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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 9th meeting

Held at Headquarters, New York, on Wednesday, 20 October 2021, at 3 p.m.

Chair: Ms. González López (Chair) (El Salvador)
later: Mr. Nayan (Vice-Chair) (Philippines)

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Agenda item 61: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated by the United Nations (*continued*)*

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

Agenda item 50: University for Peace (*continued*) ([A/76/259](#))

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Agenda item 63: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered under other agenda items) (*continued*) ([A/76/23](#), [A/76/68](#) and [A/76/388](#))

1. **Mr. Adom** (Côte d'Ivoire), speaking on behalf of the Group of Francophone Ambassadors, said that multilingualism made an invaluable contribution to multilateral action and the work of United Nations entities, particularly when managing the health crisis response and combating disinformation. Staff on the ground needed to be aware of the local context and have the requisite skills, including language knowledge. The current crisis had demonstrated the fragility of multilingualism and how its decline was detrimental to action on the ground. Furthermore, languages had a significant impact on the formulation and implementation of policy. The Group therefore called on the Department of Peace Operations and the Department of Operational Support to work towards full integration of multilingualism in peacekeeping actions. The largest United Nations peacekeeping operations were deployed in French-speaking areas, and thus benefited significantly when staff used French, particularly when the operational objectives were multidimensional in nature. Staff who spoke French were able to gain trust and acceptance, not to mention a better understanding of facts on the ground.

2. The Group welcomed the action taken to ensure that the content of United Nations websites and social media platforms and the output of the information centres were available in the six official languages. Effective communication could not, however, be limited to material translated from English; it should include content produced in all the official languages. Accurate and verified information was essential in order to gain the trust of local populations, particularly young people. Moreover, if Member States were to engage in genuine dialogue, they needed to have access to the same information and the same opportunities to take part in discussions. In particular, it would be useful for the United Nations Institute for Training and Research programmes for new delegates to be available in all six official languages.

3. The Department of Global Communications should ensure that all web pages and social media platforms of the Secretariat were available in all official languages in a balanced manner. French, in particular, was spoken around the world and was also a working language of the Secretariat. All United Nations web pages should meet the Department's minimum standards of multilingualism.

4. The expansion of multilingual radio coverage was a positive development. The role of traditional media, including United Nations Radio, should be enhanced in order to broadcast information to local populations in the official and local languages. The awareness-raising function of the United Nations information centres

should also be strengthened. The Group was aware of the financial constraints faced by the Secretariat and welcomed the solutions proposed by Member States and by the secretariat of the International Organization of la Francophonie to improve integration of multilingualism at the United Nations.

5. **Mr. Hermida Castillo** (Nicaragua) said that further effective measures must be taken, in accordance with international law, to ensure that peoples living under colonial and foreign occupation could enjoy the right to self-determination and implement their own models of social and economic development. The Special Committee on decolonization, of which Nicaragua was an active member, should redouble its efforts to fulfil its mandate, which represented both a moral and historical obligation.

6. Having achieved its own national liberation through the popular Sandinista revolution of 1979, Nicaragua steadfastly supported other peoples struggling for self-determination and independence. It was unwavering in its support for the noble struggle of the Sahrawi people to assert its dignity and rights as a sovereign nation. A United Nations referendum must be held in order to resolve that colonial situation. Accordingly, Nicaragua welcomed the recent appointment of a new Personal Envoy of the Secretary-General for Western Sahara. Nicaragua also called for the full decolonization of its own continent, including for the people of Puerto Rico, a fellow Latin American and Caribbean country that had been under colonial rule since 1898, and the restitution of sovereignty over the Malvinas Islands to Argentina.

7. Nicaragua expressed its solidarity with the heroic Palestinian people in its quest for self-determination, peace and justice. It continued to call for a two-State solution whereby the State of Palestine would exist alongside the State of Israel, on the borders of 4 July 1967, with East Jerusalem as its capital. The two States would coexist on equal terms, in a spirit of peace, security, cooperation and harmony. The decolonization process must leave no one behind and, as a sovereign State, Palestine had the same right to development as all States. His delegation hoped that the Committee would support the peoples of all Non-Self-Governing Territories until the eradication of colonialism in all its forms and manifestations.

8. **Ms. Sealey** (Jamaica) said that, of the 17 Non-Self-Governing Territories, seven were part of the Caribbean region. One of those Territories had full membership of the Caribbean Community; another five had associated membership. Their non-self-governing status presented a significant obstacle to regional

integration. Colonialism impeded international economic cooperation and the social, economic and cultural development of dependent peoples, and ran counter to United Nations ideals of universal peace. Greater momentum was needed in the decolonization process, and the administering Powers should initiate reforms and adopt measures to facilitate the decolonization of the Non-Self-Governing Territories, taking the specific situations of each into account. As had been stated in resolution 574 (XXVII) of the Economic Commission for Latin America and the Caribbean, the necessary mechanisms should be put in place to allow the Non-Self-Governing Territories to participate in special sessions of the General Assembly in order to review and appraise the implementation of programmes of action adopted in conferences which they had attended as observers, and to participate in the work of the Economic and Social Council and its subsidiary bodies.

9. Her delegation looked forward to the Special Committee taking the necessary action, as approved by the General Assembly, in connection with the Fourth International Decade for the Eradication of Colonialism, and welcomed its intention to formulate specific proposals, on a case-by-case basis, to end colonialism in accordance with the Declaration on decolonization. Her delegation would support all the draft resolutions on the Non-Self-Governing Territories submitted during the current session; colonization in all its forms must become a thing of the past.

10. **Ms. Al-Thani** (Qatar) said that a lasting, just and comprehensive solution to the question of Palestine could be based only on international law, internationally recognized resolutions and the Arab Peace Initiative. It would entail an end to the Israeli occupation of all Arab territories, including the Syrian Golan and the occupied Lebanese territories; the cessation of settlement activity; a just solution to the refugee question; and the restoration of the inalienable rights of the Palestinian people, particularly the right to exercise self-determination and establish a viable Palestinian State on the 1967 borders with East Jerusalem as its capital. The status quo of Jerusalem and its Christian and Islamic holy sites, particularly the Aqsa Mosque, must be preserved.

11. Israeli settlements in the occupied territories were illegal and an obstacle to peace, economic and social development and the two-State solution. The decision of Israel to impose its laws, jurisdiction and administration on the occupied Syrian Arab Golan was null, void and without international legal effect. The Fourth Geneva Convention relative to the protection of civilians in time of war applied to the Occupied Palestinian Territory,

including East Jerusalem, and other Arab territories occupied by Israel since 1967.

12. Qatar had continued to extend humanitarian and development assistance to the Palestinian people; it had recently allocated \$500 million to the reconstruction of the Gaza Strip. The previous month, a financial aid programme had been launched to assist some 100,000 families in need in Gaza, totalling \$40 million over four months.

13. Despite pandemic-related challenges and its ongoing budgetary shortfall, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) continued to carry out indispensable projects and activities in the Occupied Palestinian Territory and in the countries hosting Palestine refugees. Qatar would continue to support UNRWA as it fulfilled its mandate commendably under difficult circumstances.

14. With regard to decolonization, Qatar encouraged the just settlement of territorial disputes in accordance with international law, considering each situation on a case-by-case basis. On the question of the Moroccan Sahara, Qatar supported all efforts to reach a political settlement under United Nations auspices, in line with the relevant Security Council resolutions and in a manner that preserved the sovereignty of the Moroccan State. In that connection, the autonomy initiative proposed by Morocco was a constructive basis for any realistic settlement of the dispute.

