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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Summary record of the 2nd meeting

Held at Headquarters, New York, on Monday, 14 June 2021, at 10 a.m.

Chair: Ms. McGuire (Grenada)

Contents

Adoption of the agenda

Organization of work

Requests for hearing

Dissemination of information on decolonization

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Question of sending visiting and special missions to Territories

Question of Gibraltar

Hearing of representatives of the Non-Self-Governing Territory

Question of Tokelau

Hearing of representatives of the Non-Self-Governing Territory

Question of Western Sahara

Hearing of interested bodies and individuals

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Election of the Rapporteur

2. *Mr. Sabbagh (Syrian Arab Republic) was elected Rapporteur, by acclamation.*

3. **Mr. Sabbagh** (Syrian Arab Republic) said that his country had been honoured to serve as the Rapporteur of the Committee for decades. The Syrian Arab Republic would persist in its tireless efforts in support of the independence and self-determination of peoples, in the hope that the Fourth International Decade for the eradication of colonialism would lead to the independence of many if not all Non-Self-Governing Territories.

Organization of work (A/AC.109/2021/L.2/Rev.1)

4. **The Chair** drew attention to the programme of work and timetable (A/AC.109/2021/L.2/Rev.1) and the updated version circulated. She took it that the Committee wished to approve the updated programme of work and timetable.

5. *It was so decided.*

6. **The Chair** reminded the Committee that the delegations of Algeria, Argentina, Costa Rica, El Salvador, Morocco, the Republic of Moldova and Spain had indicated their wish to participate in the work of the Committee as observers. In addition, the delegations of Angola, Bahrain, Botswana, Brazil, Burkina Faso, Burundi, Comoros, Djibouti, Dominican Republic, Equatorial Guinea, Eswatini, Gabon, Gambia, Ghana, Guatemala, Haiti, Honduras, Jordan, Mexico, Mozambique, Namibia, Panama, Paraguay, Peru, Saudi Arabia, Senegal, South Africa, Trinidad and Tobago, United Arab Emirates, Uruguay and Zimbabwe had also requested to participate as observers.

Requests for hearing (Aides-memoires 01/21, 02/21, 03/21, 04/21, 05/21 and 06/21)

7. **The Chair** drew attention to aides-memoires 01/21, 02/21, 03/21, 04/21, 05/21 and 06/21 relating to the Special Committee decision of 5 August 2020 concerning Puerto Rico and the questions of the British Virgin Islands, the Falkland Islands (Malvinas), French Polynesia, New Caledonia and Western Sahara.

8. She took it that the Committee wished to accede to the requests for hearing.

9. *It was so decided.*

Dissemination of information on decolonization (A/AC.109/2021/L.4)

10. **Ms. Braun** (Chief, Communications Campaigns Service, Strategic Communications Division, Department of Global Communications), introducing the report of the Secretary-General on the dissemination of information on decolonization during the period from April 2020 to March 2021 (A/AC.109/2021/18), said that, during the reporting period, the Department of Global Communications had issued 22 press releases in English and French, covering meetings, statements and hearings related to the work of the United Nations on decolonization. The Department also planned to deploy a press officer to cover the Caribbean regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism, to be held in the Parish of St. John, Dominica, from 25 to 27 August 2021.

11. The Department of Political and Peacebuilding Affairs had continued to update and maintain the “United Nations and decolonization” website in the six official languages. In 2020, the site had received more than 112,700 views. The “Global issues” section of the United Nations website and the Department’s social media accounts had also been used to highlight decolonization-related activities and issues.

12. The Department’s multimedia United Nations News operation had provided content about the important role of the United Nations system in supporting decolonization. Live and on-demand coverage of United Nations meetings and events had been broadcast on United Nations Web TV.

13. Since March 2020, the visitors’ services operations at the United Nations Offices at Geneva, Nairobi and Vienna had been conducted virtually. The Services had shared informational materials and conducted briefings on decolonization as part of the guided tours programme. At the New York Office, dedicated tours with an emphasis on decolonization and Black History Month had been offered in February 2020.

