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Held at Headquarters, New York, on Friday, 12 October 2012, at 3 p.m.

Chair: Mr. Messone (Gabon)

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* Reissued for technical reasons on 20 March 2013.

** Items which the Committee has decided to consider together.

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The meeting was called to order at 3.10 p.m.

Agenda item 56: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (*continued*)

(A/67/23, chaps. VII and XII, A/67/23/Corr. 1 and A/67/71)

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Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*territories not covered under other items*) (*continued*) (A/67/23, chaps. VIII, IX, X, XI and XII, A/67/23/Corr. 1 and A/67/366)

1. **Mr. Valero Briceño** (Bolivarian Republic of Venezuela) said that, while the cause of decolonization had made great strides, a number of colonial situations remained. In particular the cases of Puerto Rico, Western Sahara, and the sovereignty dispute over the Malvinas Islands were still unresolved.

2. His delegation supported the right of the people of Puerto Rico to self-determination and independence, in accordance with General Assembly resolution 1514 (XV). Puerto Rico was a Latin American and Caribbean nation with its own national identity. Its independence had been one of the goals of the Amphictyonic Congress of Panama organized by Simón Bolívar in 1826. Regional and international concern about its status had been expressed in various forums, including the Final Declaration of the Ninth Summit of the Bolivarian Alliance for the Peoples of Our America (ALBA) of 1 May 2010. The ALBA countries supported the Puerto Rican people in their struggle.

3. The colonial and military actions of the United Kingdom in the Malvinas Islands, South Georgia

Islands and South Sandwich Islands and the surrounding maritime areas exemplified colonialist and imperialist practices. Its unilateral exploitation of hydrocarbon resources on Argentina's continental shelf was illegal, and its actions in firing missiles from the territory of the Malvinas Islands violated recognized maritime safety standards. The population of the islands consisted of transplanted British subjects, but it was Argentina that possessed sovereignty rights. Negotiations between the two Governments were the road to a peaceful solution, and it was to be hoped that the Secretary-General's good offices would bring the parties together.

4. His delegation reiterated its commitment to the self-determination and independence of Western Sahara. Venezuela had extended diplomatic recognition to the Sahrawi Arab Democratic Republic in 1983. The efforts of the Secretary-General and his Personal Envoy to find a just, lasting and mutually acceptable political solution to the issue were admirable. Nonetheless, the Special Committee should designate a mission to undertake a field visit to the Territory of Western Sahara at the earliest possible opportunity.

5. **Mr. Llorentty Solíz** (Plurinational State of Bolivia) said that colonization had begun in the Western hemisphere in 1492, and that the struggle for freedom had continued ever since. The Declaration on the Granting of Independence to Colonial Countries and Peoples had acknowledged the right of self-determination for all peoples 52 years previously, yet there were still 16 Non-Self-Governing Territories to be decolonized, including Western Sahara, Puerto Rico and the Malvinas Islands.

6. The people of Western Sahara had the right to decide their own destiny. The Secretary-General was working to achieve a peaceful, lasting solution that would guarantee the future development of Western Sahara and the region as a whole. The administering Power had an obligation to respect the rights of the people.

7. Puerto Rico was a Caribbean and Latin American country with its own culture and language. His delegation asked the United States, as the occupying Power, to allow Puerto Rico to exercise its inalienable right of self-determination and independence in accordance with international law.

8. His delegation firmly supported the legitimate rights of the Argentine Republic in the sovereignty

dispute with the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which unquestionably were part of the territory of Argentina. Military activities being conducted by the United Kingdom were cause for concern, as such unilateral actions violated international law and the Charter of the United Nations. Occupation of territory by force did not confer rights to that territory; his own country, for example, had been despoiled of its access to the Pacific Ocean by an act of military force. Negotiations were the key to a peaceful solution to the dispute. His delegation was gratified at Argentina's willingness to explore various avenues leading to such a solution, and at its constructive attitude towards the people of the Malvinas Islands.

9. **Mr. Motanyane** (Lesotho) said that colonial domination had always been a feature of human history, until the United Nations had been established to promote equal rights and the self-determination of peoples. Unfortunately, the task of eradicating colonialism was not yet fully accomplished.

10. The history of Africa would be incomplete until the Sahrawi Arab Republic had attained its independence. It was regrettable that formal negotiations between the parties had stalled, despite the efforts of the Secretary-General and his Personal Envoy. It was to be hoped that they would soon resume and chart a clear path towards decolonization.