15. **Mr. Nunes** (Timor-Leste) said that the Committee continued to play a crucial role in eradicating colonialism, which was an egregious injustice, a violation of human rights and an obstacle to economic and social development. The right to self-determination was enshrined in the Constitution of Timor-Leste. His country was therefore committed to contributing to the realization of the rights of the Sahrawi people and of the Palestinian people to live in fully independent States and to enjoy sovereignty over their natural resources. The Non-Self-Governing Territories should be considered on a case-by-case basis to enable the Committee to better understand the aspirations of the people, in particular those related to the political status of the Territories. Administering Powers had an important role to play in implementing General Assembly resolution [1415 \(XIV\)](#), and all parties should engage in political dialogue to bring an end to long-standing conflicts and clearly defining the status of the remaining Territories. Administering Powers should ensure the full implementation of the 2030 Agenda for Sustainable Development through integrated programmes that could have a real impact on the lives of the people in the Territories.

16. His delegation was greatly concerned by the escalating tensions that had taken place in the disputed territory of Western Sahara in November and December 2020. The breach of the 1991 ceasefire agreement by Morocco, which had led to the resumption of hostilities between the parties, could have serious consequences for peace, security and stability in the region. Nevertheless, the judgement rendered on 29 September 2021 by the General Court of the European Union on Western Sahara and the appointment of Mr. Staffan de Mistura as Personal Envoy of the Secretary-General for Western Sahara were welcome developments.

17. With regard to the situation in Palestine, his country supported a two-State solution with the State of Israel and the State of Palestine existing side by side. Timor-Leste continued to urge dialogue and to support all efforts based on the spirit of the Charter of the United Nations and the relevant United Nations resolutions. On the question of the Falkland Islands, Argentina and the United Kingdom should resume their dialogue to find a peaceful and permanent solution in respect of the disputed territory in accordance with the relevant United Nations resolutions. The United Kingdom and Spain should continue to engage in constructive dialogue with a view to reaching a permanent solution to the issue of Gibraltar in accordance with the relevant United Nations resolutions.

18. Since the establishment of the United Nations, peacekeeping operations had played an important role in maintaining international peace and security. The strengths of the Organization included its legitimacy, burden sharing and its ability to deploy troops and police worldwide, integrating them with civilian peacekeepers to implement Security Council and General Assembly mandates. As a former host country to a United Nations peacekeeping operation, Timor-Leste viewed the increasing number of women in police and military roles as a paramount achievement of the United Nations and continued to support all efforts towards parity in peace operations.

19. **Mr. Akram** (Pakistan) said that over the previous six decades, Pakistani peacekeepers had operated effectively in extremely challenging environments. The protection of peacekeepers was a priority and, as such, required adequate resources. Pakistan welcomed the growing focus on technology to improve the safety and security of peacekeepers and enhance their training and performance. On 25 and 26 October 2021, along with the Netherlands, it would host a ministerial virtual meeting on the safety and security and protection of peacekeepers.

20. Considerable work was needed to develop effective political strategies for conflict resolution. The Security Council had been unable to resolve several disputes around the world, including the dispute over Jammu and Kashmir, where the United Nations Military Observer Group in India and Pakistan was stationed. Although some 80 former colonies had gained their independence since 1946, others, particularly Palestine and Jammu and Kashmir, continued to be denied that right.

21. The establishment of a viable, independent and contiguous State of Palestine within the pre-1967 borders, with Al-Quds al-Sharif (Jerusalem) as its capital, was the only guarantee of enduring peace in the Middle East. Until that goal was attained, the world must continue to extend economic, social and humanitarian assistance to the Palestinian people, including through UNRWA.

22. The Indian occupation of Jammu and Kashmir was the worst manifestation of modern-day colonialism. The primacy of the right to self-determination had been expressly acknowledged in the Charter of the United Nations and in the International Covenants on human rights. Moreover, the Security Council had adopted several resolutions in which it had called for a free and fair plebiscite to be held under United Nations auspices. The subjugation of people to alien domination and exploitation was contrary to the Charter. Kashmir was the place with the most densely massed occupation force in the world, with 900,000 Indian occupying troops deployed in a region the size of Belgium. India had imprisoned the entire leadership of Kashmir, illegally detained thousands of young people, including women and children, violently quashed protests and destroyed entire neighbourhoods as collective punishment. Even the dead were not spared such brutal behaviour; after the death in Indian detention of the Kashmiri leader Syed Ali Shah Geelani, his body had been snatched from his family, which had thus been denied the right to perform an Islamic burial. Such actions were both a measure of the tyranny of India and of that country's fear of the free voice of the Kashmiri people.

23. Since the illegal attempt by India to annex Jammu and Kashmir in August 2019, that country's fascist regime had launched what it ominously termed its final solution. By seeking to transform Kashmir demographically into a Hindu majority territory, granting Hindu outsiders more than 3.4 million false domicile certificates to settle in Kashmir and arbitrarily to seize the property of Kashmiris, India was effectively perpetrating genocide. His delegation urged the Committee to implement the Declaration on decolonization and called on the Security Council to end the colonization of occupied Jammu and Kashmir and to

enable its people to exercise the right to self-determination.

24. **Mr. de Souza Monteiro** (Brazil) said that the Special Committee had a particular responsibility to ensure that the United Nations had the necessary tools to enhance peacekeeping operations by addressing such issues as the safety and security of peacekeepers and the prevention of sexual exploitation and abuse in armed conflict. Brazil therefore supported the Action for Peacekeeping and Action for Peacekeeping Plus initiatives, whose aim was to prioritize safety and security; strategic communications; the women, peace and security agenda; and accountability for crimes committed against blue helmets.

25. His delegation welcomed the adoption of Security Council resolutions [2589 \(2021\)](#) and [2594 \(2021\)](#) concerning accountability for the perpetrators of crimes against peacekeepers and peacekeeping operation transitions. As an incoming member of the Security Council, Brazil was committed to advancing the peacekeeping agenda by favouring clearly defined mandates based on realistic assessments of the situation on the ground and by advocating for adequate financial and human resources. Peacekeeping operations should also be improved through predeployment and in-mission training. During the coronavirus disease (COVID-19) pandemic, peacekeeping operations had continued to fulfil their mandates and helped to avoid further spread of the disease in conflict areas and elsewhere.

26. His delegation wished to highlight the work of the United Nations Verification Mission in Colombia in monitoring the implementation of the hard-won Final Agreement for Ending the Conflict and Building a Stable and Lasting Peace reached between the Government and the Revolutionary Armed Forces of Colombia-People's Army (FARC-EP), particularly as critical aspects were being set in motion, including the Special Jurisdiction for Peace. In Haiti, the United Nations Integrated Office in Haiti (BINUH) was building on the achievements of the previous two peacekeeping operations, providing advisory and good offices support to the country during one of the most severe humanitarian crises in its history. While special political missions were established by the Security Council, they were financed under the regular budget. That created an imbalance whereby only a small number of Member States took part in Security Council decisions but the entire United Nations membership was responsible for their funding. The Organization's wider membership, in particular in the General Assembly and its Fourth Committee, should therefore engage more actively in discussions on special political missions.

27. The COVID-19 pandemic had exacerbated the plight of millions of Palestine refugees, many of whom had lost their sources of income and access to basic services. Consequently, UNRWA had been required to redouble its efforts, despite budget limitations. As a traditional donor and member of the Advisory Commission of UNRWA, Brazil remained ready to cooperate closely with the Agency, in accordance with its capabilities.

