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Chair: Ms. Miculescu (Romania)

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

Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other items*) (continued)

Hearing of petitioners (continued)

1. **The Chair** said that, in accordance with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

Question of Western Sahara (continued)
(A/C.4/66/7)

2. **Mr. Vaccari** (Councillor, Province of Modena, Italy), speaking on behalf of the Italian local authorities recalled that, in October 2010, a Sahrawi "dignity camp" set up at Gdim Izik near Laayoune within the Territory occupied by Morocco had been violently attacked by the Moroccan army, resulting in an unknown number of deaths and injuries. Such violent repression of peaceful dissent was a daily occurrence and risked pushing people away from the path of diplomacy and dialogue in their attempts to achieve self-determination.

3. Human rights protection in the occupied Territory of Western Sahara was a matter of urgency and should be included in the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The Moroccan Government denied the existence of repression, yet had prevented journalists and European officials from entering the occupied Territory to judge the situation for themselves. It claimed that Morocco's territorial integrity was at stake, but in fact Western Sahara did not belong to Morocco on the basis of legal ties or for any other reason, as the International Court of Justice had ruled in its advisory opinion of 16 October 1975.

4. The Sahrawi Arab Democratic Republic, whose government was in exile, was a member of the African Union. By contrast, Morocco's partial occupation of the Territory of Western Sahara had not been recognized by any international or regional body. Morocco had failed to honour its 1988 agreement with the Frente Popular para la Liberación de Saguia El-Hamra y de Río de Oro (Frente Polisario) on the holding of a referendum on self-determination; instead, it had put forward an autonomy proposal, and now refused to recognize the

Frente Polisario as its counterpart in negotiations. A referendum should be held without delay so that the Sahrawi people could decide their own future.

5. **Mr. Jean** (Association des amis de la République arabe du Sahara démocratique) said that, on 23 October 2010, he had clandestinely entered the Gdim Izik camp near Laayoune in order to take photographs and video footage. The camp's inhabitants, demonstrating the courage and unity of a people that had been oppressed for 35 years, had been advancing a number of economic and social demands, as well as drawing attention to the question of the legal status of Western Sahara. The Moroccan army had been restricting contact between the camp and the outside world and preventing supplies from being brought in; and in November 2010 had violently dismantled the camp. The number of victims was unknown. Mr. Enaama Asfari, a Sahrawi lawyer and human rights defender who had accompanied him into the camp, had been taken away by the police, beaten and imprisoned without charge or trial. He had been in detention ever since, along with 21 other political prisoners. By giving his personal testimony as a petitioner, he hoped to draw attention to the reality of the situation in Western Sahara.

6. **Monsignor Abboud**, speaking in his personal capacity, said that Algeria and Morocco were currently discussing the reopening of their land border, which had been closed since 1994, and other unresolved issues. The President of Algeria and the King of Morocco had spoken of their desire to turn a new page in their relations. Morocco could only benefit from such regional cooperation.

7. The Moroccan initiative to negotiate an autonomy statute for the region under Moroccan sovereignty had been courageously supported by Mr. Mustapha Salma Ould Sidi Mouloud, a leading figure in the Frente Polisario, who had noted that the situation in the Tindouf camps would continue to deteriorate while the settlement of the question of Western Sahara was stalled.

8. He therefore called on all Member States to support the autonomy proposal; to encourage realistic and flexible negotiations between the parties; to support the moves towards peace and cooperation initiated by Morocco and Algeria; and to encourage the border discussions between the two amicable countries. Lastly, he hoped that the Nobel Peace Prize would be

awarded to the King of Morocco, the President of Algeria and Mustapha Salma Ould Sidi Mouloud, the last of whom had been rejected by his own people for his stance on the question of Western Sahara.

9. **Mr. Boukhari** (Frente Polisario) said that the storming of the Sahrawi protest camp at Gdim Izik in November 2010, an immediate precursor to the Arab Spring, had laid bare the violence and persecution suffered by the Sahrawis at the hands of the Moroccan army and settlers. Many deaths and injuries had occurred, and, as stated in the report of the Secretary-General on the situation concerning Western Sahara (S/2011/249), MINURSO had been unable to monitor the situation in the camp because the Moroccan authorities had impeded its access. It was a matter of concern that MINURSO had no human rights monitoring component, an issue made even more pressing by the recent violence in the occupied city of Dakhla.

10. Morocco was seeking Member States' support in its bid for a seat on the Security Council. Since the Frente Polisario and Morocco were the parties to a conflict that was on the Security Council's agenda, it was a matter of concern that one party to the conflict might sit on the Council while the other remained outside.

11. The independence achieved by South Sudan and Timor-Leste and the support offered to the protagonists in the Arab Spring showed that the international community could help good causes to triumph. In the case of Western Sahara, Morocco's failure to engage in good faith in the latest round of informal talks in July 2011 had prevented significant progress. The Frente Polisario stood ready to resume negotiations, but time was running out for a peaceful solution. The Sahrawi people had already waited 35 years for a referendum on self-determination — a solution accepted by the two parties and endorsed by the Security Council — to be organized. They trusted the United Nations to ensure that they, like other colonized peoples, achieved freedom and independence.