14. The Dag Hammarskjöld Library had improved access to 229 speeches relating to decolonization and had continued to digitize important United Nations documents on decolonization. The global network of United Nations information centres had raised awareness of decolonization through an array of communications and outreach activities. In consultation with the Department of Political and Peacebuilding Affairs, the Department of Global Communications had also produced and disseminated a leaflet entitled “Ten frequently asked questions on the United Nations and decolonization”. In spite of the challenges caused by the COVID-19 pandemic, the Department would continue

to highlight the work of the Special Committee and raise awareness of the need for the immediate and full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

15. **Ms. Ambiehl** (Chief, Decolonization Unit, Department of Political and Peacebuilding Affairs), said that the Decolonization Unit prepared the annual Secretariat working papers on each of the Non-Self-Governing Territories on the basis of the Charter of the United Nations and relevant General Assembly resolutions, including the one adopted annually on the information transmitted by the administering Powers under Article 73 *e* of the Charter. That information was complemented by other relevant information from official sources, including the administering Powers, whose cooperation the Department of Political and Peacebuilding Affairs regularly sought.

16. During the first quarter of 2021, in coordination with the Department of Global Communications, all working papers and the report on Puerto Rico prepared by the rapporteur of the Special Committee had been posted on the United Nations decolonization website upon issuance. Regular updates had also included information on the activities of the Committee, the Special Political and Decolonization Committee and the General Assembly in the context of the temporary changes in working methods brought on by the COVID-19 pandemic.

17. During the period under review, the Decolonization Unit had worked closely with the Department of Global Communications to update the United Nations website on decolonization to reflect the activities of the Special Committee, as well as the proceedings of the Fourth Committee, the Economic and Social Council and the General Assembly.

18. The Unit had further enhanced the recently revamped website within limited extrabudgetary financial resources. Enhancements had included the production of interactive content and an animated video on decolonization highlighting the trajectory of the Organization's work in the area. The video had been released on social media platforms and United Nations Television and Video. In accordance with the mandate for multilingualism and accessibility, translations into the other five official languages had been produced and were being released to mark the first meeting of the Committee's substantive session and the beginning of the Fourth International Decade for the eradication of colonialism.

Draft resolution A/AC.109/2021/L.4: Dissemination of information on decolonization

19. *Draft resolution A/AC.109/2021/L.4 was adopted.*

Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/AC.109/2021/L.3)

20. **The Chair** drew attention to the report of the Secretary-General on information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (A/76/63).

21. **Mr. Rivero Rosario** (Cuba) said that the information submitted by the administering Powers under Article 73 *e* of the Charter of the United Nations informed the decisions of the Committee and those of the Decolonization Unit of the Department of Political and Peacebuilding Affairs, with respect to the situation in each Territory. However, according to the Secretary-General's report, some administering Powers had failed to fulfil their obligation to submit such information in 2018. His delegation therefore underscored the call in General Assembly resolution 75/122 upon the administering Power of each Territory on the agenda of the Committee to cooperate fully in its work and to participate formally in its future sessions and seminars. Bringing the decolonization process to fruition would require political will and constructive joint efforts.

22. **Mr. Koba** (Indonesia) said that, notwithstanding some promising developments, strengthened political will and redoubled efforts would be needed to advance the decolonization agenda in the remaining Non-Self-Governing Territories. Constructive engagement and dialogue would remain crucial to the work of the Committee, which had always been based on a careful, balanced and thorough assessment of the situation in each Territory, avoiding a one-size-fits-all approach. Given the need for stronger communication and consultation with all stakeholders, the Committee should continue to explore ways to make breakthroughs that had the support of all Member States. He hoped that the Committee would soon be able to resume its regional seminars and visiting missions, which had been curtailed owing to the pandemic.

23. **Mr. Prasad** (Fiji) said that, given that the Special Committee's purpose was to uphold the right of peoples to determine their future political status, it was incumbent upon members to listen carefully and in detail to the points raised by the representatives of those peoples. Fiji acknowledged the role of the administering Powers in preparing Non-Self-Governing Territories economically, socially and politically for a different future. There were five Non-Self-Governing Territories in the Pacific region; referendums had been held in Tokelau and, more recently, in New Caledonia, with the support of the respective administering Powers. Fiji

looked forward to supporting all the parties in the third referendum to be held in New Caledonia later in 2021.