28. The United Nations information centres played an important role in disseminating messages in local languages to local populations, in particular in developing countries. Specifically, the information centres in Rio de Janeiro, Brussels and Luanda were to be commended for sharing valuable information about the work of the United Nations with Portuguese-speaking audiences all over the world. Portuguese was spoken by approximately 260 million people worldwide and was the most spoken language in the southern hemisphere. Brazil also strongly supported the United Nations News station in Portuguese.

29. His Government reiterated its long-standing support for the sovereignty and legitimate rights of Argentina in relation to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The “special and particular” colonial situation in question involved a sovereignty dispute that had lasted for nearly 200 years. It was important to recall that the British population on the Islands had been implanted during an illegal occupation and that the principle of self-determination did not apply. Furthermore, since the Malvinas formed part of the national territory of Argentina, the principle of territorial integrity was applicable.

30. Brazil was concerned at the violations of General Assembly resolution 31/49, in which the Assembly had called on the parties to refrain from introducing modifications in the situation of the Islands. His Government urged the United Kingdom to cease its unilateral exploration and exploitation of natural resources and abstain from military exercises in the disputed area. In 1986, Brazil had been one of the sponsors of General Assembly resolution 41/11, whose purpose was to promote regional cooperation and the maintenance of peace and security, and to urge respect for the national unity, sovereignty and territorial integrity of all of the States in the region. The resumption of negotiations between Argentina and the United Kingdom was the only viable way to resolve the question of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, in accordance with the Charter of the

United Nations and the relevant General Assembly resolutions.

31. **Ms. Chan Valverde** (Costa Rica) said that her country supported the legitimate claim of Argentina to sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The General Assembly and the Special Committee on decolonization had adopted numerous resolutions recognizing the existence of a sovereignty dispute that constituted a special and particular colonial situation, and stipulating that the Islands could not be decolonized pursuant to the principle of self-determination or without regard for the historic rights of the Argentine people. However, the United Kingdom had long ignored the General Assembly’s calls to negotiate with Argentina, which, for its part, stood ready to resume bilateral negotiations. Her delegation therefore called on the two parties to resume negotiations as soon as possible, with a view to finding a peaceful and definitive solution to the dispute.

32. With regard to the question of Western Sahara, the parties should abide by the ceasefire and resume negotiations without preconditions and in good faith under the auspices of the Secretary-General and his Personal Envoy, in line with the relevant United Nations resolutions, with a view to finding a just and lasting political solution acceptable to all sides, one that would enable the people of Western Sahara to exercise self-determination.

33. The COVID-19 pandemic had reminded humankind that access to trusted, independent information was not only a human right but a need. The rise in hate speech, disinformation and misinformation were endangering the health and well-being of millions and undermining confidence in institutions. Costa Rica supported the work of the Department of Global Communications by participating actively in the Verified campaign on trusted factual COVID-19 information and the Only Together campaign. It was, moreover, essential to achieve language parity, as multilingualism was a core value of the United Nations.

34. In order for peacekeeping missions to succeed, a balance must be struck between mandates and operational resources provided by Member States. Host States and parties to conflicts must be willing to work to maintain peace, and the international community must increase its support through mediation and by meeting growing humanitarian need. In accordance with the Action for Peacekeeping and Action for Peacekeeping Plus initiatives, her delegation believed that peacekeeping mandates should be coherent, sequenced and attainable, and that operations should meet the

specific needs of the country in which they were deployed and should be financed in an adequate, predictable and sustained manner.

35. It was critical to integrate humanitarian efforts, development and sustaining peace with a view to coordinating the actions of peacekeeping missions and United Nations agencies and maximizing the Organization's overall contribution. Close collaboration with regional organizations and humanitarian actors was also vital.

36. Costa Rica remained convinced that all States had the legitimate right to equal access to outer space for peaceful purposes, without discrimination.

37. With regard to the University for Peace, her country had learned first-hand that investing in education instead of military activity made a positive difference. Acceptance, tolerance and mutual respect were values that must be instilled through education in order to attain a sustainable peace. She called on all delegations to sponsor the draft resolution on the University for Peace introduced by Costa Rica (A/C.4/76/L.11) and to accede to the International Agreement for the Establishment of the University for Peace.

38. **Mr. Salim** (Kenya) said that as a nation that understood too well the ramifications of colonization, Kenya remained committed to the eradication of colonialism in all its forms. A just, peaceful and lasting solution should be found to the question of Western Sahara in order to enable the Sahrawi people to exercise its inalienable right to self-determination. Similarly, a lasting solution to the question of Palestine could be achieved only through the establishment of a Palestinian State living side by side in peace with Israel, within mutually agreed borders. The international community should continue to support UNRWA, whose increasing financial difficulties had been exacerbated by the COVID-19 pandemic.

39. In view of the changing nature of the threats facing peace operations, a greater understanding of the operational environment and better cooperation with regional security mechanisms were needed. His delegation supported the Secretary-General's Action for Peacekeeping and Action for Peacekeeping Plus initiatives, which addressed, inter alia, the performance and accountability of peacekeepers and the need to increase the number of women peacekeepers at all levels. In partnership with Germany, Japan, Korea and Switzerland, in the context of the triangular partnership project, Kenya continued to train peacekeepers and had strengthened its capacity to detect, identify and disarm improvised explosive devices. His country's

Humanitarian Peace Support School had recently undergone the process to be recognized by the United Nations Mine Action Service as an institution for countering improvised explosive devices.

40. Through space research programmes and the evolving use of space science and technology for sustainable development, Kenya continued to foster international cooperation in the peaceful uses of outer space.

41. **Mr. Brou** (Côte d'Ivoire) said that his delegation fully supported the United Nations-led political process aimed at achieving a realistic, pragmatic, lasting compromise solution to the question of Western Sahara, under the auspices of the Secretary-General and his newly appointed Personal Envoy. It hoped that the new Personal Envoy would convene a third round-table discussion among Algeria, Morocco, Mauritania and the "Polisario". A lasting political solution to the long-standing regional dispute, in accordance with United Nations resolutions, was vital to the security and stability of the Sahel and would also strengthen cooperation among the States of the Arab Maghreb. Côte d'Ivoire fully endorsed the autonomy initiative proposed by Morocco in 2007 as a realistic compromise solution that gave the population of the Sahara broad prerogatives in all areas. It welcomed the new development model for the southern provinces launched by Morocco in 2015, and the efforts of Morocco to promote human rights in the region and grant its population access to the COVID-19 vaccine. It deplored the events in the Guerguerat area and called on all parties to refrain from actions that could hinder civil or commercial transit or alter the status quo, and to pursue dialogue in a spirit of compromise. It commended Morocco on its compliance with the ceasefire and on the peaceful steps it had taken on 13 November 2020 to ensure freedom of movement at the Guerguerat crossing.

42. Special political missions had a central role to play in the peaceful settlement of conflicts and in building and sustaining peace. They should ensure the full participation of women in conflict resolution efforts, something that was essential for a lasting peace. Peace operations should have clearly defined mandates and benchmarks. Coordination between country teams, peacekeeping operations and special political missions should be strengthened. His delegation welcomed the recommendations contained in the report of the Special Committee on Peacekeeping Operations on its 2021 substantive session (A/75/19) and hoped that they would be implemented diligently.

43. His delegation welcomed the awareness-raising campaigns launched by the Department of Global Communications to disseminate essential information on the pandemic and the COVID-19 vaccine. International cooperation should be strengthened in order to bridge the digital divide, which posed a particular challenge for the developing world. The Organization should build on the progress made in promoting linguistic parity, which would enable all members to work towards its shared objectives.

