering Powers must cooperate fully with the Special Committee and take the necessary measures to accelerate the process of decolonization.

40. Of particular concern to Peru was the case of the Malvinas Islands, where historical and legal circumstances excluded the possibility of self-determination. The special and particular nature of the situation had been recognized in numerous General Assembly resolutions, and Peru had always supported the Argentine Republic’s legitimate sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. As the Special Committee had said on many occasions since 1964, there was no possibility of resolving the matter other than by negotiation between the parties involved. Peru therefore urged Argentina and the United Kingdom to resume negotiations as soon as possible in order to reach a peaceful, constructive and lasting solution to the dispute, in accordance with the relevant United Nations and OAS resolutions. It also urged them to heed the General Assembly’s request in resolution 31/49 and to refrain

from taking decisions that would result in unilateral modifications in the situation of the islands.

41. **Mr. Orellana Zabalza** (Guatemala) said that his delegation wished to express its firm support for Argentina's legitimate rights in the sovereignty dispute with the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The situation there involved a colonized territory but not a colonized people and was therefore classified as "special and particular". In 1833 the United Kingdom had occupied the islands and populated them with British people, who could not be considered entitled to the right of self-determination, especially in relation to a dispute to which their own political authority was a party. The General Assembly, in paragraph 6 of resolution 1514 (XV), had explicitly ruled out the application of the principle of self-determination to that situation. Argentina and the United Kingdom should resume bilateral negotiations as soon as possible to reach a just, peaceful and lasting solution to the sovereignty dispute, as called for by United Nations and OAS resolutions. Argentina had expressed its willingness to do so; it was to be hoped that the occupying Power would undertake to do likewise.

42. In the case of the situation in Western Sahara, Guatemala supported the efforts of the Secretary-General and his Personal Envoy to help the parties reach a just, lasting and mutually acceptable solution to the conflict. It welcomed the efforts that had been made towards confidence-building measures, particularly the expansion of the programmes of the United Nations High Commissioner for Refugees.. Finding a solution, which would require a spirit of compromise, was essential not only for the well-being of the population of Western Sahara, but also for the security of the entire Sahel region.

43. **Mr. Scappini Ricciardi** (Paraguay) said that colonialism and the continued existence of colonies were one of the most striking traces still remaining of a structure of international relationships and power anchored in the past, which had harmed some and benefited others. That situation caused Paraguay to reiterate its support and to commit itself even more firmly to the process of decolonization.

44. Paraguay supported the principle of self-determination for the indigenous populations of colonized territories. Certainly, it was a complex

equation, given the tangled weave of interests among the indigenous population, the colonial population and the administering Power. However, Paraguay maintained as a matter of principle that the United Nations had a duty to protect the rights of indigenous populations over those of the population imposed by colonization, and it should act accordingly. Although the process of decolonization had had visible successes, and the political will of States had played an important part in the decolonizing process, it was evident that decolonization went beyond any routine action to be taken by a government, because it was a social imperative that was rooted in the image that an indigenous population had of its political situation. In that context, particular importance attached to the references in General Assembly resolutions 1514 (XV) and 1541 (XV) on the holding of referendums as a mechanism to enable peoples, in full exercise of their sovereignty, to decide on their future: integration or autonomy.

45. **Mr. Errázuriz** (Chile) said that the work of the Special Committee on decolonization had been a success but had not yet been completed. His country called on the administering Powers to take the measures needed to achieve the rapid decolonization of the remaining Non-Self-Governing Territories and transmit, in conformity with Article 73 *e* of the Charter of the United Nations, appropriate information on the Territories under their administration.

46. With respect to the special and particular question of the Malvinas Islands, which involved a sovereignty dispute, his delegation reaffirmed its support for the legitimate rights of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, pursuant to the relevant United Nations resolutions. It urged the two parties to the dispute, Argentina and the United Kingdom, to begin a process of dialogue and cooperation through the resumption of negotiations in order to find as expeditiously as possible a solution that conformed with United Nations resolutions. Pursuant to General Assembly resolution 31/49, the parties should refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands were going through the process of seeking a solution, and in particular they should refrain from prospecting for or exploiting the hydrocarbon resources of the continental shelf. His delegation joined the call to the Secretary-General to

renew his efforts in the mission of good offices seeking to bring about the resumption of negotiations directed towards a peaceful solution to the dispute, and requested him to provide an update on the progress made thus far. It commended the Argentine Government for its willingness to undertake negotiations in order to find a peaceful and lasting solution.

