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**Special Political and Decolonization Committee
(Fourth Committee)****Summary record of the 2nd meeting**

Held at Headquarters, New York, on Thursday, 8 October 2015, at 3 p.m.

Chair: Mr. Bowler (Malawi)**Contents**Agenda item 59: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations*

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* Items which the Committee has decided to consider together.

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

Agenda item 59: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations ([A/70/23](#) (chaps. VII and XIII) and [A/70/67](#))

Agenda item 60: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories ([A/70/23](#) (chaps. V and XIII))

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Agenda item 62: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories ([A/70/66](#) and [A/70/66/Add.1](#))

Agenda item 63: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other agenda items*) ([A/70/23](#) (chaps. VIII, IX, X, XI and XIII), [A/70/73](#), [A/70/73/Add.1](#) and [A/70/201](#))

1. **The Chair** said that decolonization had been one of the defining issues of the latter twentieth and early twenty-first centuries. Due particularly to the untiring efforts 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, the vast majority of the world's population was no longer under colonial rule. Given that there were still 17 Non-Self-Governing Territories on the United Nations list, it was vital to continue the common endeavour, in a spirit of cooperation, to complete the decolonization process.

2. **Mr. Ja'afari** (Syrian Arab Republic), Rapporteur of the Special Committee on decolonization, introducing the report of the Special Committee ([A/70/23](#)), said that during its substantive session in June 2015, the Special Committee had considered all items on its agenda in the context of the Third International Decade for the Eradication of Colonialism. The regional seminar held in Managua, Nicaragua, in May 2015, in which the Territory of Saint Helena had participated, had proved to be a valuable tool for the continued examination of the political, economic and social situation in the Non-Self-Governing Territories.

Annual visiting missions also provided the Special Committee with an effective means of assessing the situation in the Territories, and of ascertaining the wishes and aspirations of the peoples thereof. Draft resolution IX therefore requested the Special Committee to undertake at least one visiting mission a year, in accordance with the Declaration, relevant United Nations resolutions and the plan of action for the Third International Decade for the Eradication of Colonialism.

3. **Mr. Percaya** (Indonesia), Acting Chair of the Special Committee on decolonization, said the Bureau had held informal meetings with the four administering Powers, as well as with the Secretary-General, to discuss the decolonization agenda. In the light of the productive regional seminar in Managua and the Special Committee's report, he urged the Committee to consider positively the recommendations submitted by the Special Committee to further advance the work of promoting the rights and interests of the peoples of the Non-Self-Governing Territories.

4. While the Special Committee's 2015 "omnibus" resolution would continue to cover 11 Territories, it had been decided to disaggregate that resolution starting with the 2016 session, with a dedicated resolution to be adopted for each Territory. He concluded by stating his intention to hold informal discussions with the administering Powers and other stakeholders during the inter-session period, with a view to advancing the as-yet-incomplete process of decolonization.

5. **Mr. Morejón** (Ecuador), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), reiterated its firm support for the process of decolonization and stressed the importance of ensuring that every people in the world exercised its inalienable right to self-determination. CELAC renewed its full commitment to the goal of the Third International Decade for the Eradication of Colonialism, and called upon the administering Powers to cooperate with the Special Committee and adopt the measures necessary to attain the rapid decolonization of each of the Non-Self-Governing Territories, some of which were in the CELAC region, while taking the Territories' individual situations into account, including the fact that some of them were "special and particular" colonial situations involving sovereignty disputes. The administering Powers should regularly communicate accurate information on each of the Territories under their administration. At the January 2015 CELAC Summit,

the Heads of State and Government of the Community had renewed their commitment to continue working to make Latin America and the Caribbean a region free of colonialism and colonies.

6. CELAC supported the work of the Department of Public Information, including the use of the six official languages on the decolonization website, although it stressed the importance of ensuring that content was regularly updated in all languages. It was, however, deeply concerned about the coverage of Special Committee on decolonization sessions on United Nations Web TV in June 2015, and urged the Department of Political Affairs and the Department of Public Information to ensure the widest dissemination of information on decolonization, including the coverage of all meetings of the Special Committee.

7. CELAC reiterated its strongest 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, as reaffirmed by the Heads of State and Government of CELAC at their most recent Summit. At that Summit, they had stated their abiding interest in the resumption of negotiations by the Governments of the Argentine Republic and the United Kingdom in order to find, as soon as possible, a peaceful and definitive solution to the dispute, in accordance with the relevant resolutions of the United Nations and the Organization of American States (OAS).