12. **Mr. Simanowitz** (All Party Parliamentary Group on Western Sahara) said that he was speaking also on behalf of the Western Sahara Campaign UK and in his personal capacity as a journalist. Recently, the British campaigners and parliamentarians he represented had called for the United Kingdom to use its position on the Security Council to help enforce the terms of the

ceasefire in Western Sahara and ensure the holding of a referendum, while reaffirming support for the justice of the Sahrawi people's struggle for self-determination and the need for international law to be applied to Western Sahara.

13. He had been shocked by what he had seen in the refugee camps in the Algerian desert as a reporter for the British newspaper *The Independent*, but even more shocking was the lack of awareness around the world that had allowed the conflict in Western Sahara to continue for so long. The increasing strength of international solidarity campaigns like his own group was therefore encouraging, and should further the holding of a referendum, human rights monitoring and international trading agreements that complied with international law. Such efforts had helped bring about a shift in British policy on some of the issues in question. A political solution was the only way forward. The United Nations and individual governments must do more to exert diplomatic and political pressure on those who were blocking a referendum on self-determination in Western Sahara.

14. **Mr. Smith** (Western Sahara Resource Watch) said that offshore fishing and phosphate mining were the main activities involving natural resources that legitimized and financed the continuing occupation of Western Sahara and deprived the Sahrawi people of the benefit of those resources. Morocco earned about €50 million per year from Western Saharan fisheries under the 2007 Fisheries Partnership Agreement with the European Union and a 2010 treaty with the Russian Federation, and more than €400 million per year from the export of phosphates from the occupied Territory. By contrast, the sums that it was said to have spent on economic development in the Territory were small.

15. Morocco's removal of resources from Western Sahara violated two legal principles: the incontrovertible right of non-self-governing peoples to permanent sovereignty over their natural resources; and the prohibition against taking natural resources from territories under occupation without the consent of their peoples. In the case of Western Sahara, the people certainly had not given their consent. If the United Nations were to establish a council for Western Sahara along the lines of the former United Nations Council for Namibia; it could, as a minimum, deal with the issue of the exploitation of the Sahrawi people's natural resources, which impeded the achievement of self-determination.

16. **Mr. Hassan** (Commissioner, Kenya National Commission on Human Rights) said that, while there were no easy answers to the Sahara issue, efforts must be made to find a solution based on the principles of justice, realism and respect for human rights.

17. Morocco had recently embarked on a wide-ranging programme of political, social and economic reform without waiting to be overtaken by the events of the Arab Spring. In July 2011, the Moroccan people had voted overwhelmingly in favour of a new Constitution that placed emphasis on respect for human rights and fundamental freedoms, prohibited all forms of discrimination and expanded civic, political, economic, social and environmental rights. It also envisaged Morocco as a decentralized State and recognized its cultural diversity. The Moroccan Government was committed to addressing regional specificities.

18. The Maghreb had a shared historical, cultural and religious heritage that provided the foundation for the region's common destiny. However, the lack of a spirit of compromise and political will had prevented resolution of the Sahara issue. The Moroccan proposal for an autonomy statute offered a robust framework for a solution and demonstrated Morocco's willingness to resolve the long-standing regional dispute, and that initiative should be the one pursued.

19. **Mr. Bellali** (Association Al-Mostakbal) said that the Arab Spring was bringing to an end a long period of repression, an outstanding symbol of which was the regime of Colonel Muammar Al-Qadhafi, who had squandered Libya's enormous wealth in distributions to his family, the financing of terrorist activities and support for armed gangs around the world, foremost among which was the Frente Polisario. He had been its first financial backer and main supplier of weapons, though he had never recognized its self-proclaimed "republic", as his main interest was in striking at Morocco's stability and territorial integrity and interfering with cooperation in the Maghreb. Without his generosity to them at the outset, the Saharan issue would have taken a different turn and the Maghreb region would not have suffered the fabricated crisis that had plagued it for 35 years. Since the beginning of the popular revolution in Libya, the Frente Polisario had stood, out of gratitude, not with the Libyan people but with the regime, just as the Algerian generals had done, sending thousands of mercenaries to fight against the Libyan revolutionaries, who had now begun arresting hundreds in Libya. In any case Algeria, Al-Qadhafi's

eternal ally, was capable of making up for the loss of the Frente Polisario's Libyan benefactor with its people's money, since its objective, too, was to thwart development in Morocco.

20. Despite all those manoeuvres, Morocco had kept to the right path and was on a steady course of peace. He appealed for help for his people captive in Tindouf to rid themselves of the gangs that ruled them, escape from misery and return to their land.