47. His delegation appreciated the work of the Department of Public Information in disseminating knowledge about the work of the Special Committee. It joined others in calling for the decolonization website to be maintained in the six official languages in order to highlight the work of the United Nations in such an important sphere.

48. **Mr. Vidal** (Uruguay) expressed the hope that the present proceedings in the Fourth Committee would constitute an opportunity for Member States to redouble their efforts to ensure that the right to self-determination could be exercised in the Territories that had not yet achieved self-government and to promote dialogue and cooperation between the administering Powers and the Territories they administered. True to its adherence to the principle of self-determination, his country endorsed the rights of the Saharan people in Western Sahara. It was crucial that the discussions between the Kingdom of Morocco and the Frente Polisario should be resumed in the near future, in good faith and with the intention of reaching a just, lasting and mutually acceptable solution to the conflict, one that would provide for the self-determination of the people of Western Sahara in conformity with the principles of the Charter of the United Nations, General Assembly resolution 1514 (XV) and other relevant United Nations resolutions. The efforts in that direction of the Secretary-General and his Personal Envoy were welcome.

49. As promotion and protection of human rights and international humanitarian law made up one of the main thrusts of Uruguay's foreign policy, his delegation encouraged both parties to cooperate with the United Nations and apply measures to ensure full respect for human rights in Western Sahara and in the refugee camps.

50. Of particular importance to the region of the Americas was the search for a peaceful and definitive solution to the question of the Malvinas Islands. Although a faithful defender of peoples' right to self-

determination, Uruguay held that it was not relevant in the case of the Malvinas Islands, to which the principle of territorial integrity of States applied. Uruguay's support for the claim of the Argentine Republic with regard to its legitimate right of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas was well known. Uruguay adopted that position not solely because one of the parties was a neighbouring country, but primarily because it embraced the historical, legal and geographical justice of the claim.

51. Since 1965, the General Assembly and the Special Committee on decolonization had stated that the question of the Malvinas was a special and particular colonial situation, involving a sovereignty dispute between the Argentine Republic and the United Kingdom to which a peaceful and negotiated solution must be found. It was therefore of fundamental importance that the Governments of the Argentine Republic and the United Kingdom should resume negotiations very soon in order to find a prompt, peaceful and just solution to the dispute concerning sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, in accordance with United Nations and OAS resolutions and declarations. In the meantime, they should refrain from taking unilateral measures that could impede the outcome. The reactivation of the Secretary-General's mission of good offices would be very helpful in hastening the resumption of negotiations.

52. **Mr. Zinsou** (Benin) said that the settlement of the question of Western Sahara was essential for Africa, if peace and harmony were to be established at the continental level, an aspiration that had been thwarted since 1976 by a situation that had seriously impeded the development of regional cooperation and delayed the full creation of the Arab Maghreb Union. The lack of peace and harmony presented a significant obstacle to the strengthening of African integration and unity at a time when Africa had a greater need than ever of all its sons and daughters to tackle the challenges of unemployment, poverty and lack of sustainable development.

53. Benin welcomed the efforts made by the United Nations, and in particular by the Secretary-General and the Security Council, towards resolving the issue. However, despite those efforts, the situation remained unacceptably precarious. Benin took the view that the

Moroccan proposal of 11 April 2007 contained some important elements which, with the support of the international community, could serve as a basis for serious and credible discussions among the parties and the countries of the region. That proposal, which had been endorsed by the Security Council opened the way for a solution that would respect the principle of self-determination. It was an approach in which each party would gain something and which placed the populations of the region at the centre of the concerns. Benin urged the Personal Envoy of the Secretary-General to continue his beneficial efforts of shuttle diplomacy.

54. On the question of human rights, Benin called for the continuance of the confidence-building measures undertaken and welcomed the steps taken by the Moroccan Government to respond to the concerns expressed on the human rights situation in Western Sahara. In that context, greater emphasis should be placed on reinforcing the programmes of visits between the populations of the Sahara and those in the camps in Tindouf. Organization of overland visits could valuably complement the current programme of air transportation, and the parties concerned should work in that direction in conjunction with the Office of the United Nations High Commissioner for Refugees. The humanitarian situation, particularly in the Tindouf camps, should continue to be addressed. The call by the Security Council for continued work to register the populations of the camps was welcome, and parties should cooperate in that context with the High Commissioner.