8. CELAC further reiterated the importance of observing General Assembly resolution 31/49 calling upon both parties to refrain from adopting unilateral measures, and highlighted the ongoing constructive attitude and willingness of the Argentine Government to negotiate a peaceful and definitive solution to the dispute. The Heads of State and Government had called on the Secretary-General to renew his efforts to fulfil the mission of good offices entrusted to him by the General Assembly with a view to the resumption of negotiations, and to report on progress made.

9. With regard to the Special Committee's 34 resolutions and decisions on Puerto Rico reaffirming the inalienable right of the Puerto Rican people to self-determination and independence, the Heads of State and Government of CELAC had highlighted the Latin American and Caribbean character of Puerto Rico at the 2015 Summit and recalled the Havana Declaration of

2014 calling for progress on the question of Puerto Rico.

10. CELAC considered it necessary to continue facilitating the sustained and balanced growth of the fragile economies of the small island Territories of the Caribbean and the Pacific. Those Territories should be allowed to exercise their right to self-determination. When the will of the majority of the indigenous population was unequivocal, the administering Powers should not directly or indirectly thwart that will. CELAC therefore remained concerned by the situation in the Turks and Caicos Islands, and underscored the need for the people of that Territory to participate meaningfully in determining their own future. Similarly, CELAC considered that special attention should be paid to such key issues affecting small islands as accelerating loss of territory due to natural disasters and rising sea levels resulting from climate change.

11. CELAC endorsed all resolutions adopted by the General Assembly and the Security Council regarding Western Sahara, including General Assembly resolution 68/91, and reiterated its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to reach a just, lasting and mutually acceptable political solution leading to the self-determination of the people of Western Sahara, in accordance with the Charter of the United Nations and General Assembly resolution 1514 (XV).

12. Speaking as the representative of Ecuador, he expressed his Government's strongest support for the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were illegally occupied by the United Kingdom. Ecuador called upon the United Kingdom to resume negotiations in order to find, as soon as possible, a lasting and peaceful solution to the dispute. The Argentine cause was also a Latin American and Caribbean cause and an international issue. In view of the United Nations ruling that self-determination was inapplicable in a territorial-sovereignty dispute, and given the presence in the Islands of a population of United Kingdom nationals, the question was one of disputed territory, rather than of a people to be decolonized.

13. Ecuador strongly supported the legitimate aspirations of the Puerto Rican people to exercise its inalienable right to self-determination and independence,

in accordance with international law, the Charter of the United Nations and General Assembly resolution 1514 (XV). The Special Committee on decolonization had repeatedly declared that the Puerto Rican people formed a Latin American and Caribbean nation with its own unique national identity, and had urged the United States Government to accelerate the process of enabling the Puerto Rican people to fully exercise the right to self-determination and independence. That would enable Puerto Rico to make sovereign decisions to tackle its urgent economic and social needs. The Special Committee had also called for the full return of any occupied land (including the installations on Vieques Island and in Ceiba) to the people of Puerto Rico. Along similar lines, his delegation again urged the United States Government to free Oscar López Rivera after more than 30 years in prison.

14. On the question of Western Sahara, his delegation supported the inalienable right of the Sahrawi people to self-determination and independence, in accordance with the Charter of the United Nations and resolution 1514 (XV). It was up to the Sahrawi people alone to choose among the options for self-determination under international law. Ecuador expressed its full support for the efforts of the Secretary-General's Personal Envoy and the negotiation processes under way to achieve a just and lasting solution. His delegation urged the parties to continue to seek consensus on mechanisms to monitor the human rights situation in that area of conflict.

15. **Mr. Dehghani** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement reaffirmed its full support for the aspirations of peoples under colonial rule to exercise their right to self-determination. The existence of colonialism in any form, including economic exploitation, contradicted the Declaration on decolonization and the Universal Declaration of Human Rights. The Movement called on the United Nations to fulfil its responsibilities and expedite the process of decolonization to achieve the complete eradication of colonialism, in accordance with the Declaration, relevant General Assembly resolutions and the Charter of the United Nations. It stressed, once again, the importance of the recommendations contained in the Final Document of the sixteenth Summit Conference of Heads of State and Government of Non-Aligned Countries, held in August 2012, and the Final Document of the seventeenth Ministerial

Conference of the Non-Aligned Movement, held in May 2014.

16. The Movement believed that the Committee needed to find different ways to enhance its efficiency in order to improve its interaction and cooperation with administering Powers, which should in turn support and cooperate with the Committee, as well as ensuring the active participation of peoples of the Non-Self-Governing Territories in determining their own future. The Movement remained committed to playing its part to ensure tangible progress towards eradicating colonialism during the Third International Decade for the Eradication of Colonialism. It urged all administering Powers to pay full compensation for the economic, social and cultural consequences of their occupation of the respective Territories.