44. **Ms. Joyini** (South Africa) said that her delegation attached great importance to the issue of decolonization and fully commended the work of the Special Committee. The South African delegation itself would not be represented in the United Nations without the efforts of the Committee. As part of that work, the Committee should press for the holding of the long-awaited referendum on Western Sahara, which had been mandated by the United Nations, in order to enable the Sahrawi people to exercise its right to self-determination. South Africa was gravely concerned at the resumption of hostilities in November 2020 and the resulting breach of the 1991 ceasefire agreement. It urged the parties to respect the ceasefire and avoid acts that might further inflame tensions in the Territory. The cost in time, resources and human lives invested in the Sahrawi quest for self-determination must not be allowed to go to waste. Her delegation therefore welcomed the Secretary-General's appointment of a new Personal Envoy for Western Sahara and trusted that dialogue would be revived, paving the way for a just, lasting and mutually acceptable political solution. In addition, all the relevant Security Council resolutions and African Union decisions on Western Sahara should be implemented fully. The Security Council must consider developments on the ground and address in an impartial manner the renewal of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

45. The decolonization of Mauritius should be completed through the handover of the Chagos Islands; the advisory opinion rendered by the International Court of Justice on 25 February 2019, which had been welcomed in General Assembly resolution [73/295](#), sent a clear message that the Islands belonged to the people in whose land and continent they were located.

46. South Africa had long supported the exercise of the inalienable right of the Palestinian people to an independent and viable State, with East Jerusalem as its capital, on the basis of the relevant United Nations resolutions, living side by side with Israel. However, decades of aggression had made that outcome improbable. On a daily basis, Palestinians in the

Occupied Palestinian Territory were subjected to laws and practices engineered to impede them from participating in the political system that governed their lives and determined their future. The Committee and the international community must act in concert to bring an end to such impunity. South Africa expressed its solidarity with and support for UNRWA, which remained dedicated to its work in very difficult circumstances.

47. As a troop-contributing country, South Africa fully supported the Action for Peacekeeping and Action for Peacekeeping Plus initiatives and the Strategy for the Digital Transformation of United Nations Peacekeeping, and looked forward to hosting the sixth Partnership for Technology in Peacekeeping International Symposium in 2022. Her delegation hoped that the budget cuts that had led peacekeeping missions to downsize would not affect special political missions, something that would undermine their achievements in conflict prevention, peacebuilding and sustaining peace. It was necessary to ensure predictable and transparent funding for special political missions, and the Organization must invest more in conflict prevention and resolution efforts. Her delegation recognized that Security Council resolution [1325 \(2000\)](#) on women and peace and security had contributed significantly to the inclusion of a gender dimension in peacekeeping and peacebuilding.

48. The Department of Global Communications continued to provide credible information from authoritative United Nations sources. Her delegation underscored the importance of multilingualism and reiterated its support for the work of the United Nations information centres, which disseminated information about the Organization and raised awareness of global challenges in local languages. The Department should continue to support United Nations information centres and increase their staffing and equipment.

49. **Mr. Romero Puentes** (Cuba) said that the decolonization process had given rise to one of the most significant transformations of the twentieth century. Six decades after the adoption of the historic Declaration on decolonization, Cuba joined the international call to eradicate the scourge of colonialism, which persisted in the 17 remaining Non-Self-Governing Territories.

50. The Special Committee had adopted 39 resolutions and decisions on Puerto Rico, in which it had reaffirmed the inalienable right of the people of Puerto Rico to self-determination and independence in accordance with General Assembly resolution [1514 \(XV\)](#). It had been more than 63 years since the misleading status of Free Associated State had been imposed on Puerto Rico. In

2016, the United States Supreme Court, Congress and even the Administration itself had unmasked the false claims of a change in the status of the island when they had clearly confirmed that Puerto Rico did not enjoy sovereignty and was a colonial territory entirely subject to the rule of Washington, D.C.

51. On the question of Western Sahara, his Government reiterated its support for a mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara in accordance with General Assembly resolution 1514 (XV). Cuba supported the legitimate right of Argentina in the sovereignty dispute relating to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were part of Argentine territory. A negotiated, just and definitive solution to that dispute should be found as soon as possible. Cuba had demonstrated its commitment to and solidarity with the peoples of the Non-Self-Governing Territories through collaborative action over the years, notably with the people of the Sahrawi Arab Democratic Republic.

52. His delegation paid tribute to UNRWA staff, who had achieved significant progress with few resources. Cuba reiterated its rejection of the so-called “deal of the century”, which ignored the two-State solution that had historically been supported by the United Nations, the Movement of Non-Aligned Countries, the League of Arab States, the Organization of Islamic Cooperation and other international actors. The unilateral action of the Government of the United States in recognizing Jerusalem as the capital of Israel and establishing its diplomatic mission there, and the decision to recognize the sovereignty of Israel over the Syrian Golan, constituted flagrant violations of the Charter, international law and the relevant Security Council resolutions. Cuba would continue to support a comprehensive, just and lasting solution to the Israeli-Palestinian conflict, one that would enable the Palestinians to exercise their right to self-determination and to establish a free, independent and sovereign State on the basis of the pre-1967 borders and with East Jerusalem as its capital, as well as their right of return.

53. Cuba remained opposed to the militarization of outer space. There was an urgent need to strengthen the legal framework through the adoption of a multilateral treaty on the prevention and prohibition of the placement of weapons in outer space.

54. In recent times, special political missions had been established by the Security Council. The General Assembly should play a decisive role in the establishment, implementation and monitoring of such

missions, and the concerns of all Member States should be taken into account.

55. The Special Committee on Peacekeeping Operations was the only forum of the United Nations with a mandate for the comprehensive review of peacekeeping operations in all their aspects. Peacekeeping operations should have viable and clearly defined objectives and should continue to be guided by the principles of impartiality, consent and non-use of force except in self-defence.

56. Illegal unilateral coercive measures, such as the blockade imposed by the Government of the United States against Cuba for almost 60 years, made it virtually impossible to advance in the development of information and communications technology. The systematic aggression pursued by the United States against Cuba through radio and television broadcasts violated the purposes and principles of the Charter and various rules of the International Telecommunications Union. Cuba also rejected the decision of the United States Department of State to establish the Cuba Internet Task Force, supposedly to promote the free and unregulated flow of information in Cuba.

57. *Mr. Nayan (Philippines), Vice-Chair, took the Chair.*

58. **Mr. Santos Maraver** (Spain) said that Gibraltar had been militarily occupied by the United Kingdom in 1704, during the War of the Spanish Succession. Under article 10 of the Treaty of Utrecht of 1713, Spain had ceded to the United Kingdom only the town and castle of Gibraltar, together with its port, fortifications and forts, without ceding Territorial jurisdiction. The United Kingdom had subsequently illegally occupied the isthmus adjacent to Gibraltar, building installations in the course of the nineteenth century and a fence in 1909. In 1934, it had added a landing strip, converted into an air force base in 1938, that jutted more than half a kilometre into the territorial waters of Spain. It was abundantly clear under the terms of the Treaty of Utrecht that Spain retained sovereignty over the isthmus and surrounding waters of Gibraltar and its air space. Spain had never accepted the British occupation and would continue to request restitution of the territories seized from it by force and to exercise sovereignty over the adjacent territorial waters and the airspace overhead.