Statements made in exercise of the right of reply

55. **Ms. Grimwood** (United Kingdom) said that her country had no doubt about its sovereignty over the Falkland Islands. Its position was underpinned by the principle and the right of self-determination set forth in Article 1, paragraph 2, of the Charter of the United Nations and article 1 of the International Covenant on Civil and Political Rights. The future of the Falkland Islands must be determined by the people of the Falkland Islands, in accordance with the United Kingdom's obligations under the Charter.

56. In March 2013, the Falklands Islands Government had held a referendum in which the overwhelming majority (99.8 per cent) of voters had voted to remain an Overseas Territory of the United Kingdom. When presenting that outcome to the Special

Committee on decolonization, the democratically elected representatives of the Falkland Islands had drawn attention to the historical facts and asked for the principle of self-determination to be observed. Given that the Falkland Islands had had no indigenous people and that no civilian population had been removed prior to their ancestors' settling on the Islands, they claimed the right to have their wishes respected.

57. Her Government and that of the Falkland Islands remained willing to cooperate with the Argentine Republic on matters of mutual interest. However, the Argentine Republic continued to reject such approaches and had taken a number of actions that were harmful to the region, including the adoption of restrictions on shipping to the Islands, which appeared to be an attempt to threaten the livelihoods of Falkland Islanders and the legitimate pursuit of trade.

58. Claims of militarization of the South Atlantic were wholly false. The United Kingdom had maintained a defensive military posture in the South Atlantic since the Argentine Republic had illegally invaded the Falkland Islands in 1982 and ignored a binding Security Council resolution to withdraw from the Islands. Since that time, garrison numbers had been reduced to the minimum necessary for the Islands' defence.

59. The United Kingdom also rejected the allegation that unauthorized exploration for and exploitation of hydrocarbons were being conducted in Falkland Islands waters, constituting a unilateral measure by the United Kingdom. The decision to exploit the natural resources had been made by the Falkland Islands Government for the benefit of the Falkland Islanders and in accordance with their right of self-determination. All activities related to hydrocarbons on the continental shelf of the Falkland Islands were regulated by legislation of the Falkland Islands Government, in strict accordance with the United Nations Convention on the Law of the Sea. The United Kingdom remained fully committed to defending the right of the Falkland Islanders to determine their own political, social and economic future and called on the Argentine Republic to respect their wishes. Lastly, South Georgia and the South Sandwich Islands would remain an Overseas Territory of the United Kingdom.

60. **Mr. Díaz Bartolomé** (Argentina) said that his delegation reaffirmed the views expressed by the President of Argentina before the General Assembly in

September 2013 and by the Minister for Foreign Affairs of Argentina before the Special Committee in June 2013. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine national territory and, as a result of their illegitimate occupation by the United Kingdom, were the subject of a sovereignty dispute, as was recognized by various international organizations. The resolutions of the General Assembly and the Special Committee on the subject called upon the Governments of Argentina and the United Kingdom to resume negotiations in order to find a peaceful and lasting solution to the dispute as soon as possible.

61. The Argentine Republic regretted that the British Government was seeking to distort history in an attempt to conceal the act of usurpation that it had committed in 1833. By so doing, the United Kingdom demonstrated that it was uncertain of the legitimacy of its position in relation to the archipelagoes considered under the agenda item on the question of the Malvinas Islands. Rather than trying to deny historical events the occurrence of which it had already admitted and the consequences of which it had recognized, the United Kingdom should immediately resume negotiations with Argentina on the matter of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, in order to reach a just and lasting solution to the dispute, in accordance with its commitment to comply with General Assembly resolution 2065 (XX). Were it to do so, the United Kingdom would be acting lawfully and responsibly, in other words in the same way as it expected the rest of the international community to act.

62. The Argentine Government rejected all unilateral actions by the United Kingdom in the disputed areas, as well as that country's references to the areas, in the so-called "White Paper 2012", as "British Overseas Territories" and the inclusion of the so-called "British Antarctic Territory" as a "British Overseas Territory". The principle of self-determination of peoples, the sole element on which the United Kingdom based its position, was totally and manifestly inapplicable to the question of the Malvinas Islands. Furthermore, the illegitimate vote held in the Malvinas Islands was another British unilateral act and as such did not alter in any way the essence of the question or put an end to the sovereignty dispute or affect Argentina's indisputable rights. Evidence of that fact had been

provided at the 20 June 2013 meeting of the Special Committee on decolonization, when a new resolution on the question of the Malvinas Islands, phrased in the usual terms, had been adopted by consensus.