Draft resolution A/AC.109/2021/L.3: Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations

24. *Draft resolution A/AC.109/2021/L.3 was adopted.*

Question of sending visiting and special missions to Territories (A/AC.109/2021/L.5)

Draft resolution A/AC.109/2021/L.5: Question of sending visiting and special missions to Territories

25. **The Chair** proposed that consideration of the draft resolution be postponed to a later stage of the Committee's deliberations.

26. *It was so decided.*

Question of Gibraltar (A/AC.109/2021/8)

27. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of Gibraltar (A/AC.109/2021/8). She informed the Committee that the delegation of Spain had indicated its wish to participate in the Committee's consideration of the item.

Hearing of representatives of the Non-Self-Governing Territory

28. *At the invitation of the Chair, Mr. Guerrero Liston (Representative of the Government of Gibraltar in the United States of America) took a place at the Committee table.*

29. **Mr. Guerrero Liston** (Representative of the Government of Gibraltar in the United States of America), speaking on behalf of the Chief Minister of Gibraltar, said that Gibraltar had been captured in 1704 and ceded in perpetuity in 1713. Since that time, immigrants had arrived from places as diverse as Italy, Malta, Morocco and India. Its population of around 30,000 people was unique and, despite its diverse origins, had lived harmoniously for 300 years. Gibraltarians were separate and distinct – ethnically and culturally – from the administering Power. They simply wanted the opportunity to exercise their right to self-determination. The Committee had a clear mandate: the decolonization of the remaining territories on the list of Non-Self-Governing Territories in accordance with the wishes of their inhabitants. The borders of Europe could not be redrawn to reflect what they had looked like 300 years prior. It was necessary to look ahead to a future in which conflict and confrontation were replaced by dialogue and cooperation.

30. Since the outbreak of the COVID-19 pandemic, Gibraltar had lost 94 members of its community. It had, however, been able to vaccinate everyone over 16 years of age who wished to be vaccinated, owing to its small size and a steady supply of vaccines from the Government of the United Kingdom. The pandemic had also fostered closer cooperation between Gibraltar and Spain. Supplies of food, medication and other items had been maintained across the land frontier, and the movement of essential workers living in Spain and working in Gibraltar had continued throughout.

31. In 2020, during the transition period following the departure of the United Kingdom and Gibraltar from the European Union, the text of a framework agreement for a treaty concerning the future relationship of Gibraltar with the European Union had been agreed. Gibraltar had participated in all the discussions, together with the United Kingdom and Spain. The framework agreement built on the cooperation achieved in recent years in such areas as tobacco, the environment, police, customs and citizens' rights.

32. A tax treaty, negotiated by Gibraltar, had been concluded between the Government of Spain and the United Kingdom, as the State responsible for the external relations of Gibraltar. The treaty provided for the exchange of information and the settlement of tax residency disputes following the departure of Gibraltar from the European Union.

33. Such symbols of cooperation had helped reduce the understandable mistrust that had developed between Gibraltar and Spain over many decades. Gibraltar hoped that a new treaty could now be concluded. Gibraltar made a positive contribution to the Spanish economy: it imported around \$1.8 billion in goods from Spain a year and accounted for some 20 per cent of the gross domestic product (GDP) of the neighbouring Spanish region. The interests of citizens and businesses on both sides would benefit enormously from the security provided by a new treaty and from a fluid border, which would also sow the seeds of even greater prosperity on both sides.

34. The Government of Gibraltar once again wished to invite the Committee to conduct a visiting mission to see the new situation at first hand, to speak with the people whom the Committee had a sacred duty to protect, and to learn about their legitimate aspirations to determine their own future. A meeting with the people of Gibraltar would convey the character of a unique people who cherished the right to self-determination, celebrated their separate and distinct identity and loved the land they had called home for over 300 years.

35. **Mr. Santos Maraver** (Observer for Spain) said that, at the outset of the Fourth International Decade for the Eradication of Colonialism, the Committee's tireless efforts and its ongoing consideration of the question of Gibraltar reminded the international community that its objective had yet to be attained. By adopting resolution [73/295](#) on the implementation of the advisory opinion of the International Court of Justice concerning the Chagos Archipelago in Mauritius, the General Assembly had demonstrated its unequivocal support for the decolonization process. Regrettably, in spite of the Organization's best efforts, the anachronistic colonial situation of Gibraltar had persisted into the twenty-first century. In 1704, the United Kingdom had occupied Gibraltar, expelling the original inhabitants. It had artificially repopulated the territory and had then enlarged its holding by illegally seizing land and waters not ceded in 1713 under the Treaty of Utrecht. The latter referred only to the town and castle of Gibraltar, together with the port, fortifications, and forts thereunto belonging. The waters surrounding Gibraltar had never been ceded; Spain had never recognized any sovereignty over the isthmus apart from its own.