21. **Mr. Smith** (Association of the Bar of the City of New York), referring to his Association's 2011 report on the legal issues involved in the use of Western Sahara's natural resources, in recent years comprising mainly oil exploration and fishing, said that it was a matter of concern that the Moroccan national oil company, had entered into licences with a number of foreign companies for projects in Western Sahara, and that Morocco had engaged in the kind of fishery activities in the coastal waters of Western Sahara evidenced by its latest fisheries partnership agreement with the European Union. The European Parliament, in fact, had launched an investigation into the international legality of such commercial activity within Western Sahara's coastal waters.

22. The Bar Association's report did not take a position on the legal status of Morocco's presence in Western Sahara, but it did conclude that under any status other than that of sovereign — in other words, as an administering Power or an occupying Power — Morocco could use the natural resources in Western Sahara only insofar as such use was in consultation with and to the direct benefit of the people of the Territory. According to the information available, Morocco's oil and gas activities to date were only exploratory; if, however, they were expanded to include extraction, the requirements described would apply. He urged the United Nations to investigate whether Morocco had used the natural resources of Western Sahara and, if it had, whether it had fulfilled its responsibilities under international law.

23. **Mr. Loza Aguirre** (Spanish Inter-Parliamentary Groups for Peace and Freedom in Western Sahara) said that the Territory's decolonization process was at a standstill. The human rights situation — in the Territory and in the Tindouf refugee camps — had not improved in 20 years. Furthermore, the past year had seen the forced dismantling of the Gdim Izik camp and more recent serious incidents in Dakhla. The Moroccan

settlers in Western Sahara, who suffered many of the same problems of inequality, unemployment and hopelessness as the local Sahrawi population, vented their frustration on the Sahrawis. Such chronic grievances on both sides could lead to an outbreak of violence at any time.

24. As at the previous session, the Spanish parliamentarians wished to propose as a solution a shared sovereignty arrangement under which, following an agreement on the division of responsibilities between the two parties, Morocco would be responsible for the formal elements of sovereignty — borders, defence, currency, and the drafting of a constitution proclaiming the Territory a commonwealth in free association with Morocco, and guaranteeing its full self-rule through its own legislature, executive and judiciary, a Sahrawi police force and Sahrawi control of natural resources. There would also be a negotiated agreement governing taxation and financial relations. Any agreement by the parties would need to be approved by the Sahrawis in a referendum.

Agenda item 56: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (*continued*) (A/66/23 (chaps. VII and XII) and A/66/65 and Add.1)

Agenda item 57: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*) (A/66/23 (chaps. V and XII))

Agenda item 58: 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/66/23 (chaps. VI and XII) and A/66/63)

Agenda item 59: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/66/68 and Add.1)

Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other items*) (*continued*) (A/66/23 (chaps. VIII, IX, X, XI and XII) and A/66/260)

25. **Mr. Talbot** (Guyana), speaking on behalf of the Union of South American Nations (UNASUR), said that decolonization had always been an important

priority for UNASUR member States. The continued existence of 16 Non-Self-Governing Territories meant that, despite the progress achieved, further efforts were needed in order to bring an end to colonialism. The members of UNASUR would continue to support the Special Committee's work on decolonization, which included special and particular colonial situations.

26. They reaffirmed their strong 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 also reaffirmed the region's abiding interest in an agreement by the United Kingdom to resume negotiations with Argentina in order to find, as soon as possible, a peaceful and definitive solution to the dispute, in accordance with the relevant resolutions and declarations of the United Nations and the Organization of American States (OAS). The Secretary-General should continue to use his good offices to bring about that resumption of negotiations.

27. Furthermore, in the Declaration on cooperation of the States members of UNASUR with regard to certain movements of vessels travelling to the Malvinas Islands, South Georgia Islands and South Sandwich Islands, adopted at the Special Summit of Heads of State and Government of UNASUR held in Georgetown on 26 November 2010, the UNASUR Heads of State had called upon the Government of the United Kingdom to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands were going through the process recommended by the General Assembly; undertaken to adopt appropriate regulatory measures to prevent the entry into their ports of vessels flying the illegal flag of the Malvinas Islands; and also undertaken to inform the Argentine Government about any vessels or marine structures travelling to the Malvinas Islands, South Georgia Islands and South Sandwich Islands with cargo to be used for illegal hydrocarbon and/or mining activities on the Argentine continental shelf, thereby preventing or disrupting such activities.

28. In October 2010, the members of UNASUR had protested the British Government's intention to conduct a military exercise that included the firing of missiles from the territory of the Malvinas Islands, demanding that it should refrain from carrying it out, and rejecting the conduct of such exercises, which

contrasted sharply with the region's policy of consistently seeking to resolve the dispute by exclusively peaceful means.

29. **Mr. Wolfe** (Jamaica), speaking on behalf of the Caribbean Community (CARICOM), said that the many achievements of the United Nations over the years could not be considered truly global while people continued to live under the yoke of colonial rule. Six of the remaining Non-Self-Governing Territories were members of CARICOM, and their dependent status constituted an obstacle to regional integration in the Caribbean.