11. The people of Palestine must finally be allowed to exercise their right of self-determination, as the Prime Minister of Lesotho had stated during the general debate of Heads of State and Government the previous month. Two States coexisting side by side in peace and security were the only plausible route to a peaceful and lasting solution to the question of Palestine and enduring peace and stability in the region.

12. He concluded by commending the Special Committee on decolonization and the Department of Public Information for their excellent work in advancing the United Nations decolonization agenda. Increased funding for those two bodies would be desirable.

13. **Mr. Mashabane** (South Africa) said that the Third International Decade for the Eradication of Colonialism bore witness to the international community's failure to eradicate that scourge. In the

case of Western Sahara, for example, legality was clearly on the side of the Sahrawi people in their quest for self-determination, as was apparent from the opinions formulated by the International Court of Justice in 1975 and the United Nations Office of Legal Affairs in 2002. Yet three decades after the Security Council had mandated the United Nations Mission for the Referendum in Western Sahara, the Sahrawi people still had not been allowed to choose among the various available options of independence, autonomy or free association.

14. The Secretary-General, in his report on Western Sahara to the Security Council (A/67/366), spoke of "unrest linked to unemployment, poverty and corruption". The Special Committee was under an obligation to obtain information from the administering Power about the measures it was taking to improve the social, economic, political and educational conditions of the Sahrawi peoples. The Committee should also send missions to the Territories in question, cooperate more closely with the administering Power, and develop its relations with regional and subregional organizations. Those measures would not only yield information about Western Sahara, but would also facilitate the work of United Nations specialized agencies and other international associations.

15. The Sahrawi Arab Democratic Republic was a member of the African Union. Further prolongation of the status quo was contrary to the Constitutive Act of the Union. A particular source of concern was the exploitation of the Territory's natural resources, including phosphates, fish stocks and oil, by certain States Members of the United Nations in flagrant violation of international law. All Member States had a clear responsibility to ensure that the Sahrawi people were consulted about the utilization of their natural resources. The United Nations should monitor the activities of extractive industries in the Territory.

16. Although inadequacy of political, social or economic preparedness should never serve as a pretext for delaying independence, the fact remained that capacity-building was crucial for decolonization. The United Nations should play a key role in helping the Sahrawi people in those domains.

17. **Mr. Kogda** (Burkina Faso) said that there were nearly 16 million people still living in Non-Self-Governing Territories. Pending completion of the work

of decolonization, the international community should support socioeconomic development there.

18. Africa was nearly free of colonialism, with the painful exception of Western Sahara. It was gratifying to note that the parties were prepared to explore all available means of reaching an acceptable political settlement. The status quo was not viable and was jeopardizing the peace and stability of the region, while young people with no prospects of finding employment were easy prey for terrorist groups and criminal networks. Accordingly, it was essential for the international community to develop a satisfactory solution to the issue.

19. **Mr. Benmehidi** (Algeria) noted that 2012 marked the fiftieth anniversary of Algeria's independence and accession to membership of the United Nations. Its national liberation struggle had contributed significantly to the adoption of General Assembly resolution 1514 (XV) and to the decolonization process throughout the world. Accordingly, his delegation was unreservedly in favour of the self-determination of Non-Self-Governing Territories.

20. In the immediate vicinity of Algeria, in Western Sahara, the Sahrawi people still had not been able to exercise their right of self-determination, the importance of which had been emphasized in the Secretary-General's most recent report to the Security Council on the subject (S/2012/197). Attempts to regard the issue as anything other than one of decolonization would merely mean that a just, lasting and mutually acceptable settlement would be further delayed. There could thus be no alternative to negotiations between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), held under the auspices of the United Nations.

21. His delegation reiterated Algeria's steadfast commitment to justice in that issue. It remained available to contribute fully to a settlement that would respect the right of the people of Western Sahara to determine their own future through a free, impartial referendum supervised by the United Nations. In that connection, it supported the Secretary-General and his Personal Envoy, Mr. Christopher Ross, in their efforts to promote a satisfactory political solution.

22. **Mr. Kaambi** (Comoros) said that the regional conflict over the Moroccan Sahara was jeopardizing peace and stability in the region. There could be no

doubt that the region was part of Morocco, and the political option of autonomy, which had been recognized as serious and credible in a series of Security Council resolutions, would afford a lasting, just and definitive solution that was in accordance with international law and would safeguard the territorial integrity, sovereignty and national unity of Morocco. The first step should be a census of the populations of the Tindouf camps in Algeria, in accordance with the mandate of UNHCR.