36. The United Nations had repeatedly recognized that the colonial situation of Gibraltar undermined the territorial integrity of Spain. A definitive solution must involve the return of both the land ceded under that Treaty and the land later illegally occupied by the United Kingdom.

37. For over 50 years, the General Assembly had been calling for the administering Power and Spain to engage in bilateral negotiations to reach a definitive solution, in accordance with the relevant General Assembly resolutions. Furthermore, General Assembly resolution [2353 \(XXII\)](#) had denounced the referendum held by the administering Power in 1967, and General Assembly resolution [2429 \(XXIII\)](#) had requested the administering Power to terminate the colonial situation in Gibraltar no later than 1 October 1969.

38. Every decolonization process must be guided by the United Nations and would not be complete until the General Assembly deemed it to have concluded. Moreover, the administering Power would have certain obligations as a result of decolonization; regrettably, the United Kingdom had failed to uphold its obligations vis-à-vis Gibraltar.

39. Spain had expressed its wish to work to develop prosperity zone that encompassed Gibraltar and the neighbouring Campo de Gibraltar and achieve social and economic convergence for the entire area, while respecting the position of the United Nations, with which Spain was fully aligned. Spain and the United

Kingdom had negotiated an international agreement on taxation and four memorandums of understanding in order to mitigate some of the most detrimental effects of Brexit. He hoped that the agreement and the memorandums of understanding would contribute to improving relations in the region. Moreover, 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 a shared prosperity zone.

40. The only solution to the question of Gibraltar was decolonization negotiated between Spain and the United Kingdom under the terms established by the United Nations. Spain attached great importance to the work of the Committee and to the need to respect United Nations procedures on decolonization.

Question of Tokelau ([A/AC.109/2021/14](#))

41. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of Tokelau ([A/AC.109/2021/14](#)).

Hearing of representatives of the Non-Self-Governing Territory

42. **Mr. Hawke** (New Zealand), delivering a statement on behalf of the Ulu-o-Tokelau, said that the limitations on travel into Tokelau on account of the COVID-19 pandemic had protected the territory from exposure to the virus. In March 2020, Tokelau had put in place a national plan for disease control and emergency response, establishing a national executive board with an advisory committee on preventative measures. The board's assessment of travel exemptions had enabled more than 100 residents of Tokelau to return home despite the closure of borders. Moreover, the works programme of the three villages of Tokelau had been refocused to prioritize the refurbishment of hospital infrastructure and equip facilities for quarantine. New Zealand and United Nations agencies had provided financial and technical support to facilitate the completion of works.

43. New Zealand was working to strengthen the infrastructure of Tokelau by, inter alia, increasing energy capacity, building new schools, hospitals and homes based on the New Zealand building code, and building safer ship-to-shore facilities. However, the negative effects of climate change on the island could only be lessened, not eliminated altogether.

44. Tokelau had begun to relocate senior officials of the national public service from Samoa to Tokelau in order to provide elders with modern advice face-to-face,

thus consolidating the integration of traditional and modern knowledge that characterized the Tokelau model of governance.

45. To conclude, as Tokelau grew ever more confident in refining a governance model that integrated its culture and the Western approach, it became increasingly evident that the governance structure that Niue and the Cook Islands had chosen might not suit Tokelau. An act of self-determination, while still an option, carried its own risks.

46. Speaking in his national capacity, he said that keeping Tokelau free of COVID-19 had been the key focus of his Government's engagement with the territory over the previous 15 months. While the remote geography of Tokelau had afforded it a measure of protection, the smallness of its atolls, its limited health-care capacity and the close-knit nature of its communities made it potentially highly vulnerable to the spread of the virus. Preparations were therefore under way to roll out COVID-19 vaccines in Tokelau the following month.

