



CONTENTS

	Page
<i>Agenda item 23:</i>	
<i>Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: reports 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: A/5800/Rev.1, chapters VII, IX, X and XIII-XXVI; A/6000/Rev.1, chapters IX-XXV (continued)</i>	
<i>General debate and consideration of draft resolutions (continued)</i>	245

Chairman: Mr. Majid RAHNEMA (Iran).

AGENDA ITEM 23

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples: reports 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: A/5800/Rev.1, chapters VII, IX, X and XIII-XXVI; A/6000/Rev.1, chapters IX-XXV (continued) (A/5959 and Corr.1, A/6084, A/6094, A/C.4/L.802)

GENERAL DEBATE AND CONSIDERATION OF DRAFT RESOLUTIONS (continued) (A/C.4/L.802)

1. Mr. DE PINIES (Spain), exercising his right of reply, thanked the representatives of Tunisia, Zambia, the Philippines and the United Arab Republic for their statements at the previous meeting concerning Gibraltar. At the same meeting, his delegation had also noted with particular interest the statement of the representative of Guinea with regard to Equatorial Guinea. As to the Ghanaian representative's question, also at the previous meeting, concerning the date on which that Territory would attain independence, it should have been addressed to the President of the autonomous Governing Council of Equatorial Guinea when he had appeared before the Committee (1550th meeting), and Mr. de Pinies would be glad to transmit the question to him.

2. With regard to the United Kingdom representative's statement at the 1558th meeting, his delegation had had no intention of opening a debate on a question which had already been thoroughly studied by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples; it had simply referred the members of the Committee

to the records of that body and to the relevant documents. However, the United Kingdom representative's statement had been more than simply an exercise of his right of reply. He had discussed the question of Gibraltar in detail once again and had explained his country's attitude towards the consensus which had been reached in the Special Committee concerning that Territory (A/5800/Rev.1, chap. X, para. 209). The Spanish Government took careful note of that attitude.

3. The United Kingdom representative had laid particular emphasis on the restrictions which Spain had allegedly imposed on Gibraltar, representing them as an obstacle to the implementation of the Special Committee's recommendations. On that point, he could only recall what he had already said at the 1556th meeting, namely, that his delegation reiterated for the eighth time, on behalf of the Spanish Government, that Spain was prepared to open negotiations with the United Kingdom as recommended by the Special Committee, without setting any prior conditions but also without accepting any.

4. The United Kingdom representative had also said at the 1558th meeting that there were many territories peopled by immigrants and that it would be impossible to accept the view that it was only indigenous populations that could claim rights. That assertion had been made with reference to the Malvinas Islands and to Gibraltar, two United Kingdom strategic bases which the United Kingdom Government was apparently determined to exempt from the decolonization process. His delegation would make no further comment on that statement.

5. The United Kingdom representative had gone on to declare that his country would not negotiate with Spain until it was recognized that the principle of self-determination applied to the immigrants inhabiting Gibraltar. He recalled, in that connexion, that the Special Committee had reached the conclusion that that principle was not the one to be applied in the case of the decolonization of Gibraltar.

6. The United Kingdom representative had added that sovereignty over Gibraltar rested, of course, with the United Kingdom and that it could not be the subject of negotiations.

7. The members of the Committee would appreciate that, given the conditions laid down by the United Kingdom Government, Spain could not, despite its wish to do so, comply with the Special Committee's decision and co-operate with the United Kingdom in decolonizing Gibraltar in accordance with the Committee's recommendations. It was clear that the United Kingdom was not interested in such co-operation.

8. Hence, the United Nations should now pronounce judgement on the attitude of a country which was opposing the implementation of a decision adopted by the United Nations and on that of another country which was prepared to comply with it. Spain would follow closely the development of the dispute between the United Kingdom and the United Nations; it awaited a solution of the problem, for it was directly concerned with the process of decolonization.