23. **Mr. Alzayani** (Bahrain) said that the Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960 expressed the feelings of peoples under colonial domination, and its emphasis on human dignity and equal rights were reflected in many international instruments, including the International Covenant on Economic, Social and Cultural Rights. The United Nations Millennium Declaration, in its turn, had afforded an occasion for renewed commitment on the part of Governments to self-determination, non-interference in the internal affairs of States, and respect for human rights and fundamental freedoms.

24. Most countries had attained independence, taking their places among the sovereign States of the world and becoming Members of the United Nations. The United Nations, for its part, had striven, notably through the Special Committee on decolonization, to achieve the objectives enunciated in the Declaration, enabling countries to attain their goals in accordance with the Charter. The General Assembly had adopted a number of resolutions containing programmes and plans for ending colonialism. There had been three International Decades for the Eradication of Colonialism. The first two had not reached their objectives, but the end of each Decade had been an occasion for thinking afresh about ways and means of achieving the goals formulated in the Declaration. The international community clearly believed that the persistence of colonialism was a stumbling block on the road to the social, economic and cultural development of peoples that were not independent, and that it also hampered the growth of international economic cooperation.

25. **Mr. Touré** (Guinea) recalled that the Republic of Guinea had been one of the leading sponsors of General Assembly resolution 1514 (XV). The United Nations, administering Powers, representatives of Non-Self-Governing Territories, and non-governmental

organizations, among others, should work closely together to implement that resolution. The Special Committee on decolonization, in particular, had done admirable work for the cause of decolonization.

26. In the matter of the question of Western Sahara, his delegation wished to thank the Secretary-General and his Personal Envoy for their commitment and dedication in the search for a just, lasting and mutually acceptable solution. In the search for a peaceful outcome to the issue, the Moroccan initiative of April 2007 featuring negotiations on autonomy for the Western Sahara region was highly promising. Morocco had demonstrated its goodwill by undertaking political reforms and strengthening protection for human rights.

27. The security situation in the Sahel-Saharan region was currently alarming and critical. Young people in the Tindouf camps, with no jobs and no prospects, were likely to be attracted to terrorist groups and criminal networks. Accordingly, it was essential for the international community to find a political solution to the question of Western Sahara. The African Union was working closely with the United Nations in that connection.

28. **Ms. Tabunan** (Indonesia) commended the Special Committee on decolonization on its report (A/67/23), with its recommendations on moving forward on decolonization. There were still 16 Non-Self-Governing Territories, but it could not be assumed that “one size fitted all”; the process of removal from that list should be addressed on a case-by-case basis.

29. Closer cooperation between the Committee and administering Powers was crucial to the implementation of the decolonization mandate of the United Nations. At the same time, the parties to a dispute over a particular Territory should seek a solution through negotiation. In the interim, the relevant United Nations bodies, including UNESCO and UNDP, should continue to provide the peoples of those Territories with economic and technical assistance. The effort to eradicate colonialism deserved the support of all Member States.

30. **Ms. Mesquita** (Timor-Leste) said that her delegation hoped that the remaining Non-Self-Governing Territories would be able to exercise their right to self-determination during the third International Decade for the Eradication of Colonialism. The case of Western Sahara was one such

Territory. The Secretary-General’s report contained some positive elements. Confidence-building measures were welcome, as was the agreement to hold a high-level meeting in Geneva on natural resources. Her delegation supported direct negotiations between the Frente Polisario and Morocco under the auspices of the United Nations. A solution to the substantive issue of the self-determination of the people of Western Sahara must be based on the Charter of the United Nations, the relevant resolutions, international law, and respect for human rights.

31. **Mr. Aisi** (Papua New Guinea), speaking on behalf of Fiji and Papua New Guinea, noted that there were two Non-Self-Governing Territories in that part of the Pacific, namely, New Caledonia and Tokelau. In the case of the former, the Melanesian Spearhead Group was seeking to further the implementation of the Nouméa Accord and working with the indigenous Kanak people. Special training programmes in many fields were required. New Caledonia was becoming increasingly integrated into regional activities, including the Pacific Island Forum Leaders’ Summits, the Melanesian Spearhead Group, and the South Pacific Community. Such positive progress would complement the work of the Committee in assisting the people of New Caledonia freely to determine their future political status.

32. In the case of Tokelau, the people had freely expressed their views in the 2006 and 2007 referendums. They had now decided to turn their attention to the social and economic development of the Territory, with the cooperation and support of the administering Power, New Zealand, under the Joint Commitment for Development, 2011-2015. The process of decolonization in Tokelau was a model for other Non-Self-Governing Territories, and New Zealand’s role was exemplary, in close partnership with the people of Tokelau and the United Nations.