63. The solution to the sovereignty dispute did not depend on the result of a spurious and tautological "referendum" in which the British authorities had asked British citizens whether they wished to continue to be British. To allow the British inhabitants of the islands to arbitrate a dispute to which their own country was a party distorted the right of peoples to self-determination because in the case of the Malvinas there was not a "people" subject to the domination of a colonial Power.

64. Lastly, Argentina rejected the United Kingdom's irresponsible continuation of the illicit appropriation of Argentine renewable and non-renewable natural resources, in open violation of international law. The Argentine delegation recalled that the interests and way of life of the islands' inhabitants were duly protected by the relevant General Assembly resolutions and by the Argentine Constitution.

65. **Ms. Grimwood** (United Kingdom) said that her country had no doubt about its sovereignty over the Falkland Islands. The future of the Falkland Islands must be determined by the people of the Falkland Islands, whose Government in March 2013 had held a referendum in which the overwhelming majority of the people of the Falkland Islands had voted to remain an Overseas Territory of the United Kingdom.

66. **Mr. Díaz Bartolomé** (Argentina) reiterated that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine national territory. The General Assembly had called upon the only parties to the dispute, the Governments of Argentina and the United Kingdom, to resume negotiations in order to find a peaceful solution as soon as possible.

67. The illegitimate vote held in the Malvinas Islands was another British unilateral act, which did not alter in any way the essence of the question of the Malvinas Islands or affect Argentina's indisputable rights. The solution to the sovereignty dispute could not depend on the result of a "referendum" in which subjects of the British crown expressed their wish to continue to be British. Such an outcome would distort the right of peoples to self-determination because in the case of the Malvinas there was not a "colonized people".

68. **Mr. Laassel** (Morocco) pointed out that the Charter of the United Nations made no reference to the mechanism of a referendum and in no way made self-determination equivalent to independence. The matter of self-determination was covered in Chapters XI and XII of the Charter, with Article 73 referring to the need to help populations to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement. Nor did the relevant resolutions of the General Assembly refer to a referendum. In the case of Western Sahara, the United Nations had never organized a referendum based on a process of identification, which was a complicated process and very different from a mere survey. Because of their tribal and nomadic features, it was almost impossible to associate the Saharan populations with a precisely delimited territory. The attempt at identification had dragged on for ten long years before the United Nations had concluded that any sort of referendum was inapplicable. That had been made clear in the Secretary-General's report to the Security Council in document [S/2000/131](#), and since 2004 the Security Council had ceased to refer to a referendum in that context.

69. In the area of human rights, for a long time, indeed since well before the Arab Spring, Morocco had been actively pursuing political reforms, including in particular the promotion of human rights throughout its territory. It had also invested considerable sums to raise the economic, cultural and social standard of living in the Saharan provinces and to utilize the region's resources for the benefit of the local population. As a result of such investments, the rate of poverty in the region had dropped from 30 per cent in 1975 to 6 per cent at the present time.

70. With a view to consolidating the Sahara in a dynamic process of human development, the Government in 2012 had prepared an outline model for its regional development, involving implementation of the constitutional principles of respect for and promotion of fundamental human rights within the framework of citizen responsibility, placement of the citizen at the heart of public policies and applying national and local government efforts to boost a viable local economy.

71. Access to the Saharan region remained open, and the region was constantly visited both by Moroccans and by foreigners, including civil society organizations, media representatives and parliamentarians. Since April 2012, the region had received over 332 foreign visitors from 34 countries. In addition, diplomats accredited in Morocco were at liberty to visit the region.

72. In the course of the political process for the resolution of the question of the Sahara, in both its humanitarian and human rights dimensions, Morocco had undertaken several political initiatives, including in particular the establishment of a mediating function, the creation of a National Council on Human Rights and positive interactions with the special procedures of the United Nations Human Rights Council. In addition, several high-level United Nations officials had visited the Sahara region. Those initiatives had been welcomed by the international community and had elicited the praise of the Security Council in resolution [2009 \(2013\)](#), and Morocco intended to continue along the same path.

Requests for hearings

73. The Chair drew attention to 86 requests for hearings under agenda item 60, one relating to French Polynesia ([A/C.4/68/2](#)), one relating to Gibraltar ([A/C.4/68/3](#)), one relating to Guam ([A/C.4/68/4](#)), two relating to New Caledonia ([A/C.4/68/5](#)) and 81 relating to Western Sahara ([A/C.4/68/6](#)). He took it that the Committee wished to grant those requests.

74. *It was so decided.*

The meeting rose at 5.40 p.m.