9. Mr. GARCIA DEL SOLAR (Argentina), exercising his right of reply, said that he wished to refer to the United Kingdom representative's description of the dispute concerning the Malvinas Islands as simply a question of territorial sovereignty, which would mean that it was outside the Committee's competence. On the contrary, as many delegations had recognized, a colonial situation had existed in the islands since the United Kingdom had taken possession of them by force in 1833. Furthermore, the United Kingdom transmitted information on the Malvinas Islands to the United Nations every year under Article 73 of the Charter, which clearly showed that they constituted a Non-Self-Governing Territory. As such, the islands had been discussed by the Special Committee and its Sub-Committee III, bodies whose competence was defined by General Assembly resolutions 1654 (XVI), 1810 (XVII) and 1956 (XVIII) and which were empowered to make recommendations on the full implementation of General Assembly resolution 1514 (XV). Moreover, resolution 1514 (XV) provided for not only decolonization through self-determination but also the less frequent cases in which the question of the territorial integrity of certain nations arose.

10. In the conclusions and recommendations which it had adopted on 13 November 1964 (A/5800/Rev.1, chap. XXIII, para. 59), the Special Committee had declared that the provisions of resolution 1514 (XV) applied to the Malvinas and had also invited the United Kingdom and Argentina to enter into negotiations concerning the Territory, bearing in mind, *inter alia*, the recommendations of members of the Special Committee and Sub-Committee III.

11. The case of the Malvinas Islands came under paragraph 6, rather than paragraph 5, of resolution 1514 (XV). The United Kingdom representative had contended that the provisions of paragraph 6 should not be interpreted in such a way as to limit the right of the people of a Territory to self-determination; however, there were cases in which those provisions prevailed over the provisions of paragraph 5, as in the present case in which Argentina, after freeing itself from colonialism, had seen its territory dismembered as a result of colonial intervention by the United Kingdom, which had ejected the Argentine authorities from the Malvinas Islands by force and had removed the population from the islands and replaced it by United Kingdom nationals. Thus, the case was indeed a special one in which the principles stated in paragraph 6 of resolution 1514 (XV) must be applied.

12. In the matter of terminology, the United Kingdom Government seemed greatly concerned at the fact that the Special Committee had formally decided to place on an equal footing the name "Falkland Islands", which was used in English-speaking countries, and the name

"Islas Malvinas", which was used in countries of Latin origin. The Special Committee had performed an act of justice in correcting the usage in that regard, thus allowing the principle of equality of rights of all Member States to prevail. The exclusive use of United Kingdom terminology was not justified and the United Kingdom had no right to demand that only the name which it was accustomed to use should be employed, since that would be detrimental to the principle of the legal equality of States. Moreover, to retain the terminology favoured by the United Kingdom would be contrary to the decision taken in September 1965 by the Secretary-General, who had announced that henceforth, in United Nations documents, references to the Malvinas Islands would be accompanied by an explanatory note stating that the Territory was the subject of a dispute between the United Kingdom and the Argentine Republic. In thus recognizing that the Malvinas were claimed by Argentina, the Secretary-General had placed limits on the monopoly exercised by the United Kingdom, which was trying to impose its decisions both in matters of terminology and in other fields.

13. The United Kingdom representative had also stressed, in opposition to Argentina's rights, the desires of the approximately 2,000 inhabitants of the Territory. It was not surprising that he had stressed that point, for his Government did not really wish to discuss the legal rights and titles of Argentina, which, for its part, had had no hesitation in setting forth its point of view in Sub-Committee III. In that connexion, the United Kingdom Secretary of State for Foreign Affairs had said at a Press conference, at the beginning of the Assembly's session, that the inhabitants of the Malvinas Islands were very anxious to remain United Kingdom citizens and that that fact alone justified the United Kingdom's attitude. Mr. del Carril, the special representative appointed by the Argentine Government to present the case to the Fourth Committee, had shown how contradictory that position was. The Malvinas Islands—which, owing to the climatic conditions, were relatively inhospitable—had never had an indigenous population. Before the British occupation, they had been inhabited by Spaniards until Argentina, inheriting rights from Spain, had installed its own authorities there, which had governed the Territory until its occupation by force in 1833. The Argentine inhabitants had then been replaced by British immigrants from the United Kingdom, and, according to the information transmitted by the United Kingdom itself, the total population of the Malvinas in 1901, 1912 and 1962 had been only 2,043, 2,995 and 2,172 respectively.