47. The need to keep the borders of Tokelau closed had not stopped ongoing efforts to improve the lives of its people and increase their capacity for self-governance. Through close cooperation between New Zealand, Tokelau and Samoa, 88 Tokelauans stranded in New Zealand by the COVID-19 pandemic, including essential workers and medical patients, had been repatriated to Tokelau.

48. In addition to the \$4.6 million in supplementary budget support provided by New Zealand to strengthen the pandemic preparedness of Tokelau, New Zealand had also recruited a health adviser to support improvements in clinical health services. His Government had committed \$4 million over four years toward the implementation of the secondary and digital education strategies of the Government of Tokelau, following a decision by the General Fono of Tokelau to integrate more closely with the secondary and tertiary education systems of New Zealand.

49. Despite the operational constraints posed by COVID-19, progress continued towards a new submarine cable and inter-atoll connection, which would bring increased capacity and opportunity for Tokelau in education, self-governance and international connectivity, among other areas. As the only significant source of independent revenue for Tokelau, fisheries made a critical contribution to the territory's aspirations to greater self-determination. New Zealand continued to work with Tokelau to ensure that the fisheries within the Tokelau exclusive economic zone continued to be managed sustainably.

50. New Zealand was committed to supporting Tokelau to modernize its body of law in order to bring it into line with international norms; a positive dialogue with the leaders of Tokelau was under way on improving legal, judicial and police services in the territory. The challenges posed by COVID-19 had only strengthened the resolve of New Zealand to support Tokelau in its efforts to strengthen its capacity for self-governance and decision-making.

Question of Western Sahara (A/AC.109/2021/17)

51. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of Western Sahara (A/AC.109/2021/17). In accordance with the Committee's usual practice, bodies and individuals granted a hearing would be invited to take a place at the table and would withdraw after making their statements.

Hearing of interested bodies and individuals

52. **Ms. Bahiya** (Conseil Régional de Dakhla-Oued Eddahab) said that the active political participation of Moroccan women and youth, especially in the Moroccan Sahara, in the political life of the Kingdom of Morocco was a tangible reality, as evidenced by the election of many women, including herself, to various offices.

53. The new development model for the southern provinces, launched in 2015 by His Majesty King Mohammed VI, was the cornerstone of development policies in the Moroccan Sahara. It was based on the principle that the local population should participate in preparing and implementing development plans and policies. The model, which was the product of broad consultations with the population of the Moroccan Sahara and its representatives, aimed to double overall local output and create 120,000 jobs. Large-scale investments in the amount of \$8.8 billion were being made in the areas of infrastructure, health training, industry, agriculture, renewable energy and maritime fishing.

54. In recognition of those economic and social developments, 22 countries had opened consulates-general in the cities of Laayoune and Dakhla, and the southern provinces were fast becoming a regional economic and transit hub and a centre for South-South cooperation. The decision by the United States of America in December 2020 to recognize the sovereignty of Morocco over the Sahara fulfilled the aspirations of the latter's people as Moroccan citizens and acknowledged their immemorial belonging to the Moroccan nation.

55. The economic and social progress in the Sahara region within the framework of advanced regionalization had paved the way for the implementation of the

autonomy initiative submitted by the Kingdom of Morocco to the United Nations. The initiative had been characterized as serious and credible by the Security Council since 2007 and was supported by a vast majority of Member States.

56. **Mr. Abba** (Conseil Régional Laayoun Sakia Al Hamra) said that the first regional elections held in Morocco in 2015 had witnessed a turnout of 79 per cent in the Sahara, the highest in the entire country. The elections had been monitored by 4,000 national and international observers, demonstrating the commitment of Morocco to free and fair elections in accordance with the Constitution.

57. The advanced regionalization of the Sahara region meant that its people managed their own local affairs and budget through elected regional councils. The local development of the region was managed under the new model for the development of the southern provinces launched by His Majesty King Mohammed VI. The model enabled the Sahara to emerge as a regional economic hub and growth engine for the Sahel and Saharan regions. It had been designed to stimulate economic growth, create jobs and encourage an economy based on social solidarity.

58. The Sahara region had become a venue for diplomatic conferences and a South-South cooperation platform, as evidenced by the organization in February 2020 of the third Morocco-Pacific Island States Forum. States members of the Forum had recognized the sovereignty of Morocco over the Sahara through the adoption of the Laayoune Declaration on 29 February 2020.