30. Because it had proved necessary to embark on a Third International Decade for the Eradication of Colonialism, it was important to identify what had prevented the United Nations from achieving the established targets. The challenges included the shortage of information on decolonization, compounded by a lack of analysis of the constitutional, political and economic situations in the Non-Self-Governing Territories, and an insufficient high-level focus on the decolonization agenda. CARICOM commended the important work done by the Special Committee on decolonization and welcomed the conclusions and recommendations of its 2011 Caribbean regional seminar, in particular the call for the Special Committee to develop a pragmatic plan of action for the Third International Decade. CARICOM also looked forward to greater engagement by the specialized agencies in the Special Committee's work.

31. CARICOM continued to be concerned at the situation in the Turks and Caicos Islands, where the administering Power had dissolved the government and legislature, suspended the right to trial by jury, replaced the elected government with direct rule, and continued to postpone elections. CARICOM leaders had repeatedly called for direct rule to be replaced by self-rule and for a return to democracy in the Turks and Caicos Islands.

32. CARICOM maintained its principled support for the right of the people of Western Sahara to self-determination; it commended the work of the Secretary-General's Personal Envoy to Western Sahara, which had resulted in the re-establishment of dialogue between the parties to the dispute. It welcomed the resumption of family visits by air and urged the commencement of family visits by land, which would serve as an important confidence-building measure.

CARICOM supported the call to the parties, in Security Council resolution 1979 (2011), to continue negotiations without preconditions and in good faith, and hoped that the upcoming informal talks would lead to more substantive negotiations with the objective of achieving a just, lasting and mutually acceptable solution.

33. **Mr. Rosenthal** (Guatemala) said that his Government firmly supported the legitimate claim of the Argentine Republic to sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The Malvinas Islands constituted a special and particular situation among the remaining 16 Non-Self-Governing Territories, in that the principle of self-determination was not applicable, given that the Territory itself was colonized, not the population and that it involved a sovereignty dispute.

34. The activities undertaken unilaterally by the United Kingdom on the Argentine continental shelf, in violation of the wishes of the international community expressed in General Assembly resolution 31/49, were a matter of serious concern. All the countries of Latin America and the Caribbean had at recent summits reaffirmed that position, and had also rejected the conduct of military exercises by the Government of the United Kingdom, including the firing of missiles from the territory of the Malvinas Islands, which violated resolution 31/49, obstructed the full implementation of the maritime safety standards of the International Maritime Organization (IMO) and ran counter to the policy of consistently seeking a peaceful settlement of the territorial dispute.

35. His delegation hoped that the Argentine Republic and the United Kingdom would resume bilateral negotiations in order to find a peaceful, just and lasting solution to the sovereignty dispute as soon as possible. Argentina had consistently demonstrated its willingness to seek such a solution; he hoped that the United Kingdom would do likewise.

36. **Mr. Valero** (Bolivarian Republic of Venezuela) said that he wished once again to appeal to the Government of the United States to allow the people of Puerto Rico to exercise their inalienable right to self-determination and independence. The just demand of the Puerto Rican people had been reaffirmed in the final documents of three successive summits of the Movement of Non-Aligned Countries and in the Final

Declaration of the ninth Summit of the Bolivarian Alliance for the Peoples of Our America (ALBA).

37. With regard to the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, he urged the Governments of Argentina and the United Kingdom to resume negotiations with a view to finding a peaceful and lasting solution as soon as possible. The Secretary-General should continue to use his good offices with a view to bringing the parties together. His delegation joined Argentina in rejecting the illegal and unilateral action of the United Kingdom in drilling for hydrocarbons on the Argentine continental shelf in open defiance of the United Nations, in particular General Assembly resolution 31/49. It also rejected the conduct of military exercises, including the firing of missiles, from the territory of the Malvinas Islands, which likewise violated resolution 31/49 and obstructed the implementation of the IMO maritime safety standards. His delegation also endorsed the United Nations resolutions and the declarations of OAS and other forums that had repeatedly called for an early solution to the prolonged dispute and had expressed support for the Argentine position, as well as the relevant statements of the various regional groups to which the Bolivarian Republic belonged.

38. His Government fully supported the right of the people of Western Sahara to self-determination and independence and had officially recognized the Sahrawi Arab Democratic Republic as far back as 1983. The parties should take steps to improve the human rights situation in Western Sahara and in the Tindouf camps. General Assembly resolution 65/112 had recognized that all available options for self-determination were valid as long as they were in accordance with the freely expressed wishes of the people concerned and in conformity with the principles contained in General Assembly resolution 1514 (XV). It was therefore vital to hold a referendum on self-determination and then to respect the will of the Sahrawi people. The parties should pursue more intensive negotiations, but they would succeed only if both showed greater political will to find a solution and really consider proposals made by the other party. The Special Committee on decolonization itself would do well to send a delegation as soon as possible to visit the Territory.