59. The question of Gibraltar was not only a matter of illegitimate occupation or violation of territorial integrity. The presence of a colonial enclave in his country had harmful effects for the economy, environment and security, especially in the adjacent area of Campo de Gibraltar. The special tax system in Gibraltar had led to serious distortions in the local

economy, including through illicit trafficking, to the detriment of the region's prosperity and the collection of tax revenue in Spain and the European Union. While his Government was not opposed to the prosperity of Gibraltar and saw enormous potential for prosperity on both sides of the Fence, its priority was to put an immediate end to the colonial situation of Gibraltar, for the benefit of all the populations of the region.

60. For more than half a century, the General Assembly, the Fourth Committee and the Special Committee on decolonization had called on Spain and the United Kingdom to begin negotiations on ending the colonial situation. In resolution 2231 (XXI), adopted in 1965, the General Assembly had called on Spain and the administering Power to continue their negotiations, and had asked the administering Power to expedite, without any hindrance and in consultation with the Government of Spain, the decolonization of Gibraltar. In resolution 2353 (XXII), it had established that the decolonization process should be governed by the principle of territorial integrity, thereby ruling out the applicability of the right to self-determination to the population of Gibraltar. In resolution 2429 (XXIII), it had requested the administering Power to terminate the colonial situation in Gibraltar no later than 1 October 1969. The administering Power had, however, ignored the doctrine of the United Nations. In 1967, it had held a referendum on questions of sovereignty, which had been condemned by the General Assembly in resolution 2353 (XXII). With the Brussels Declaration of 1984, the United Kingdom had reciprocated the desire of Spain to engage in a process of negotiation, but had later broken it off unilaterally. Year after year, his country had called for that process to be reopened.

61. In the context of the decision by the United Kingdom to leave the European Union, Spain and the United Kingdom had negotiated bilaterally an international agreement on taxation and the protection of financial interests, and four memorandums of understanding concerning, respectively, citizens' rights, police and customs cooperation, the environment, and tobacco and other products. Those instruments had helped improve bilateral relations and had benefited the region. On 31 December 2020, Spain and the United Kingdom had reached an agreement on Gibraltar that would serve as the basis for a future agreement between the European Union and the United Kingdom on Gibraltar, with the aim of creating an area of shared prosperity. However, no provision of that agreement and no measure taken to implement it should be understood to indicate a change in the legal position of Spain regarding sovereignty and jurisdiction over Gibraltar.

62. Spain was prepared to agree with the United Kingdom a new system of regional cooperation that would benefit the inhabitants on both sides of the Fence. It would, however, always defend the rights and interests of the inhabitants of the Campo de Gibraltar in any negotiations concerning Gibraltar.

63. His delegation commended the Department of Global Communications on its effective implementation of the Organization's global communications strategy. There was a need to close the gap between the demand for and supply of content in Spanish and to move away from a translation-based culture towards a genuine multilingual culture in which content was planned, formulated and published in the six official languages. The growing trend of monolingualism which had been exacerbated by the pandemic and remote work, was a cause of concern; multilingualism served as the basis for inclusion, efficiency and transparency, and was an indispensable component of multilateralism.

64. **Mr. Jardali** (Lebanon) said that the actions taken to enhance the safety and security of United Nations peacekeepers had contributed to a continued decline in fatalities. His delegation condemned all attacks on peacekeepers and stressed the importance of increasing the participation of women peacekeepers in international peace and security and sustaining peace.

65. Owing to the economic crisis in Lebanon, the Security Council had, in resolution 2591 (2021), requested the United Nations Interim Force in Lebanon (UNIFIL) to take temporary and special measures to provide the Lebanese Armed Forces with additional non-lethal material and logistical support. The timely and welcome assistance underscored the vital role of UNIFIL in Lebanon and the mission's strong cooperation with the Lebanese Armed Forces. On 30 July 2021, a Cambodian peacekeeper had been injured during demining activities in the Force's area of operation. He had been treated in Beirut and subsequently evacuated to Jordan. Lebanon was grateful to the staff of UNIFIL for their dedication and remained committed to the full implementation of Security Council resolution 1701 (2006).

66. Amidst deteriorating socioeconomic conditions, regional instability and the impact of COVID-19, UNRWA was more needed than ever; Palestine refugees had become increasingly reliant on the Agency for basic services and education. For that purpose, UNRWA would need predictable and stable financing. The international community had a responsibility to provide sustained and multi-year contributions to ensure that the Agency's services were maintained. Alarming, however, UNRWA faced a \$15 million shortfall for

October 2021 and lacked the funds to operate in November and December 2021. Lebanon welcomed the preparations to hold an international conference on financing for UNRWA, to be chaired by Jordan and Sweden, in November 2021. It also welcomed the resumption by the United States of support for UNRWA as a partner and donor, and encouraged other donors to increase their contributions. His Government rejected all politically motivated attacks aimed at delegitimizing UNRWA, which had proven, time and again, its commitment to the highest standards of governance, accountability and transparency expected of a United Nations agency.

67. The May 2021 conflict in the Gaza Strip, the fourth such conflict since 2008, had compounded the suffering, leaving almost three out of four Gazans reliant on food assistance, shelter and health care. The reports before the Committee gave a grim account of the suffering of millions of Palestinians in the Occupied Palestinian Territory, including East Jerusalem, as a consequence of the systematic violations of international law by Israel, the occupying Power. In 2021 alone, the widespread violence and excessive use of force by the occupying Israeli forces and settlers had resulted in more casualties among Palestinians than in any of the previous four years. Demolitions and seizures of Palestinian-owned buildings had continued throughout the occupied West Bank, including East Jerusalem. The international community should hold Israel accountable and exert pressure on it to refrain from such violations, end its occupation and abide by the relevant Security Council resolutions, thereby putting an end to the injustice which it had inflicted on the Palestinian people.

68. **Ms. Abdelhady-Nasser** (Observer for the State of Palestine) said that her delegation remained grateful to the international community for its principled solidarity with the Palestinian people, including the Palestine refugees, through long-standing political and financial support for UNRWA since the Agency's establishment by the General Assembly in the aftermath of the 1948 Nakbah. UNRWA had worked tirelessly to ensure the well-being of the more than 5.7 million Palestine refugees registered in the Agency's five fields of operation, and of Palestinians displaced in 1967 who remained in need of assistance.

69. International support for UNRWA remained a high priority for the Palestinian people and leadership, pending a just solution to the Palestine refugee question on the basis of international law and General Assembly resolution 194 (III), which reaffirmed the right of the refugees to return to their homes and receive just compensation. A just solution to that question remained

an integral part of a just, lasting and comprehensive peace.

70. The services and assistance provided by the Agency made a tangible difference in the lives of millions, many of them dependent on UNRWA as lifeline. Through cycles of crises and a global pandemic, the Agency had continued to provide a safety net for the most vulnerable and shelter to thousands displaced by military assault, not to mention training, employment opportunities and psychosocial support, thus granting Palestine refugees a measure of hope amidst mounting despair. UNRWA and the international community were needed not because of the growing numbers or needs of Palestine refugees, but because of the absence of a just solution and the continued denial of their rights. Population growth and human need were constant everywhere; Palestine refugees were no exception to that rule. Nor was any alleged deficiency of UNRWA to blame, as its hostile detractors claimed in their bid to undermine the Agency and thus dismiss the Palestine refugee problem. Millions of people could not be wished away; their rights did not diminish with the passage of time and could not be erased by cynical rhetoric.