59. Moroccan Sahrawis were proud to be an important constituent element of Moroccan identity, as enshrined in the 2011 Constitution. Before the submission of the autonomy initiative to the United Nations in 2007, broad consultations had taken place internally with the elected Moroccan Sahrawi officials and the Royal Advisory Council for Saharan Affairs. Moroccan Sahrawis thus considered the autonomy initiative the only basis for a just and lasting solution to the regional dispute over the Sahara, a solution that preserved the integrity and national sovereignty of the Kingdom of Morocco.

60. **Mr. Omar** (Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO)) said recent developments in Western Sahara had dire ramifications for regional peace, security and stability. On 13 November 2020, in flagrant violation of the 1991 ceasefire and Security Council resolutions, the Moroccan occupying State had moved its military occupying forces into the buffer city of Guerguerat in the liberated territory of Western Sahara and attacked a

group of civilians who had been protesting peacefully against the illegal occupation of Sahrawi land by Morocco. Faced with a new act of Moroccan aggression, committed with complete impunity, the Sahrawi people, under the leadership of Frente POLISARIO, had been left with no option but to exercise its legitimate right to self-determination and self-defence.

61. Nearly 30 years after the deployment of the United Nations Mission for the Referendum in Western Sahara (MINURSO), there had been no referendum on self-determination and no ceasefire; the Moroccan occupying State had been allowed to reverse its commitment to a self-determination referendum, which had been agreed to by both parties and endorsed by the United Nations. Emboldened by international community's complacency and inaction, it had perpetrated unspeakable human rights violations in the occupied part of Western Sahara, flouting United Nations resolutions and international law with full impunity, to the point of igniting a new war.

62. The people of Western Sahara, under the leadership of Frente POLISARIO, had had enough. Though committed to peace, the Sahrawi people would never give up its inalienable and non-negotiable right to self-determination and independence. The sovereignty of Western Sahara was not a commodity to be traded on Wall Street or elsewhere; it was the exclusive right of the Sahrawi people, which would use all legitimate means to defend it. Given the gravity of the situation, efforts must be redoubled to enable the Sahrawi people to exercise freely and democratically the right to self-determination and independence, something that fell squarely within the Committee's mandate.

63. **Mr. Fall**, speaking in his personal capacity, said that the organization Collectif des défenseurs sahraouis des droits de l'homme was working to defend human rights in the occupied part of Western Sahara, the last remaining Non-Self-Governing Territory on the African continent. The human rights situation in Western Sahara was adversely affected by the absence of a United Nations mechanism to protect human rights. Thirty years after the establishment of MINURSO, the Sahrawi people was still awaiting the organization of a referendum that would enable it to exercise its inalienable right to self-determination. In November 2020, Morocco had recently moved to annex territory in the Guerguerat area, violating the ceasefire without eliciting the least response from the United Nations system or MINURSO, whose collective duty it was to uphold the Organization's resolutions and international law.

64. The Moroccan presence in Western Sahara constituted a military occupation. The berm dividing the

territory, alongside which millions of anti-personnel and anti-vehicle landmines had been planted, amounted to a violation of the territorial integrity of Western Sahara, as well as a crime against human beings and nature. The occupying Power continued to plunder natural resources and seize land, which it granted to Moroccan settlers and companies owned by Moroccan army leaders with the aim of altering the territory's demographic composition. With very few exceptions, Sahrawis were woefully underrepresented in the development projects that were ostensibly intended for their benefit: a scant 4 per cent of Sahrawis held maritime fishing permits. Moreover, there were no hospitals to provide the most basic medical services; the only exceptions were contingent on forced allegiance, something that violated international humanitarian law. The Moroccan occupying forces killed, abducted, arbitrarily detained, tortured and raped Sahrawi civilians of all ages, in addition to militarizing occupied cities.

65. To date, the Sahrawi people and its leadership had opted only for peace. For five decades, they had opposed violent attacks perpetrated by Sahrawi civilians against the Moroccan occupation. In order to put an end to the war in the region, a date must be set for the referendum on self-determination. Lastly, an independent investigation must be conducted concerning the rapes of Sultana Khaya and her sister.