39. **Ms. Morgan** (Mexico) said that it was vital for the United Nations to continue its involvement in

outstanding decolonization processes, particularly in the context of the Third International Decade for the Eradication of Colonialism and the fiftieth anniversary of the establishment of the Special Committee on decolonization.

40. Mexico supported the right of the Sahrawi people to self-determination; a peaceful solution to the conflict in Western Sahara must allow them to exercise that right through a referendum that included the options of independence, autonomy or integration. MINURSO should be given a mandate to monitor human rights with a view to improving the situation in that regard both in the Territory and in the Tindouf camps, and the two parties to the conflict should cooperate with the United Nations to ensure full respect for human rights, in line with their obligations under international law. Her delegation hoped that the holding of informal talks at the urging of the Secretary-General's Personal Envoy would lead to a final round of negotiations, in which the parties showed the political will necessary to achieve a solution and gave serious consideration to the proposals made by the other party.

41. In the declaration on the question of the Malvinas Islands adopted at the Latin American and Caribbean Unity Summit in February 2010, the Governments in the region had reaffirmed their 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 in the sovereignty dispute with the United Kingdom, and had encouraged the resumption of negotiations between the two countries so as to find a just, peaceful and lasting solution to the dispute as soon as possible, in accordance with the relevant resolutions and declarations of the United Nations and OAS. Unilateral actions that violated those resolutions should be avoided.

42. **Mr. Kleib** (Indonesia) said that his delegation supported the recommendations contained in the report of the Special Committee on decolonization (A/66/23), including those of the Caribbean regional seminar. The work of the Special Committee would always be of particular importance to Indonesia in the light of its history, and he reiterated his nation's commitment to upholding the rights of the remaining Non-Self-Governing Territories.

43. In May 2011, Indonesia had hosted the Sixteenth Ministerial Conference and Commemorative Meeting of the Movement of Non-Aligned Countries in Bali, where the United Nations had been urged to speed up the process of decolonization and to implement a plan of action for the Third International Decade for the Eradication of Colonialism. Indonesia had also participated in the Special Committee's 2011 Caribbean regional seminar and supported its conclusion that, in view of the cross-cutting challenges faced by some Non-Self-Governing Territories, their administrative capacity, good governance and economic sustainability must be continually strengthened so that they could address those challenges in a holistic manner.

44. The International Week of Solidarity with the Peoples of Non-Self-Governing Territories in May 2011 had served as a reminder that there were still 16 such Territories seeking to exercise their right of self-determination. Member States should use the Third International Decade for the Eradication of Colonialism to encourage all parties to achieve tangible results. In the case of a dispute over an individual Territory, the parties concerned should negotiate, taking into account the specificities of that particular Territory and the best interests of its population. All administering Powers should take the necessary steps to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples and the relevant United Nations resolutions, in accordance with the freely expressed wishes of the peoples of the Territories concerned. He also appealed to the administering Powers to participate actively in the work of the Special Committee and commended those that already did so. The populations of the Non-Self-Governing Territories themselves should continue to participate in the process and take educated decisions on the best option available to them under resolution 1514 (XV). To that end, relevant United Nations bodies should provide them with much-needed economic and technical assistance.

45. **Mr. Rodríguez** (Peru) said that at the outset of the Third International Decade for the Eradication of Colonialism, more decisive action was needed to remedy the unjust situation of the 16 remaining Non-Self-Governing Territories and their populations.

46. There were two indispensable elements in achieving full decolonization: political will and a case-by-case approach. The Special Committee on

decolonization had been doing invaluable work in that regard, and it should keep assessing the situation in each of the dependent Territories and maintain direct contact with the parties involved in order to hasten the process. The administering Powers must cooperate actively with the Special Committee and do what was necessary to accelerate the decolonization and sustained growth of the colonized Territories.

47. A matter of particular concern was the situation of the Malvinas Islands, which the General Assembly had recognized as a special case in its resolutions on the matter. His Government's position was that Argentina's legitimate sovereign rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas must be recognized, in accordance with General Assembly resolutions 2065 (XX) and 3160 (XXVIII). As indicated in all the pronouncements of the Special Committee since 1964, the only possible solution was negotiation between the parties involved. Until such negotiations were resumed, the provisions of General Assembly resolution 31/49 urging the parties to refrain from introducing unilateral modifications in the current situation of the islands were applicable. Consequently, the activities being undertaken by the United Kingdom involving exploration for non-renewable natural resources on the Argentine continental shelf were unacceptable and clearly contravened resolution 31/49. Equally unacceptable were the British military activities in the disputed area, which obstructed the full implementation of the IMO maritime safety standards and ran counter to the region's policy of consistently seeking a peaceful settlement of the territorial dispute. Peru urged both parties to resume negotiations as soon as possible with a view to finding a peaceful, just and lasting solution.