71. The delay in finding a solution had increased the demands made of UNRWA, which was expected to carry out the same mandate with significantly fewer resources. Furthermore, the impact of nearly a decade and a half of the Israeli blockade on the Gaza Strip, coupled with more than 54 years of occupation and repeated Israeli attacks, had suffocated socioeconomic life and wrought humanitarian disaster. Elsewhere, the ongoing colonization of the West Bank, including East Jerusalem, continued to displace Palestinian families, dispossessing some refugees a second or third time, while the crises in Lebanon and Syria had exacerbated the needs of Palestine refugees in those countries. What her country ultimately sought for its refugees was justice, not endless international aid. However, until justice was done, it was imperative to help them cope with hardship and enable them to lead dignified lives. Her delegation was grateful to all host and donor countries and organizations contributing to UNRWA and appealed for continued support for the Agency to address its chronic underfunding and prevent any interruption or suspension of assistance.

72. The reports before the Committee under agenda item 54 thoroughly documented the systematic and massive Israeli violations, the accounts of which had been corroborated by United Nations agencies and international, Palestinian and Israeli rights groups and academics. The occupying Power could not hide those violations by denying entry to the mandate holders.

73. The Israeli occupation of the Palestinian Territory since 1967, including East Jerusalem, was illegal and must end. The Palestinian people must realize their inalienable and non-negotiable right to self-determination and independence. Improvement of socioeconomic conditions was not an alternative to freedom or a concession that could be granted to a people in captivity in exchange for abandoning its struggle against colonial occupation. Allowing Israel to commit its crimes with impunity would only embolden it to perpetrate more violations, compounding the conflict. Collective action, in line with international law and the relevant United Nations resolutions, was therefore required to end the impunity that had caused so much suffering.

74. **Mr. Peiris** (Sri Lanka) said that his country had consistently denounced the use of nuclear weapons and upheld its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons. However, against the backdrop of emerging developments in nuclear science, Sri Lanka was conscious of the need to strengthen nuclear technology and research for peaceful purposes. Established in 2015, the Sri Lankan Atomic Energy Regulatory Council had the authority to act to fulfil obligations under the safeguards agreement concluded with the International Atomic Energy Agency (IAEA) in 1980. Currently, Sri Lanka used depleted uranium in medical industrial applications and collaborated closely with IAEA teams conducting regular verification of sites where depleted uranium was stored. National regulatory bodies governed and facilitated the use of nuclear technology for peaceful means.

75. Sri Lanka also wished to assume a leading role within the United Nations to prevent an arms race in outer space. To that end, a legal framework on outer space was vitally necessary.

76. The United Nations had done commendable work to mitigate the threat of improvised explosive devices and rid the world of landmines. The Sri Lankan armed forces had cleared 90 per cent of the landmines previously strewn throughout conflict areas in the country, of which only 12.7 km² had yet to be cleared. Sri Lanka stood ready to share its best practices in mine reduction and victim assistance.

77. Sri Lanka was a long-standing contributor to global peacekeeping efforts, with some 593 military personnel currently deployed in United Nations operations worldwide. Sri Lankan peacekeepers had served in both traditional peacekeeping missions and complex multidimensional operations, adhering to the highest standards of behaviour, professionalism and

discipline, sporadic setbacks notwithstanding. Their contribution had helped to stabilize war-torn countries and paved the way for sustainable peace and economic development.

78. Striking a balance between threats to collective security and State sovereignty had been one of the major security challenges of the previous 75 years. In the international system, where States were bound only by the obligations they willingly undertook, systematic non-compliance undermined the law and risked making it irrelevant. Given the limits of domestic law, multilateral responses were needed in order to confront the unprecedented challenge posed by non-State actors. Sri Lanka was confident that the United Nations had the capacity to shape international legal practice and norms in a manner that would have a global impact.

79. **Mr. Kassaye** (Ethiopia) said that self-determination, including independence, should remain the only acceptable solution for the 17 remaining Non-Self-Governing Territories. To that end, immediate action must be taken to implement the Declaration on decolonization. Administering Powers should take the necessary measures to accelerate the decolonization process, and the oversight function of the Special Committee on decolonization should be strengthened.

80. Ethiopia supported the inalienable right of the people of Western Sahara to self-determination and independence, in line with United Nations resolutions. Ethiopia called on the parties to resume direct negotiations and pursue an African solution to the matter.

81. A just, lasting, comprehensive and peaceful solution to the Israeli-Palestinian conflict was a matter of urgency. All parties must therefore resume talks on achieving the two-State solution, on the basis of the pre-1967 borders, in accordance with international law and the relevant United Nations resolutions. In addition, global cooperation was necessary in order to ensure the rights, well-being and safety of Palestinians living in different circumstances.

82. Strengthening international cooperation in the peaceful use of outer space was critical, given the role of space technology in enhancing the capacity of developing countries to achieve national development objectives and internationally agreed development goals. Urgent action must therefore be taken to ensure the safety and sustainability of outer space and prevent and address damage caused by space debris. While Ethiopia and other African countries were at an early stage in developing national space capabilities, it was nevertheless imperative to make use of outer space to support their growth and development efforts. In

addition to adopting a national space policy and establishing a national space institution, Ethiopia had launched satellites into space in support of its socioeconomic development activities.

83. As a top troop-contributing country, Ethiopia had been participating in peacekeeping operations for more than six decades and remained committed to fulfilling its obligations. Peacekeeping missions should be given adequate resources; the mission should match the mandate. Synergy between the African Union and the Security Council was also indispensable; the views of the African Union should therefore be given due consideration in the Council's decisions, and coordination between the two bodies should be strengthened.

Statements made in exercise of the right of reply

84. **Mr. Fairlamb** (United Kingdom of Great Britain and Northern Ireland), replying to the comments made by the representatives of Brazil, Costa Rica, Cuba, Nicaragua, South Africa, Spain and Timor-Leste, said that his Government had sovereignty over Gibraltar and the territorial waters surrounding it. As a separate Territory recognized by the United Nations and included since 1946 on its list of Non-Self-Governing Territories, Gibraltar enjoyed the rights accorded to it under the Charter of the United Nations. The people of Gibraltar enjoyed the right of self-determination. The 2006 Gibraltar Constitution, which had been endorsed in referendum by the people of Gibraltar, provided for a modern and mature relationship between Gibraltar and the United Kingdom. The United Kingdom reiterated that it would not enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes; nor would it enter into a process of sovereignty negotiations with which Gibraltar was not content. His Government was committed to safeguarding Gibraltar, its people and its economy, and the Governments of the United Kingdom and Gibraltar remained committed to the trilateral Forum for Dialogue as the most credible, constructive and practical means of strengthening relations among the United Kingdom, Gibraltar and Spain for the benefit of all parties. His Government regretted that Spain had withdrawn formally from those talks in 2011. The Governments of the United Kingdom and Gibraltar stood ready to engage with Spain to establish new and deeper forms of cooperation to address issues of mutual importance in the wider region through dialogue that fully respected the wishes, interests, rights and responsibilities of the Government and people of Gibraltar.

85. His Government rejected the allegation that it had illegally occupied the isthmus and surrounding waters. Under international law, as established by the United Nations Convention on the Law of the Sea, sovereignty over territorial waters flowed from sovereignty over the land. Therefore, it followed inexorably that the State which was sovereign over the land was also sovereign over the territorial waters. The United Kingdom was thus assured of its sovereignty over British Gibraltar territorial waters.