17. The United Nations should ensure that economic and other activities carried out by the administering Powers did not affect the interests of the peoples of Non-Self-Governing Territories, but instead promoted development and assisted them in exercising their legitimate right to self-determination. That also applied to the cultural identity and heritage of colonial peoples as part of humanity's universal heritage. The Non-Aligned Movement further urged United Nations Member States to fully implement the decisions and resolutions of the United Nations Educational, Scientific and Cultural Organization (UNESCO) concerning the return of cultural property.

18. The Movement reaffirmed its position on the question of Puerto Rico, set out in the Final Document of its sixteenth Summit Conference of Heads of State and Government, as well as in the Final Document of its seventeenth Ministerial Conference, in which the Movement reaffirmed the right of the people of Puerto Rico to self-determination and independence. The Movement also 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.

19. **Mr. González Franco** (Paraguay), speaking on behalf of the Southern Common Market (MERCOSUR), said that a peaceful and lasting solution to the regionally important question of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas lay in the resumption of bilateral negotiations between

the two Governments involved. In a July 2015 joint communiqué, the MERCOSUR States parties and associated States had reaffirmed their support for the legitimate rights of Argentina in the sovereignty dispute, and had also stated that unilateral measures were incompatible with United Nations decisions and that it was in the region's interest for the dispute to be resolved in accordance with the relevant international resolutions. It was regrettable that there had been a significant lack of progress in resolving the dispute in the 50 years since the adoption of resolution 2065 (XX). MERCOSUR called on the Secretary-General to renew his efforts to fulfil the mission of good offices entrusted to him by the General Assembly with a view to the resumption of negotiations, and to report on progress made. The MERCOSUR Heads of State had also firmly rejected the unilateral hydrocarbon exploration that the United Kingdom was carrying out on the Argentine continental shelf, in contradiction of Argentine and international legislation, and recognized the right of Argentina to take legal action in that regard in accordance with international law and relevant resolutions.

20. **Mr. Koncke** (Uruguay), speaking on behalf of the Union of South American Nations (UNASUR), said that the historical and legal aspects of the question of the Malvinas Islands ruled out any solution based on the principle of self-determination, as had been initially recognized in General Assembly resolution 2065 (XX). In a 2013 declaration ([A/68/856](#)), UNASUR had expressed support for the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, as well as the region's abiding interest in the resumption of negotiations between the Governments of Argentina and the United Kingdom in order to find, as soon as possible, a peaceful and definitive solution to the sovereignty dispute in accordance with relevant international resolutions. That declaration had also highlighted the ongoing constructive attitude and willingness of the Argentine Government to negotiate a definitive solution. A 2010 UNASUR declaration ([A/65/812](#)) had strongly rejected the exploration and exploitation by the United Kingdom of non-renewable natural resources on the Argentine continental shelf, which UNASUR saw as a violation of General Assembly resolution 31/49 calling on the parties to refrain from unilateral measures.

21. In a 2012 declaration ([A/66/815](#)), the UNASUR Council of Ministers for Foreign Affairs had strongly objected to the military presence and exercises of the United Kingdom in the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and described those activities as contrary to the regional policy of seeking a peaceful solution to the dispute. A further special declaration adopted in 2012 ([A/67/728](#)) had rejected the notion of a "referendum" for the Islands, as the principle of self-determination was not applicable.

22. Speaking as the representative of Uruguay, he stated that his country defended the right of the Sahrawi people to self-determination. It was crucial for discussions between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) to resume as soon as possible, with a view to finding a just, lasting and mutually acceptable solution to the conflict, in accordance with the relevant United Nations resolutions. His delegation supported the efforts of the Secretary-General and his Personal Envoy in that connection. Uruguay called on both parties to cooperate with the United Nations to implement measures ensuring full respect for human rights in Western Sahara and refugee camps, and therefore supported the draft resolution that would be presented by Algeria on the matter.

23. Uruguay was convinced that Argentina's legitimate claims of sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were historically, legally and geographically justified. There had been no indigenous population in situ, and almost all of the existing inhabitants had come from the United Kingdom. Self-determination was therefore inapplicable in that context.

24. **Mr. Filmus** (Argentina) reaffirmed the importance and centrality of the Special Committee in the decolonization process, as well as his Government's full support for United Nations leadership in that process in accordance with the provisions of the Charter and of General Assembly resolution 1514 (XV). That resolution had made it clear that there was more than one form of colonialism and had established self-determination and respect for territorial integrity as the two principles of decolonization applicable in different situations. The remaining 17 Non-Self-Governing Territories must be decolonized, taking into account the specificity of each case.