48. **Mr. Kamau** (Kenya) said that the Special Committee on decolonization should be encouraged to pursue genuine dialogue aimed at finding fresh, concrete and more creative ways to eradicate colonialism. The administering Powers must cooperate by ensuring that United Nations visiting and special missions to the Territories received the necessary assistance and support, and by regularly transmitting information on conditions in the Territories for which they were responsible, taking into consideration their obligation to promote the socio-economic and educational advancement of the peoples of those Territories and to protect their natural resources. He

also urged the administering Powers to fully implement the decisions and resolutions of the United Nations Educational, Scientific and Cultural Organization concerning the restitution of cultural property to the rightful owners still living under colonial occupation.

49. On the question of Western Sahara, Kenya supported continued negotiations under the auspices of the Secretary-General and his Personal Envoy. Despite the informal talks held in the past year, little progress had been made. Both parties needed to negotiate without preconditions and in good faith. That was the only way to achieve a just, lasting and mutually acceptable solution.

50. His delegation reiterated its unequivocal support for the Special Committee, which would be able to fulfil its mandate provided that it received adequate funds and the support of all Member States.

51. **Mr. Nwosa** (Nigeria) said that, 50 years after the adoption of General Assembly resolution 1514 (XV), the fact that there were still 16 Non-Self-Governing Territories was a stain on the collective conscience of humanity. Nigeria had supported the struggles for independence in a number of African countries and called on all administering Powers to hasten the independence of the Territories under their control.

52. It was disappointing that the occupying Power in Western Sahara continued to delay progress towards the holding of a referendum and thus to prevent the Sahrawi Arab Democratic Republic from taking its rightful place in the community of nations. Nigeria had recognized the Republic in 1984 and had advocated its entry into the then Organization of African Unity. He called on the United Nations to set in motion the machinery for Western Sahara's independence without further delay.

53. Despite Nigeria's size and population, it had always treated every African country, large or small, as its equal, in the belief that only on the basis of equality could peace be maintained on the continent. That principle remained relevant to all colonial and occupying Powers.

54. **Mr. Gumende** (Mozambique), referring to the right also of the Palestinian people to self-determination and independence, said his Government believed that a peaceful settlement of the Palestine issue would further the objectives of the Third International Decade.

55. Mozambique supported the legitimate right of self-determination and independence of the people of Western Sahara and commended the efforts of the international community to ensure that a referendum was held as soon as possible.

56. **Mr. Sahraei** (Islamic Republic of Iran) said that, despite the success achieved by the United Nations in helping many colonial countries and peoples to exercise their right of self-determination, the decolonization process remained incomplete. The administering Powers were responsible for promoting the political, economic, social and educational advancement of the people in the Territories under their control, as a prerequisite for any decision on a change of status. The administering Powers should not only protect the human and natural resources of the Territories against possible abuse but should also act to safeguard the interests of their peoples, including their cultural and social integrity. In that regard, the impact of the military activities of administering Powers on the environment, economic development and health of the population in some Non-Self-Governing Territories was a matter of serious concern.

57. His delegation fully supported the Special Committee but felt that it should become more efficient, improve its interaction and cooperation with administering Powers and ensure that the peoples of the Territories participated actively in determining their own future. He commended the Department of Political Affairs and the Department of Public Information for their role in furthering the cause of decolonization by providing necessary technical and advisory services to the people of the Territories and disseminating relevant information on the decolonization activities of the United Nations.

58. **Mr. Ahamed** (India) said that decolonization was one of the most notable achievements of the United Nations. However, the remaining 16 Non-Self-Governing Territories served as a reminder that the process was still incomplete, and more needed to be done to bring dependent peoples closer to any one of the legitimate political status options set out in the Declaration on decolonization. He hoped that, by the end of the Third International Decade for the Eradication of Colonialism, the last vestiges of colonialism would be gone.

59. In order to achieve that aim, it was critical to ascertain the needs and aspirations of the people of the

Territories and to take into account their special circumstances, in particular developmental issues, geographical location and, in some cases, the fragility of their ecosystems. Many of the Territories had formed functional institutions that could thrive on their own, but the administering Powers played a crucial role in achieving the objective of ending colonialism. He therefore commended the Special Committee on decolonization for trying to engage the administering Powers in a constructive spirit of cooperation.

60. He welcomed the recommendations in the report of the Special Committee (A/66/23) and the holding of the 2011 Caribbean regional seminar on the implementation of the Third International Decade. Such seminars helped to mobilize world opinion in favour of assisting the peoples of the Non-Self-Governing Territories to achieve self-determination.

61. **Mr. Aisi** (Papua New Guinea) said that, as the Third International Decade for the Eradication of Colonialism began, some progress had been achieved towards self-determination in a few of the remaining 16 Non-Self-Governing Territories, but in others much remained to be done. He welcomed the continued collaboration of the Department of Public Information and the Department of Political Affairs with administering Powers to disseminate information on decolonization and provide assistance to the Territories.