86. With regard to negotiations relating to the departure of the United Kingdom from the European Union, the United Kingdom and the Government of Gibraltar had agreed with Spain on four memorandums of understanding concerning the protocol on Gibraltar under his country's withdrawal agreement with the European Union. Three of the memorandums were time-limited and had been reinstated in July 2021 until the end of the year. Working side by side with the Government of Gibraltar, the United Kingdom had reached agreement with Spain in December 2020 on a political framework to form the basis of a separate treaty between the United Kingdom and the European Union regarding Gibraltar. On 5 October 2021, the European Union had concluded its internal processes necessary to begin United Kingdom and European Union negotiations. Those negotiations had started on 11 October 2021.

87. His country had no doubt regarding its sovereignty over the Falkland Islands and South Georgia and the South Sandwich Islands and the surrounding maritime areas of both territories, nor about the right of the Falkland Islanders to self-determination as enshrined in the Charter of the United Nations and in article 1 of the International Covenants on human rights, by virtue of which they freely determined their political status and freely pursued their economic, social and cultural development. Consequently, no dialogue on sovereignty was possible unless the Falkland Islanders so wished. The 2013 referendum, in which 99.8 per cent of those who had voted had wanted to maintain their current status as 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. His Government's relationship with the Falkland Islands, as with all of its Overseas Territories, was a modern one based on partnership, shared values and the right of the people of each Territory to determine their own future.

88. None of the resolutions to which reference had been made modified or diluted the obligation of nations to respect the legally binding principle of self-determination.

89. The Chagos Archipelago had been under continuous British sovereignty since 1814. Mauritius had never held sovereignty over the archipelago and the United Kingdom did not recognize its claim.

90. **Ms. Maitra** (India) said that the delegation of Pakistan continued to spread misinformation and hate; one wondered whether it had anything positive or constructive to contribute to the work of the Organization. As a globally recognized hub for terrorism with an established State practice of hosting, aiding and actively supporting terrorists, Pakistan was the largest destabilizing force in the world. Her delegation completely rejected the futile and unsubstantiated allegations that had been made with regard to the Union Territory of Jammu and Kashmir, which was an integral and inalienable part of India, including areas under illegal Pakistani occupation. Pakistan should vacate all the areas that it had illegally occupied.

91. The allegations made by the representative of Pakistan regarding matters internal to India were out of order and did not merit a response. The principle of self-determination was a vehicle for the decolonization of the 17 Non-Self-Governing Territories, not a justification for undermining the territorial integrity of any Member State. No amount of desperate propaganda could alter that fact.

92. **Ms. Shapir Ben Naftaly** (Israel) said that every year, her delegation's hope that discourse in the Committee would finally shift to a fair, balanced, future-oriented dialogue was dashed. Many delegations still refused to recognize the existence of the State of Israel and persisted in undermining its legitimacy with their support for the one-sided, politicized Palestinian agenda. It was unfortunate that the Palestinians had chosen to hijack yet another Committee discussion to propagate biased, anti-Israel information and voice their reductive and destructive agenda.

93. The one-sided discussions only served to strengthen the rejectionist Palestinian position, thereby prolonging the situation. Regrettably, the Palestinians were fixated on unfounded misconceptions instead of adopting a constructive approach and seeking a better future for all in the region. Their obstinate stance was in stark contrast to the developments of the previous year, over the course of which Israel had concluded the Abraham Accords with some of its neighbours, once again proving itself a great partner for peace. The road to peace would require a Palestinian leadership willing to transform a culture of hate and incitement into one of tolerance, and to condemn the way of terror embodied by Hamas, which targeted innocent Israeli and

Palestinian civilians and used them as human shields. A constructive approach would turn the region into a haven of progress, prosperity and peace, a process that was already under way.

94. The comments made by the representative of Lebanon confirmed that that country continued to avoid any possibility of dialogue. The real issue at hand was the Iranian proxy Hizbullah, which was terrorizing the region and civilians, both Israeli and Lebanese. In his most recent report on implementation of Security Council resolution [1701 \(2006\) \(S/2021/650\)](#), the Secretary-General had recognized that Hizbullah endangered the Lebanese people, intensified internal divisions and undermined security and stability in Lebanon and the region. Lebanon was not taking any steps to disarm Hizbullah, which continued to build a stockpile of precision-guided missiles with the support of Iran and to violate United Nations resolutions and endanger regional stability. The representative of Lebanon had condemned all attacks on peacekeepers; Israel, alongside UNIFIL, continued to monitor proceedings in Lebanon against individuals suspected of plotting and carrying out serious attacks on peacekeepers. However, the United Nations had not yet been informed of any criminal proceedings to bring to justice the perpetrators of the 4 August 2018 attack.

95. **Mr. Gutiérrez Segú Berdullas** (Spain), replying to the comments made by the representative of the United Kingdom, said that Gibraltar was a colony that destroyed the national unity and territorial integrity of Spain and was incompatible with the provisions of General Assembly resolution [1514 \(XV\)](#). Since 1964, the Assembly had consistently recommended that the question of Gibraltar be resolved through bilateral negotiations between Spain and the United Kingdom. Only the United Nations could decide when the process of decolonization of Gibraltar was complete.

96. The General Assembly had clearly denied the existence of an alleged right to self-determination of the inhabitants of Gibraltar. In line with United Nations doctrine, Spain rejected the efforts of the administering Power and the authorities of the colonized Territory to change their political relationship and deny the existence of colonial ties. The relationship was not a modern one; it was a colonial situation in new garb. Given that Spain was the country whose territory was colonized, Spain was the country with the right to decolonize Gibraltar through the restoration of its national unity and territorial integrity.

97. Spain did not recognize any rights of the United Kingdom over the maritime spaces of Gibraltar other than those set out in article 10 of the Treaty of Utrecht.

By means of land reclamation, the United Kingdom occupied a part of the isthmus and territorial waters of Gibraltar to which it had no right. Spain had repeatedly lodged formal protests against the occupation and had continued to request the restitution of the territories seized from it by force. The British claim to sovereignty over the waters surrounding Gibraltar had no basis in international law or the Treaty of Utrecht. Moreover, upon ratification of the United Nations Convention on the Law of the Sea, the Government of Spain had declared that the signing of the Convention could not be interpreted as recognition of any rights or situations relating to the maritime spaces of Gibraltar that were not included in article 10 of the Treaty of Utrecht and that resolution III of the Third United Nations Conference on the Law of the Sea was not applicable in the case of the Colony of Gibraltar. Spain had no doubt about the limits of its territory, which included the waters surrounding Gibraltar. Spanish ships had been operating in those waters without incident since time immemorial; the recent controversy had arisen only in response to certain alleged incidents.

98. With regard to the decision by the United Kingdom to leave the European Union, the negotiations between Spain and the United Kingdom concerning Gibraltar had been bilateral, the participation of Gibraltarian representatives in the delegation of the United Kingdom notwithstanding. His country was prepared to agree with the United Kingdom on a new system of regional cooperation that would supersede the trilateral Forum for Dialogue, to the benefit of the inhabitants on both sides of the Fence. Spain would, however, always defend the rights and interests of the inhabitants of the Campo de Gibraltar.

99. **Mr. Alvarez** (Argentina) said that his delegation reiterated the statements made by the President of Argentina to the General Assembly on 21 September 2021 (A/76/PV.4) and by the Minister for Foreign Affairs of Argentina to the Special Committee on decolonization on 24 June 2021 (A/AC.109/2021/SR.6). The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of the national territory of Argentina and, being illegally occupied by the United Kingdom, they were the subject of a sovereignty dispute between the two parties, which was recognized by a number of international organizations. That illegal occupation had led the General Assembly to adopt 10 resolutions on the issue, all of which recognized the existence of the sovereignty dispute over the Malvinas Islands and called on the Governments of Argentina and the United Kingdom to resume negotiations with a view to finding a peaceful and lasting solution to the dispute

as soon as possible. For its part, the Special Committee on decolonization had repeatedly adopted resolutions in the same vein, most recently the resolution adopted on 24 June 2021.