14. The United Kingdom representative had stated that the standard of living of the islands' inhabitants was higher than that of the inhabitants of the United Kingdom, but the figures which he himself had just cited clearly showed the stagnation of the Territory. While the population of the Malvinas Islands had remained almost stationary, that of Argentina had increased from 5 million in 1920 to 22 million at the present time, and that of the Argentine province of Santa Cruz, which was near the Malvinas and had the same geological and climatic characteristics, had increased from 1,100 in 1901 to 52,853 in 1960. The

United Kingdom representative had also stated that 80 per cent of the inhabitants of the Malvinas had been born in the islands. In fact, a very high percentage emigrated to the United Kingdom and was replaced by newcomers. The United Kingdom itself had given the following figures: in 1960, 292 departures and 294 arrivals; in 1961, 326 departures and 244 arrivals; in 1962, 411 departures and 368 arrivals. In other words, there was a turnover which affected annually between 25 and 40 per cent of the population. The United Kingdom representative had attributed those movements to departures on leave, but the United Kingdom Government itself was concerned about population trends in the Malvinas and the London Colonial Office had referred in 1962, in a document relating to the situation in the islands in 1961, to the concern caused by the continuing exodus of the inhabitants of the islands owing to the attraction exerted by other countries, such as New Zealand, where there were prospects of greater prosperity and better opportunities and living conditions, and had admitted that it was difficult and costly to replace those leaving the Malvinas by immigrants from the United Kingdom. In fact, the situation in the Territory could be compared to that of a military or scientific base of the traditional kind, which owed its survival entirely to the mother country.

15. Moreover, the colonial system which had been imposed on the Malvinas Islands was anachronistic, since the whole life of the Territory was centred on the activities of a single company, the Falkland Islands Company, Limited. The local authorities, which, as the representative of the Ivory Coast had pointed out at the 1557th meeting, were in fact only municipal authorities, served the interests of the company, and the population had no opportunity to express its wishes freely. In those circumstances, his delegation was surprised that the United Kingdom was so strongly in favour of self-determination for the Malvinas, especially when it was considered that the United Kingdom did not always show the same zeal with regard to other Territories. The application of the principle of self-determination to the Malvinas Islands would be contrary to the principle of the territorial integrity of States, which was also laid down by the Charter.

16. The United Kingdom's vacillation with regard to the interpretation of the application of the principle of self-determination only served the interests of the administering Power. On the other hand, neither Argentina nor any other Latin American country had ever hesitated to uphold the principle of self-determination in order to further the process of decolonization, thus helping many peoples to attain independence.

17. The right of self-determination should not be denied a population because it was small, but neither should self-determination, under pressure from a monopoly, be permitted to serve as a pretext for maintaining a colonial régime. Argentina had stated repeatedly that it had not lost sight of the interests of the inhabitants of the Malvinas. If the United Kingdom accepted the invitation of the United Nations and entered into bilateral negotiations with Argentina, there was nothing to prevent priority consideration of the question of guarantees for the inhabitants of the

Territory. Argentina's liberal Constitution, its democratic tradition and its well-established reputation for hospitality were themselves a reliable pledge in that regard.