25. The year 2015 marked the fiftieth anniversary of the adoption of General Assembly resolution 2065 (XX), the first resolution referring specifically to the question of the Malvinas Islands, which publicly and officially recognized the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Over the intervening years, the mandate of that resolution had been renewed not only by the United Nations, but also by numerous other international and regional organizations and forums, which had called for bilateral dialogue between Argentina and the United Kingdom.

26. As a champion of the right to self-determination in all cases in which that right was applicable, Argentina could not accept the distortion of that principle in support of the anachronistic sovereignty dispute dating from the British usurpation of that part of Argentine territory in 1833 and continuing to the present day. According to British census figures, the population of the Islands was not a “people” subjected to colonialism, but rather a group of inhabitants of British origin, fewer than half of whom had been born on the Islands, who were protected by a migration policy specifically designed to create a tailor-made population. The “special and particular” colonial situation in question was thus a sovereignty dispute, and it was for that reason that the General Assembly had expressly rejected British attempts to entitle its subjects in the Islands to the exercise of the right to self-determination.

27. Argentina had no wish to forcibly integrate the civilian population of the Islands or to change their nationality and way of life. It would respect their human rights and take their interests into account, but would not cede its legitimate historical rights over the territory on their behalf or in the colonial, economic or military interests of the United Kingdom. Argentina’s position in that regard had been understood by the United Kingdom, which had included inhabitants of the Islands in its delegation to the initial bilateral talks in 1966 on resolving the dispute.

28. Drawing upon the recent address of Pope Francis to the General Assembly, he said that peaceful results would be obtained when the Charter of the United Nations was respected and applied consistently, not only when it was considered expedient. As Argentine President Cristina Fernández de Kirchner had also pointed out in the same forum, a just international

order could not be built if there was a double standard for compliance with United Nations resolutions. It was thus inconceivable that the United Kingdom should fail to comply with General Assembly resolutions 2065 (XX) and 31/49.

29. In the light of recent hard-won advances in such areas as the implementation of the 2030 Agenda for Sustainable Development, the re-establishment of diplomatic relations between Cuba and the United States of America, and the nuclear agreement that the permanent members of the Security Council and Germany had reached with the Islamic Republic of Iran, could the international community fail to put an end to the remnants of colonialism’s shameful past? It was up to all the States Members of the United Nations to ensure that outcome. In the case of the territory usurped from Argentina 182 years previously, the past fifty years of non-compliance with resolution 2065 (XX) were too many.

30. His delegation further called on the United Kingdom to cooperate with the International Red Cross in the identification of the remains of Argentine soldiers buried in a cemetery in the Islands, and to respond to Argentina’s proposed humanitarian initiative in that regard.

31. It was time for frank and open dialogue to restore the mutual trust necessary for progress. Recalling that the General Assembly had urged both parties to refrain from taking unilateral measures that eroded that trust, including the exploitation of natural resources and the military exercises undertaken by the United Kingdom in the South Atlantic, he renewed Argentina’s invitation to the United Kingdom to resume bilateral negotiations to find a lasting and peaceful solution to the sovereignty dispute.

32. **Mr. Wei Zonglei** (China) said that despite the historic successes of the United Nations in promoting the decolonization process, over 2 million people still lived in Non-Self-Governing Territories. Many remnants of the colonial era continued to cause problems, including still-rampant traditional attitudes, policies and domineering tactics that all gave rise to national and regional disputes. His delegation called upon administering Powers to cooperate with the United Nations in order to resolve disputes peacefully through dialogue, in accordance with the relevant United Nations resolutions. China had always actively supported the struggles of colonial peoples and

countries to achieve independence and self-determination, and would continue actively to participate in the Committee's work to accomplish the tasks entrusted to it under the Charter.

33. **Mr. de Aguiar Patriota** (Brazil) reiterated his Government's long-standing support for Argentina's legitimate rights in relation to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. It was regrettable that, 50 years after the adoption of General Assembly resolution 2065 (XX) and against the backdrop of the Third International Decade for the Eradication of Colonialism, that dispute had still not been resolved. Since the Malvinas formed part of the territory of Argentina, the principle of territorial integrity was applicable. A solution to the dispute would require dialogue between the two parties. The "special and particular" colonial situation in question was a sovereignty dispute that had lasted for nearly 200 years, and remained a major pending issue on the global agenda.

34. The United Kingdom's unwillingness to resume bilateral talks contradicted its position on the primacy of international law and respect for General Assembly resolutions. Brazil condemned the exploitation by the United Kingdom of fishing and hydrocarbon resources in the Islands, which seriously damaged the Argentine economy and should be halted immediately. Moreover, the continued presence of British warships in the region conflicted with the status of the South Atlantic as a zone of peace and cooperation. In a spirit of solidarity, and in accordance with the principle set out in General Assembly resolution 31/49, Brazil did not authorize the use of its ports or airports by vessels or aircraft heading to the Malvinas Islands, as that could imply introducing unilateral modifications in the situation.