62. Progress continued to be made in the Territories of New Caledonia and Tokelau. In New Caledonia, the Melanesian Spearhead Group had expanded its role to include consulting with the indigenous people about their political aspirations through annual assessment of the implementation of the Nouméa Accord. His delegation welcomed the acceptance of that new role by the administering Power, France. It also welcomed the agreement reached with all parties on the matter of the flag and identity symbols of the Territory and on initiatives for the protection of the natural environment and cooperation with other States and Territories in the region, which were in keeping with the spirit of the Accord.

63. However, there was a need for trained professionals and capacity development throughout the government of New Caledonia and the transfer of competencies to the indigenous Kanak people. In that connection, he recalled the information that the Vice-President had given the Committee at its third

meeting about his government's various professional capacity-building programmes. Targeted training, especially of young people, was vital to ensuring that the indigenous population was fully involved in the development of the Territory. The continued assistance and cooperation of France in that regard was welcome. His government would continue its support and all the parties should maintain the current positive momentum.

64. On the question of Tokelau, the people of the Territory would decide their future political status at a later date. In the meantime, they were focusing their attention on the economic and social development of the Territory, with the support of the administering Power, New Zealand, in particular by implementing the Joint Commitment for Development between Tokelau and New Zealand 2011-2015, with the welcome assistance of the United Nations Development Programme. He also commended the international efforts to help the people of Tokelau cope with the impact of the prolonged drought in the Territory. The process of decolonization in Tokelau was a model for other Non-Self-Governing Territories to follow and he praised the Government of New Zealand for its exemplary cooperation with the people of the Territory and with the United Nations.

65. His delegation also supported the proposed revisions to the draft omnibus resolution contained in the report of the Special Committee (A/66/23), which would have the General Assembly welcome the invitations to American Samoa and Guam to become Pacific Island Forum observers.

66. His delegation hoped that the Third International Decade would make a meaningful difference to the lives and futures of the people of all the remaining Non-Self-Governing Territories, including those in the Pacific Territories, who faced different challenges.

67. **Mr. Ayebare** (Uganda), reiterating his delegation's support for the full implementation of General Assembly resolutions 1514 (XV) and 1541 (XV), said that Western Sahara, a full-fledged member of the African Union, was the only Territory on the African continent that remained to be decolonized. While the Secretary-General's Personal Envoy had done his best to further a lasting solution to the problem, the people of Western Sahara had not yet had the opportunity of freely deciding their own future. Many challenges remained, but it was in the long-term interests of

Morocco and the Frente Polisario to work together constructively to overcome them. Uganda welcomed the rounds of informal negotiations held to date and urged the parties to intensify their efforts to resolve their conflict.

68. His delegation remained concerned about reports of human rights violations in Western Sahara, and there must be more effective monitoring and protection of human rights. Troubling reports of illegal exploitation of the resources of Western Sahara also merited serious investigation.

69. For almost four decades, the people of Western Sahara had placed their faith in the United Nations to enable them to exercise their right of self-determination. It was time for the United Nations to assume its responsibility to complete the decolonization process in the Territory.

70. **Mr. Atabekov** (Kyrgyzstan) said that most States were united by a desire to break the logjam in the decolonization process. The Non-Self-Governing Territories, most of which were small island Territories, faced considerable problems and needed the support of the international community. His delegation welcomed General Assembly resolution 65/119, which had declared the Third International Decade for the Eradication of Colonialism, and supported its invitation to all Member States, the United Nations system and other organizations to participate in the implementation of the plan of action during the Decade. He hoped that, together, they would be able to build on the achievements of the Special Committee and make further progress towards the eradication of colonialism.

71. Some of the points raised in the Committee's deliberations, particularly with regard to environmental issues in the Territories, were relevant to Kyrgyzstan as well as other countries. His Government would participate to the maximum extent possible in the work of the Committee.

72. **Mr. González** (Cuba) said that decolonization must continue to be a United Nations priority. Noting that 2011 marked the fiftieth anniversary of the establishment of the Special Committee on decolonization and the first year of the Third International Decade for the Eradication of Colonialism, he called on the administering Powers to cooperate fully with the Special Committee. His delegation welcomed the fact that the 2011 regional

seminar had been held in a Caribbean country, Saint Vincent and the Grenadines.

73. After more than a century of colonial rule, the people of Puerto Rico had not given up their difficult struggle to exercise their right to independence and self-determination and to preserve their identity as a Latin American and Caribbean nation; for their part in that struggle, some of them were serving long prison sentences. The Special Committee had repeatedly adopted resolutions recognizing the inalienable right of the people of Puerto Rico to self-determination and independence under General Assembly resolution 1514 (XV). The Movement of Non-Aligned Countries maintained that the question of Puerto Rico was a colonial issue and that the United States had an obligation to accelerate the process of independence.