18. Mr. AMACHREE (Under-Secretary for Trusteeship and Non-Self-Governing Territories) said that he had consulted the Legal Counsel and the Chief Editor with regard to the corrections to draft resolution A/C.4/L.802 which the United Kingdom representative had requested (1556th and 1558th meetings). The draft resolution, which had been submitted by fifteen delegations from Latin American countries, had been drawn up in Spanish and translated into the other languages, bearing in mind the nomenclature used by the sponsors. He had been informed, however, that if the draft resolution was adopted it would become a document of the Fourth Committee and it would then be necessary to adopt the nomenclature normally used in documents prepared by the Secretariat, which could only be that used by the administering Power, i.e. "Falkland Islands" in English, "fles Falkland" in French, and "Islas Falkland (Malvinas)" in Spanish.

19. Mr. DIAZ GONZALEZ (Venezuela) said that the rule defined by the Under-Secretary was a sensible one with regard to Secretariat documents. He would, however, like to know what the Secretariat would do if, for example, a group of African countries submitted a text which referred to Zimbabwe? Would the Secretariat translate that as Southern Rhodesia?

20. Mr. AMACHREE (Under-Secretary for Trusteeship and Non-Self-Governing Territories) said that he would rather not answer the question put by the representative of Venezuela, which, to say the least, was hypothetical.

21. Mr. DE PINIES (Spain), referring to draft resolution A/C.4/L.802, said he thought that the Malvinas Islands did in fact come within the scope of General Assembly resolution 1514 (XV) and that they should therefore be decolonized. The dispute between the United Kingdom and Argentina was sufficient reason for submitting a draft resolution and for permitting Argentina to explain its claims. As several delegations had pointed out, Argentina had rights to the islands which it had inherited from the Spanish Crown upon the attainment of independence by the territories which had joined to form the Argentine Republic.

22. His delegation was of the opinion that bilateral negotiations were the best means of achieving a peaceful solution of the problem; since, moreover, the draft resolution took into account the interests of the population of the Malvinas Islands, his delegation would vote for it.

23. Miss IMRU (Ethiopia) said that her delegation supported the draft resolution and would vote for it. She hoped that negotiations between the parties concerned would make it possible to settle the dispute in an equitable manner.

24. Mr. MARRACHE (Syria) said that his delegation would vote for the draft resolution. In questions of decolonization and of the territorial sovereignty of States, Syria had always attached great importance to historical factors. Those factors were not, of

course, the only ones to be taken into consideration, but in the case of the Malvinas Islands the historical and geographical factors seemed to carry the most weight and, in his opinion, they argued in favour of Argentina.

25. He hoped that the two countries concerned would be able to resolve their dispute amicably by just means based on the principles of the Charter and on the relevant resolutions of the United Nations.

26. Mr. CARRANCO AVILA (Mexico) said that draft resolution A/C.4/L.802 contained all the elements necessary to gain his delegation's vote. It reaffirmed the recommendations of Sub-Committee III, which the Special Committee had adopted unanimously and in which the two Governments concerned were invited to find a peaceful solution to their dispute, bearing in mind the provisions and objectives of the United Nations Charter and of resolution 1514 (XV), as well as the interests of the population of the islands.

27. Mr. AZIMOV (Union of Soviet Socialist Republics) said that his delegation would vote for draft resolution A/C.4/L.802. The question of the Malvinas Islands merited careful study, as was apparent from the economic, political and demographic arguments advanced by the representative of Argentina. The draft resolution was worded in general terms and had been inspired by the Declaration on the Granting of Independence to Colonial Countries and Peoples. He hoped that the United Kingdom and Argentina would conduct their negotiations in a spirit of sincere co-operation with a view to reaching a solution in keeping with the spirit of resolution 1514 (XV) and of the draft resolution under consideration.

28. With regard to the name of the islands, he recalled that the Special Committee, at its 311th meeting, had adopted its report on the Territory without opposition and had also decided that the words "Falkland Islands" would be followed by the word "Malvinas", which had been done. That decision seemed to him a sensible one; despite the opinion expressed by the Under-Secretary, the wording used in the title of draft resolution A/C.4/L.802 was and should be retained in all United Nations resolutions on the question, whatever the language used.