35. Echoing the resolutions and declarations adopted by various regional forums on the subject, Brazil felt that a negotiated solution was the only option, and urged the Secretary-General to continue his good offices in that connection.

36. **Mr. Alday González** (Mexico) said that the inalienable right of peoples to self-determination was a guiding principle in the foreign policy of Mexico. The United Nations should continue its involvement in the process of decolonization, particularly within the

framework of the Third International Decade for the Eradication of Colonialism.

37. Mexico supported efforts to find a just and lasting solution to the conflict in Western Sahara, in accordance with the relevant Security Council and General Assembly resolutions, and called on the parties to make genuine progress and engage seriously on the basic issues of the substance of a political solution and the means of achieving self-determination. It reiterated its support for the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO), which should include human rights monitoring, as MINURSO was an important guarantor of the ceasefire. Mexico had provided personnel to the Mission for the first time in 2015. It encouraged both parties to step up their cooperation with United Nations human rights bodies so that the enjoyment of human rights in the Territory and in refugee camps could be monitored in a sustained, independent and impartial manner. Mexico reiterated its strong support for the efforts of the Secretary-General and his Personal Envoy in that connection.

38. Mexico recognized the legal and historical rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The resumption of negotiations by Argentina and the United Kingdom, on the basis of their shared values, was the only way to achieve a peaceful, just and lasting solution to the conflict, in accordance with the relevant resolutions of the United Nations and other multilateral forums. Mexico called on the parties to refrain from unilateral actions that would breach those resolutions and to make use of the good offices of the Secretary-General.

39. **Ms. Rodríguez Pineda** (Guatemala) said that the sovereignty dispute between Argentina and the United Kingdom had been defined as a "special and particular" colonial situation because of its distinctive characteristics. The territorial integrity of Argentina had been violated in 1833 through the forced occupation of part of its territory and the displacement of the population. Since then, Argentine settlement in the Malvinas Islands had been prevented, and the occupying Power had transferred some of its own population to the Territory; those people could not be considered to be entitled to the right of self-determination in a dispute to which their own country was a party. In keeping with paragraph 6 of the Declaration on decolonization, the

United Nations had therefore specifically ruled out the possibility of applying the right to self-determination to the question of the Malvinas Islands. Given that 2015 marked the fiftieth anniversary of the adoption of General Assembly resolution 2065 (XX), her delegation reiterated its desire for the Governments of Argentina and the United Kingdom to speedily resume negotiations in order to find a just, peaceful and lasting solution to the dispute, in accordance with the numerous relevant resolutions. Argentina had already indicated its willingness to resolve the situation through dialogue and negotiation, and it was to be hoped that the occupying Power would play its part.

40. Guatemala fully supported all General Assembly and Security Council resolutions on the question of Western Sahara and reiterated its support for the efforts of the Secretary-General and his Personal Envoy to help the parties find a just, lasting and mutually acceptable political solution to the conflict. It also welcomed the confidence-building measures that had been undertaken, particularly the expansion of the programmes administered by the Office of the United Nations High Commissioner for Refugees. It urged the parties to continue to show political will and establish a climate conducive to dialogue, in order to enter into a more substantive phase of negotiations. A solution to the question was necessary, not only for the people of Western Sahara, but for the stability, security and integrity of the Maghreb region.

41. **Mr. Tenya Hasegawa** (Peru) said his delegation applauded the work of the Special Committee on decolonization, and expressed its support for continuing efforts towards completing the decolonization of the 17 remaining Non-Self-Governing Territories. Peru called on administering Powers to cooperate fully with the United Nations, with a view to speeding up decolonization and facilitating sustained growth for the Territories in question. In the context of the Third International Decade for the Eradication of Colonialism, Peru highlighted the importance of political will and the adoption of a case-by-case approach to each situation.

42. One such situation was the dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Peru reiterated its support for the legitimate rights of Argentina in that dispute, to which the principle of self-determination could not be applied. Peru called on both parties to resume negotiations in order to find a peaceful and lasting solution to the conflict, in

accordance with the relevant General Assembly and OAS resolutions, and also underscored the importance of refraining from taking unilateral measures, in accordance with General Assembly resolution 31/49.

43. **Mr. Arancibia Fernández** (Plurinational State of Bolivia) stated that strengthening multilateralism provided the ideal framework for guaranteeing rights and sovereignty while eradicating colonialism in the interests of international peace and security.