74. The people of Western Sahara also had a right to determine their own future. The conflict in that Territory should be resolved on the basis of agreements that were consistent with the purposes and principles of the Charter of the United Nations and with General Assembly resolution 1514 (XV).

75. His Government fully supported the legitimate sovereignty of Argentina over the Malvinas Islands as part of that country's national territory. It called for a negotiated, just and definitive solution to that question and reiterated its support for the provisions of General Assembly resolution 31/49.

76. One of the most important United Nations activities relating to the Non-Self-Governing Territories was its cooperation in the training of professionals. The countries best equipped to do so should offer study facilities to the inhabitants of the Territories. Cuba, despite being subjected to a criminal economic, commercial and financial embargo by the United States Government, had spared no effort to help other countries in that regard, particularly developing countries. For example, there were currently 249 young people from Western Sahara studying in Cuba. He urged Member States to pay greater attention to that issue.

77. **Ms. Allum** (United Kingdom), speaking in exercise of the right of reply to comments made by the representatives of Guyana, Guatemala, the Bolivarian Republic of Venezuela, Mexico, Peru and Cuba regarding the issue of sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands, said that the United Kingdom had no doubts

about its sovereignty over the Territory and that there could be no negotiations on sovereignty unless and until the Islanders so wished.

78. The democratically elected representatives of the Falkland Islands had once again expressed their own views clearly at the most recent session of the Special Committee on decolonization, asserting their right to self-determination as the original settlers of the Falkland Islands over 178 years earlier, a time when there had been no indigenous inhabitants and hence no displacement of population. They had also lamented the measures adopted by the Argentine Republic that unlawfully aimed to limit both their transport links and their access to open and free trade.

79. The Falkland Islands government was entitled to develop both fisheries and a hydrocarbon industry within its own waters, in accordance with article 1, paragraph 2, of the International Covenant on Civil and Political Rights. In addition, the United Kingdom had maintained an unchanged defensive military posture in the South Atlantic for over 29 years, which included routine military exercises. It remained fully committed to defending the rights of the people of the Falkland Islands to determine their own political, social and economic future.

80. In answer to the comments made by the representative of Jamaica on the question of the Turks and Caicos Islands, she said that, since August 2009, when ministerial government and the House of Assembly had been suspended, much progress had been made to embed the principles of sound financial management and good governance throughout the Territory's institutions and administration. In December 2010, her Government had set out the milestones that it judged would need to be met before elections could take place in the Territory; it remained its intention to hold elections in 2012, provided that significant progress had been made against the milestones.

81. Following extensive public consultation in the Territory and discussions between British ministers and Territorial political leaders and civil society, a new constitution, which would underpin good governance and sound public financial management, had been drafted, and it could be brought into force by the Governor when British ministers judged that conditions were right for elections to be held.

82. **Mr. Díaz Bartolomé** (Argentina), speaking in exercise of the right of reply to the comments made by the representative of the United Kingdom on the question of the Malvinas Islands, said that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine territory and that, having been illegally occupied by the United Kingdom, they were the subject of a sovereignty dispute between the two countries, as had been recognized repeatedly in successive General Assembly resolutions, all of which had urged the two Governments to resume negotiations in order to find a peaceful, lasting solution to the dispute. The Special Committee on decolonization had repeatedly issued declarations in that regard, most recently through the resolution adopted on 21 June 2011. The OAS General Assembly had also adopted a new declaration on the question of the Malvinas Islands, worded in similar terms, on 7 June 2011.

83. It was regrettable that the British Government sought to distort historical facts in an attempt to conceal the act of usurpation that it had committed in 1833, which had been the subject of continuing protests by his Government. He recalled that the two Governments had undertaken to find a peaceful solution to the problem pursuant to General Assembly resolution 2065 (XX). The British Government should honour that commitment and immediately resume negotiations. If it did so, it would be acting in the same lawful and responsible manner as it expected of the rest of the international community.

84. The principle of self-determination of peoples, the sole argument on which the United Kingdom based its alleged rights, did not apply to the sovereignty dispute between the two countries. It was, moreover, regrettable that the British Government should continue irresponsibly to raise the expectations of the inhabitants of the Malvinas Islands on the basis of the illicit appropriation of Argentine natural resources in violation of international law and contrary to the statements of international bodies. In that connection, the interests and way of life of those inhabitants were adequately protected by the relevant General Assembly resolutions and by the Constitution of the Argentine Republic. Argentina reaffirmed its legitimate rights of national sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

85. **The Chair**, recalling that revisions to draft resolution VI contained in the Special Committee's report (A/66/23) had been read out at the second meeting, noted that minor drafting changes to the revisions had just been circulated. A draft resolution on Western Sahara submitted by Algeria (A/C.4/66/L.5) had also been circulated, and she informed the Committee that Ethiopia and Suriname had joined its sponsors.

The meeting rose at 6.05 p.m.