100. The representative of the United Kingdom had implied that the resolutions of the General Assembly were non-binding. However, in its advisory opinion on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, the International Court of Justice had concluded decisively that the General Assembly played a crucial role in overseeing the implementation of the obligations of administering Powers and ensuring that they had given sufficient consideration to the modalities required to ensure the completion of decolonization, as well as in determining in which cases, and how, referendums on self-determination should be held. In addition, the Court had clearly underscored the normative value of General Assembly resolution 1514 (XV) and the principles set out therein, including the principle of territorial integrity, the nature of which as a customary norm had been confirmed through State practice and *opinio juris*. The Court had recalled that self-determination was not applicable to populations that did not constitute peoples with that right.

101. In line with the Charter of the United Nations, all Member States had a responsibility to resolve disputes peacefully and negotiate in good faith. The principle of self-determination, which the United Kingdom used as the basis for its refusal to resume negotiations on sovereignty, was inapplicable to the dispute in question, as affirmed in the relevant resolutions of the General Assembly and the Special Committee. The interests and way of life of the inhabitants of the Malvinas Islands were adequately addressed by resolutions of the General Assembly and by the Constitution of Argentina. Lastly, Argentina reaffirmed its legitimate sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which were an integral part of its national territory.

102. **Mr. Akram** (Pakistan), replying to the comments made by the representative of India, said that Jammu and Kashmir was internationally recognized as a disputed territory, not an integral part of India. India had long tried to sell the false narrative that the just struggle of the people of Jammu and Kashmir was terrorism. The real reason for the mass indigenous resistance in the Indian-occupied territory was the intransigent denial by India of the right to self-determination of the people of Jammu and Kashmir, who remained resolute in their claim for that inalienable right, despite being subjected to a long list of well-documented crimes that included

massacre, rape and torture. The Security Council had called for the status of Jammu and Kashmir to be decided by its people in a free and impartial plebiscite under United Nations auspices.

103. The Declaration stated that all peoples had the right to self-determination and that the subjection of peoples to alien subjugation was contrary to the Charter of the United Nations. The right to self-determination of the people of Jammu and Kashmir had been recognized by the Security Council in numerous resolutions, and both Pakistan and India had endorsed that fundamental principle in resolutions of the former United Nations Commission for India and Pakistan. The continued suppression of the people of Indian-occupied Jammu and Kashmir was thus relevant to the Committee's discussions.

104. It was India that had initially brought the question of Jammu and Kashmir to the Security Council, which had explicitly and implicitly rejected the claim of India that Kashmir was legally Indian territory. Moreover, the Council had established self-determination as the principle that would govern the resolution of the dispute. For narrow political purposes, India reprehensibly evoked the spectre of terrorism to malign the Kashmiri struggle for the right to self-determination, which was a prerequisite for the effective enjoyment of individual rights. India intended to eliminate native Kashmiris through its settler colonialist project. The United Nations therefore had not only the right but the obligation to discuss the dispute.

105. **Mr. Assadi** (Islamic Republic of Iran) said that the Israeli regime continued to violate the fundamental rights and dignity of Palestinians and other Arabs living under its occupation, in flagrant violation of international law and the relevant United Nations resolutions. Palestinians were thus deprived of lands and property, forcibly evicted and subjected to violence, terror and intimidation, their right to self-determination negated in the name of the one Jewish State. Worse still, the Israeli regime was exploiting the global preoccupation with combating the COVID-19 pandemic to accelerate illegal settlement activity and further entrench its military occupation. Meanwhile, the inhuman blockade on the Gaza Strip continued to exacerbate its humanitarian crisis.

106. At the regional level, the continued occupation by Israel of the Syrian Golan and parts of Lebanon and frequent encroachment on other countries in the region had seriously undermined regional and international peace and security. The international community and the Security Council must therefore remain vigilant and monitor the destabilizing practices of the Israeli regime

in the volatile Middle East, along with their ramifications for international peace and security, with a view to holding Israel accountable for its inhumane and unlawful policies and practices.

107. **Mr. Fairlamb** (United Kingdom), replying to the comments made by the representatives of Argentina and Spain, said that the 2006 Gibraltar Constitution provided for a modern and mature relationship between Gibraltar and the United Kingdom. Gibraltar had a vigorous parliamentary democracy of its own and was responsible for everything apart from foreign affairs, defence and internal security. His Government rejected the allegations that the United Kingdom had illegally occupied the isthmus and surrounding waters, and it made that position clear to the Spanish Government whenever necessary. The United Kingdom would continue to uphold British sovereignty and use a range of proportionate naval and diplomatic responses to illegal incursions by Spanish State vessels into British Gibraltar territorial waters.

108. On the subject of the Falkland Islands, it had been alleged that the Falkland Islanders were not entitled to self-determination because they did not constitute a people. Those claims were untrue: prior to 1833, there had been no indigenous or settled population on the Islands and no civilian population had ever been forcibly removed. Since that year, the local population had developed predominantly through migration from Europe, and several families had been living on the Islands for nine generations.

109. **Mr. Gutiérrez Segú Berdullas** (Spain) said that, in 1713 under the Treaty of Utrecht, Spain had ceded only the town and the castle of Gibraltar, together with the port, fortifications and forts thereunto belonging, without ceding territorial jurisdiction. The United Kingdom thus did not have sovereignty over the waters surrounding Gibraltar, and it had no right to the isthmus, which it occupied.

110. **Mr. Alvarez** (Argentina) said that his delegation regretted the erroneous interpretation of the events of 1833 advanced by the United Kingdom with the aim of justifying an illegal occupation that, since its inception, had been repeatedly protested by Argentina. Since the era of the colonization of the Americas, the Malvinas Islands had been subject to Spanish rule, a fact that had been recognized by the other colonial Powers at the time, including the United Kingdom. In 1776, as part of the administrative restructuring of its possessions in the Americas, Spain had established the Viceroyalty of the Río de la Plata, with Buenos Aires as its capital, bringing the Malvinas Islands under its administration. That situation had been evidenced by the appointment

of numerous governors by the Spanish Government up until 1811, when the Islands had come under the administration of the United Provinces of the Río de la Plata, following the May Revolution led by Buenos Aires. The link between Argentina and the Malvinas Islands was thus based on the principle of *uti possidetis juris* and on the continuous authority exercised by Buenos Aires.

111. The principle of self-determination was not applicable to the question of the Malvinas Islands, given the absence of an active subject that possessed that right in that special and particular situation. Furthermore, self-determination as a right was not absolute but was delimited by the principle of territorial integrity, as stipulated in General Assembly resolution [1514 \(XV\)](#). The General Assembly itself had expressly ruled out the applicability of the principle of self-determination to the question of the Malvinas Islands in 1985, when it had rejected two proposals by the United Kingdom seeking to incorporate that principle into a draft resolution on that specific question. The particular characteristics of the question of the Malvinas Islands, as recognized by the General Assembly, stemmed from the fact that the United Kingdom had, by an act of force, usurped part of the territory of an independent State in 1833, expelling the Argentine authorities and population, preventing them from returning and replacing them with nationals of the occupying Power.

The meeting rose at 6.10 p.m.