44. His delegation reaffirmed Argentina's rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which it saw as a question of vital importance to the region. In the context of the fiftieth anniversary of resolution 2065 (XX), it was imperative to resume negotiations to find a peaceful solution to the sovereignty dispute, which undermined Argentina's economic capacity. His Government rejected the exploitation of natural resources in the area without authorization from the Argentine Government.

45. Puerto Rico had a cultural affiliation with Latin America and the Caribbean, yet its sovereignty was violated and its potential remained unfulfilled due to colonialism. All efforts should be deployed to end that situation. He urged the United States Government to take measures in regard to political prisoners such as Oscar López Rivera. The issue of Puerto Rico's independence should be examined by the Committee.

46. His country strongly denounced the practices of Israel in continuing to violate international humanitarian law and human rights in the Occupied Palestinian Territory. The segregationist and discriminatory policies of Israel had led to violence by Israeli colonists against Palestinian civilians and property, as well as the arbitrary detention of thousands of Palestinians, including women and children, in difficult conditions. Against a backdrop of a culture of hatred and increased Israeli militarization, civilians of all ages were being killed by attacks in Palestine. His country reaffirmed its support for the Security Council and General Assembly resolutions calling for the establishment of an independent Palestine within the pre-1967 borders, with East Jerusalem as its capital.

47. **Mr. Ramírez Carreño** (Bolivarian Republic of Venezuela) said that, in the context of the Third International Decade for the Eradication of Colonialism, Venezuela supported the right to self-determination and independence of the people of

Puerto Rico, a Latin American and Caribbean people that had been under the colonial domination of the United States of America for over 100 years. His delegation called on the United States Government to end that situation, and also to release the political prisoner Oscar López Rivera. The United Nations General Assembly should engage in a full and thorough examination of the case of Puerto Rico.

48. Venezuela supported the sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas; those rights were fully in keeping with international law, including General Assembly resolution 2065 (XX). It called for the resumption of negotiations between the Governments of Argentina and the United Kingdom in order to find a peaceful and negotiated solution to the dispute.

49. His delegation reiterated its solidarity with and commitment to the self-determination and independence of the people of Western Sahara. Venezuela considered the process of decolonization there as incomplete, and saw Morocco's occupation as a blatant violation of international law. His delegation hoped that the negotiation process driven by the United Nations would be resumed, with a view to organizing the referendum on self-determination that had so far been blocked in contravention of General Assembly and Security Council resolutions. Venezuela was concerned about the occupying country's attempts to promote agreements outside the 1991 Settlement Plan that were euphemistically referred to as a third way to grant "managed independence" to Western Sahara. Independence was an inalienable right of the Sahrawi people, not a subject of negotiation.

50. Venezuela also wished to speak out against the occupation of Palestine and the colonial process undertaken there by the occupying Power in violation of international law. Venezuela reiterated its firm support for a two-State solution to that tragic situation.

51. **Mr. Cousiño** (Chile) called on the administering Powers to take the measures necessary to ensure that a rapid process of decolonization could be completed for the remaining Non-Self-Governing Territories.

52. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were a uniquely "special and particular" situation. Chile reaffirmed the legitimate rights of Argentina over those Islands and maritime areas, in

keeping with the relevant United Nations resolutions, and supported negotiations with a view to finding a solution as soon as possible. It called on the United Kingdom to comply with General Assembly resolution 31/49 and cease unilateral actions in the region, especially military exercises and exploration or exploitation of renewable and non-renewable natural resources, as recommended by many regional forums within and outside Latin America. His delegation called on the Secretary-General to continue his good offices with a view to negotiation and a peaceful settlement of the dispute, and highlighted Argentina's willingness to negotiate a lasting solution.

53. His country praised the Department of Public Information and other services in disseminating the work of the Committee and promoting the Declaration and plan of action. It was important to keep the website updated in all six official languages and to avoid a recurrence of past problems with the website.

Requests for hearings

54. **The Chair** drew attention to 12 requests for hearings under agenda item 60, relating to the Falkland Islands (Malvinas) ([A/C.4/70/2](#)), French Polynesia ([A/C.4/70/3](#)), Gibraltar ([A/C.4/70/4](#)), Guam ([A/C.4/70/5](#)) and New Caledonia ([A/C.4/70/6](#)). He took it that the Committee wished to grant those requests.

55. *It was so decided.*

56. **The Chair** drew attention to 88 requests for hearings under agenda item 60, relating to Western Sahara ([A/C.4/70/7](#)).