33. **Mr. Diallo** (Senegal) said that, while the process of decolonization had made great progress, it was still incomplete. Consequently, administering Powers should be reminded of their obligations under their mandates to work towards the emancipation of Non-Self-Governing Territories. In the specific case of Western Sahara, the United Nations should pursue its efforts to reach a mutually acceptable solution through negotiation. His delegation continued to support the Moroccan proposal for autonomy, since it was realistic and balanced. A viable solution was surely at hand,

provided all parties concerned negotiated in good faith and in a spirit of compromise.

34. **Mr. Loulichki** (Morocco) said that historic changes were taking place on the southern side of the Mediterranean, with old stereotypes being swept away. The question of the Sahara could not remain unresolved indefinitely. Morocco had reconstituted its national territory piece by piece, gaining its sovereignty in 1956, and recovering Tarfaya in 1958 and Ifni in 1976, negotiating every step of the way, and it was reasonable to suppose that it would recover its Saharan provinces in the same way following the end of colonialism there in 1976. The offer of autonomy made in April 2007 could be the basis of a definitive, realistic political solution. That offer, consistent as it was with international law, was not inflexible; it was negotiable and adaptable. Indeed, it was the outcome of a broad consultation process within the country and with regional partners. The Security Council had rightly given it a favourable reception.

35. The urgency of the matter arose from the fact that the people in the camps were impatient to return to their homeland. The younger ones among them, confronted with a future of unemployment and hopelessness, were at risk of becoming involved in terrorist or criminal activities. It was thus essential to provide those people with humanitarian assistance and also to survey them to determine what their wishes were and how many of them there were. That was an obligation incumbent upon any State that was a party to international instruments governing the situation of refugees.

36. A settlement to the dispute was essential in order to put an end to a situation in which a substantial region of Africa was falling into chronic insecurity and instability. Cooperation and good neighbourliness were the keys to peace and security. There was, of course, room for differences of opinion and divergent approaches, as with any question, but it was illogical and unacceptable simultaneously to recognize an entity as a State and call for resolutions on its status, while attempting to derail them in the Committee. All delegations who had spoken to the issue had called for the continuation of negotiations aimed at finding a mutually acceptable political solution, and had acknowledged that such a solution would be beneficial for the peoples and States concerned. Morocco was prepared to negotiate a realistic, democratic political solution that respected its territorial integrity and

national unity, and to join with its partners in building a strong Maghreb.

Statements made in exercise of the right of reply

37. **Mr. Espinoza** (Chile) said that it was regrettable that the representative of Bolivia had seen fit to raise matters which had been definitively settled as long ago as 1904 by the Treaty of Peace and Friendship between it and Chile. Dialogue was always welcome, but there was no point in raking up old issues.

38. **Ms. Grant** (United Kingdom) said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands, South Sandwich Islands, South Georgias and the surrounding maritime areas. There could be no negotiations on the issue unless and until such time as the islanders so wished.

39. No indigenous people had been expelled from the Falkland Islands prior to their settlement, over 150 years previously, by the ancestors of the present inhabitants. Like other peoples, they had the right of self-determination, a fact that Argentina unfortunately ignored.

40. There were many opportunities for cooperation in the South Atlantic, but Argentina had rejected them, and had taken economic measures, banning charter flights to the Falklands and penalizing companies wishing to do business there.

41. The United Kingdom had carried out routine military exercises in the South Atlantic for 30 years. It was fully committed to defending the rights of the people of the Falkland Islands to determine their own future, and a referendum to be held in 2013 would make their wishes clear.

42. **Mr. Díaz Bartolomé** (Argentina) recalled that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentina, and that the sovereignty dispute over them had been recognized by various international organizations. The General Assembly and the Special Committee on decolonization had called repeatedly for negotiations between Argentina and the United Kingdom to settle the dispute. It was regrettable that the Government of the United Kingdom sought to distort historical facts in an attempt to disguise its act of usurpation in 1833. It was also regrettable that the United Kingdom was continuing to exploit Argentina's natural resources, in

violation of international law, and that it was increasing the militarization of the South Atlantic, allegedly to protect the right of self-determination, which did not apply to the case of the Malvinas Islands because the inhabitants were British subjects, not a “people” being subjugated, dominated or exploited by a colonial Power. The holding of a referendum would be an illegal exercise that did not address the heart of the question of the Malvinas Islands, and its outcome would not put an end to the sovereignty dispute or take into account the indisputable rights of Argentina. The interests and way of life of the inhabitants of the islands were adequately protected by the relevant General Assembly resolutions and the Constitution of the Argentine Republic.

The meeting rose at 5.15 p.m.