29. Mr. AMACHREE (Under-Secretary for Trusteeship and Non-Self-Governing Territories) said he wished to point out to the Soviet representative that the decision taken by the Special Committee concerned only the documents of that Committee.

30. The CHAIRMAN asked the members of the Committee to confine themselves to explanations of votes and not to revert to matters that had already been discussed during the general debate.

31. Mr. NKAMA (Zambia) said it had been clearly demonstrated that the Falkland Islands were an integral part of Argentina; he did not think that the arguments put forward by the United Kingdom representative were relevant. Since the United Kingdom representative set such store by the aspirations of the people of those islands, it would be interesting to know his opinion regarding the aspirations of the people of Southern Rhodesia.

32. His delegation would vote in favour of draft resolution A/C.4/L.802 in the name of the principles of democracy and territorial integrity; he hoped that the delegations which cherished those principles would also support the resolution.

33. Mr. EASTMAN (Liberia) said he was not certain whether the discussion of draft resolution A/C.4/L.802 was centred on the question of self-determination of the inhabitants of a Territory or on that of the territorial sovereignty of a Member State. Hence, although his delegation endorsed the recommendations regarding a peaceful settlement of the dispute between the United Kingdom and Argentina, it would abstain in the vote.

34. Mr. GBEHO (Ghana) said that he had carefully read the chapters of the reports of the Special Committee dealing with the Malvinas, or Falkland, Islands (A/5800/Rev.1, chap. XXIII; A/6000/Rev.1, chap. XXII) and had listened with interest to the statements of the United Kingdom and Argentine representatives. Argentina's arguments, which had been supported by the Latin American delegations, seemed to him more cogent than those put forward by the United Kingdom. Although he doubted the wisdom of an expression of opinion by the Committee at the present stage, Ghana would support draft resolution A/C.4/L.802 because of the spirit in which it invited two friendly countries to settle their dispute through negotiations. He hoped that the dispute would be settled in the interests both of the United Kingdom and of Argentina as well as in the interest of the people of the Malvinas.

35. Mr. MARQUES-SERE (Uruguay), taking the floor on a point of order with regard to the appropriate terminology, proposed that the Committee should agree to insert the word "Malvinas" in parentheses after the words "Falkland Islands". That designation was widely used in cartography, and its use was completely justified; it was, moreover, an opinion shared by the Special Committee.

36. Mr. DIAZ GONZALES (Venezuela), Mr. DE PINIES (Spain), Mr. SHAMMOUT (Yemen) and Mr. SANGHO (Mali) supported the proposal.

37. Mr. BROWN (United Kingdom) said that the Secretariat's practice of using the name adopted by the administering Power seemed perfectly reasonable to his delegation; he therefore requested the Uruguayan representative to withdraw his proposal. He wished to make it clear that if the Uruguayan representative pressed the proposal, the term employed would not affect United Kingdom sovereignty over the Falkland Islands.

38. Mr. MARQUES-SERE (Uruguay) said he regretted that he could not comply with the United Kingdom representative's request.

39. The CHAIRMAN asked the United Kingdom representative whether he wished the Uruguayan proposal to be put to the vote.

40. Mr. BROWN (United Kingdom) said that he would not press for a vote on the proposal if it really expressed the views of the Committee, provided, however, that the reservations expressed by his delegation were included in the record.

41. Following a further discussion concerning the application of the proposal by Uruguay, in which Mr. MARQUES-SERE (Uruguay), Mr. DE PINIES (Spain), Miss IMRU (Ethiopia), Mr. DIAZ GONZALEZ (Venezuela), Mr. NATWAR SINGH (India), Mr. GBEHO (Ghana), Mr. MALECELA (United Republic of Tanzania) and Mr. AMACHREE (Under-Secretary for Trusteeship and Non-Self-Governing Territories) took

part, the CHAIRMAN pointed out that, as it was already time to adjourn, delegations might take advantage of the adjournment in order to find an acceptable solution. He therefore proposed that the meeting should be adjourned.

It was so decided.

The meeting rose at 1 p.m.