57. **Mr. Bessedik** (Algeria) said that, as a procedural matter, two of the petitioners on the Committee's list were requesting hearings on the situation in refugee camps at Tindouf, which was in Algerian territory. Algeria reiterated that the mandate of the Committee was to consider the situation of the 17 Non-Self-Governing Territories. His delegation therefore deemed both requests unacceptable, and requested their rejection.

58. **Mr. Laassel** (Morocco) stated that, on the question of Western Sahara, his delegation believed that those on the list wished to discuss a matter that fell within the remit of the Committee, and thus rejected Algeria's request.

59. **Mr. Bessedik** (Algeria) emphasized that the mandate of the Committee was to study the situation in

Non-Self-Governing Territories, not in independent Member States.

60. **Mr. Laassel** (Morocco) affirmed that the right of populations to express themselves fell within the framework of the Committee. The people in the Tindouf camps were being oppressed, and had a right to speak about their experiences.

61. **Mr. Bessedik** (Algeria) recalled that the Committee had previously accredited legal representatives to speak on behalf of those refugees. He therefore objected to the way in which the situation was being characterized.

62. **Mr. Laassel** (Morocco) enquired of his Algerian colleague where those in the Tindouf camps had come from and why they could not return to their homes to live freely. The Committee had the right to give the floor to those who wished to speak out on the situation, and there was a need to be realistic in such matters.

63. **Mr. Bessedik** (Algeria) declared that the debate should not be aimless; if necessary, the matter could be submitted to legal advisers. The population in question had fled persecution at home and had been received by a neighbouring country.

64. **The Chair** said that while no objection had been raised in the previous day's discussion of the petitioner aide-mémoire, he would engage in further consultations, including with the Bureau, regarding the two petitioners to whom the representative of Algeria was objecting. In the interim, he asked if the Committee was willing to allow the list of petitioners to be published without the names of the petitioners in question, for the time being.

65. **Mr. Laassel** (Morocco) said that he was asking his Algerian colleague why the population in Tindouf could not express themselves if they were not sequestered.

66. **Mr. Bessedik** (Algeria), supported by **Ms. Rodríguez de Febres-Cordero** (Bolivarian Republic of Venezuela), said that the issue had not been up for final approval the previous day. He also urged his Moroccan colleague to consider the history of the issue, rather than just the current situation.

67. **Mr. Laassel** (Morocco), supported by **Mr. Diallo** (Senegal), expressed his openness to consultations organized by the Chair, but stressed that the list must be published in full or not at all.

The meeting was suspended at 5:45 p.m. and resumed at 5:55 p.m.

68. **The Chair** said that because no progress had been achieved in consultations with Algeria and Morocco, he would suspend the agenda item pending further consultations with the Bureau and the delegations concerned.

Statements made in exercise of the right of reply

69. **Mr. Sherry** (United Kingdom) said his country had no doubt regarding its sovereignty over the Falkland Islands, South Georgia and the South Sandwich Islands and the maritime areas of both territories, or regarding the principle and right of the Falkland Islanders to self-determination in accordance with the Charter of the United Nations and the two International Covenants on human rights, in order freely to determine their political status and pursue their economic, social and cultural development. The Argentine delegation had referred to international support for negotiations, including United Nations resolutions, but that did not modify the obligation of nations to respect the principle of self-determination. Therefore no dialogue on sovereignty was possible unless the Falkland Islanders so wished. The 2013 referendum, in which 99.8 per cent of the people had voted to remain an overseas territory of the United Kingdom, had sent a clear message that the people of the Islands did not want a dialogue on sovereignty. Argentina continued to deny that such fundamental human rights applied to those people, which contravened the principles of the Charter.

70. The United Kingdom was not militarizing the area, as its forces in the South Atlantic were defensive and at appropriate levels to ensure the defence of the Falkland Islands against any potential threat. They had been significantly reduced over time, and the country would continue to keep force levels under review in the context of the regular assessments of military challenges that had been carried out since the Argentine invasion in 1982.

71. Hydrocarbon exploration in the area was a legitimate commercial venture regulated by the legislation of the Falkland Islands Government, in strict accordance with the United Nations Convention on the Law of the Sea. Argentine domestic law did not apply to the Falkland Islands. The international companies working in those areas were subject to stringent

international regulations and regular inspections. The operations had wider economic benefits for the region, and should not be subject to unlawful outside sanctions. Argentina's targeting of assets and employees of those companies was politically motivated and an unacceptable attempt to exercise extraterritorial jurisdiction without legal justification, with dangerous implications for global business and free trade. Claims that hydrocarbon exploration in Falkland waters represented unilateral actions were false; the only unilateral actions of relevance were Argentine Government threats to imprison oil company workers engaged in legitimate commercial activity. Such unlawful and disproportionate interference with the principle and right of the Falkland Islanders to self-determination, as enshrined in the Charter of the United Nations and the two Covenants on human rights, was tantamount to an attempted economic blockade.

72. The United Kingdom was also clear that no Argentine population had been expelled from the Falkland Islands in 1833. An Argentine military garrison had been sent there earlier in an attempt to impose Argentine sovereignty over British sovereign territory, but the United Kingdom had expelled that military garrison, and the civilian population that had previously sought British permission to remain had been encouraged to do so. The territorial borders of the Argentine Republic in 1833 did not include the southern half of its present form or any territory in the Falkland Islands, Antarctica or South Georgia and the South Sandwich Islands. Argentina's claims to the Islands, based on the principle of disruption of its territorial integrity, were without foundation, as those areas had never been administered by or formed part of the sovereign territory of the Argentine Republic.

73. **Mr. Laassel** (Morocco), responding to the remarks made by the delegation of the Bolivarian Republic of Venezuela, which he characterized as incendiary and baseless, said that a number of factors should be taken into account with regard to the implementation of the principle of self-determination. Firstly, the method by which the referendum was to be carried out had never been specified in United Nations documents. While Article 73 *b* of the Charter dealt with self-determination in general, it did not specify the referendum mechanism, nor did General Assembly resolutions 1514 (XV), 1541 (XV) or 2625 (XXV) refer to a referendum as such. Furthermore, the General Assembly had identified four distinct but equal options: independence, free

association, integration or any other political status freely determined by a people; it had made no reference to the mechanism which should lead to one or another of those alternatives. The referendum was the least-used United Nations mechanism for implementing self-determination, having been utilized in Non-Self-Governing and Trust Territories in only five instances since the founding of the Organization. Moreover, the United Nations had recognized the impossibility of holding a referendum in the Sahara region, as recognized by numerous high-ranking United Nations officials, including the Secretary-General himself in his 2000 report on the situation in the region (S/2000/131), because the tribal and nomadic nature of the peoples there made reliable identification extremely difficult. Finally, for the past 15 years, the Security Council had sought a "mutually acceptable political solution" to the dispute, rather than simply calling for a "referendum mechanism".

74. Moreover, his delegation felt that Venezuela was not in a position to address the issues of political or human rights in the region, as that country's regime had itself been cited by the United Nations Special Rapporteur on torture for serious human rights violations, including numerous deaths and injuries during anti-Government protests in 2014, as well as for the arrest of political opponents, the torture of prisoners and alleged extrajudicial killings.

75. **Ms. Rodríguez de Febres-Cordero** (Bolivarian Republic of Venezuela), speaking on a point of order, urged her Moroccan colleague to limit his statement to decolonization, the subject at hand.

76. **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 Argentina's territory that were illegally occupied by the United Kingdom. The dispute regarding sovereignty over those areas had been recognized by the United Nations in numerous resolutions of the General Assembly urging the two parties speedily to resume negotiations on a peaceful and lasting solution; the Special Committee on decolonization had taken the same position on numerous occasions. Argentina regretted the United Kingdom's attempts to rewrite history to cover up its illegitimate actions in 1833; such distortions revealed the baselessness of the United Kingdom's sovereignty claims. That country should act legally and responsibly by fulfilling its commitment to resume negotiations on a

just and definitive solution to the dispute. The United Kingdom based its position solely on the principle of self-determination, but that principle was inapplicable under the circumstances. In 1985, the General Assembly had overwhelmingly rejected attempts by the United Kingdom to introduce that principle into the resolution adopted on the question.

77. Similarly, Argentina rejected what only the United Kingdom referred to as the “referendum” on self-determination for the Malvinas Islands, as the current inhabitants were not a people subject to a colonial yoke. The voting in 2013 had simply been a British exercise, in which British citizens had been asked if they wished to remain British.

78. The United Kingdom’s claim that its military presence in the Malvinas was purely defensive was belied by the fact that independent observers ruled out any possibility of military threat from Argentina, as well as by the fact that Britain’s military presence in the South Atlantic had only grown since 1983. Its military exercises were therefore seen as unilateral hostile actions in what had been declared a zone of peace and cooperation.

79. With regard to natural resources, he regretted that the United Kingdom continued to raise the expectations of the inhabitants of the Islands based on the illegal use of Argentine resources in violation of international law and in the face of the stated positions of international organizations, including the General Assembly in its resolution 31/49, among others. He reiterated that the legal measures taken by Argentina, within its jurisdictional framework and in exercise of its sovereign rights under international law, had been in response to the need to protect renewable and non-renewable resources from illegal exploitation by the United Kingdom.

The meeting rose at 6.20 p.m.