66. **Mr. Radoui**, speaking in his personal capacity, said that dozens of Sahrawi freedom fighters and human rights defenders in Western Sahara had been placed under house arrest. It was the duty of civil society and the United Nations to protect Sahrawi civilians from the tyranny of the occupying Power. The Organization should therefore intervene to end the unjust siege by the repressive, racist regime against all dissident voices, which were systematically silenced. Many Moroccan journalists and judges had also been targeted and even imprisoned for speaking the truth on the question of Western Sahara and refusing to fabricate charges against Sahrawi activists.

67. By proclaiming the sovereignty of Morocco over Western Sahara, in contravention of the Committee's recommendations, the previous United States Administration had made a glaring error that would undermine its impartiality. Deplorably, Morocco had allowed minors to flood into Spain because that country had refused to recognize the alleged sovereignty of Morocco over Western Sahara and because its independent judiciary had dismissed the spurious charges raised against the President of Western Sahara.

68. Because the United Nations had failed to uphold the right of the Sahrawi people to self-determination,

North Africa would remain an unstable region, especially in the aftermath of the armed clashes between Morocco and Frente POLISARIO in late 2020 and the subsequent campaign against Sahrawis in the areas annexed by Morocco. MINURSO was present in those areas but had proved incapable of monitoring human rights, which were violated on a daily basis by the Moroccan occupying forces.

69. **Ms. Hmyene** (Association for the Freedom of Women Sequestered in the Tindouf Camp) said that men and women of the Moroccan Sahara were held captive against their will in appalling conditions in the Tindouf camps, where they were denied international protection. The host country had devolved authority over the camps to the Polisario, in contravention of the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. That situation, which was exceptional under international humanitarian law, had allowed the Polisario to perpetrate such systematic human rights violations as arbitrary detention, kidnapping and torture in the camps in order to crush any challenge to its so-called legitimacy. The whereabouts of Ahmed Khalil Braih, who had disappeared more than 12 years earlier after voicing his opposition to the Polisario leadership, continued to cause concern. Access to information about the situation on the ground was limited, exposing the residents to human rights abuses that included the practice of enslaving members of the sub-Saharan African population in the camps.

70. For over four decades, the armed militias of the Polisario had denigrated the most fundamental rights of women, who had been subjected to all forms of exploitation and abuse, including deprivation of liberty, violence, rape, sexual assault, torture, forced marriage and childbirth, and slavery and servitude, in contravention of United Nations resolutions and the Convention on the Elimination of All Forms of Discrimination against Women. Children were often separated from their mothers and deported abroad for ideological indoctrination. In the previous few years, a dozen young women had been kidnapped in the Tindouf camps, something that had been confirmed and denounced by international non-governmental organizations. The Human Rights Council had expressed concern over the de facto devolution of authority by the host country to the Polisario, especially legal authority; the host State had an obligation to prevent, investigate and punish human rights violations on its territory.

71. **Mr. Bendriss** (Association for the Support of the Moroccan Autonomy Initiative) said that the situation of the Tindouf refugee camps remained a highly anomalous case in the humanitarian world, as the Office of the

United Nations High Commissioner for Refugees (UNHCR) had never conducted a census or registration of the camp population. In resolutions adopted since 2004, the General Assembly and the Security Council had called for an effective registration system to be put in place and a census to be conducted in order to accurately assess humanitarian needs in the camp and to implement appropriate, durable solutions. Preventing UNHCR from fulfilling its statutory obligation of conducting a census constituted a violation of the most basic humanitarian principles and of international humanitarian law, especially the 1951 Convention relating to the Status of Refugees.

72. Major donor countries had called for the host country to be prevailed upon to allow UNHCR to carry out a census and register the camp population, and the European Parliament had denounced the abnormal state of affairs that had persisted for more than 40 years. The situation of the population held hostage in the Tindouf camps would remain dire as long as the conduct of a census was prevented. The systematic embezzlement of humanitarian aid by the Polisario leaders, who had enriched themselves at the expense of its intended beneficiaries, was possible only because of their refusal to allow the census.

73. **Mr. Arkoukou** (Sahrawi Association in the USA) said that the people of Western Sahara had been failed by the Committee and other United Nations bodies seized with the matter. The Committee had failed to perform its sole task, namely, to ensure decolonization. He could not recall the last time the Committee had attempted to visit Western Sahara or even made a meaningful recommendation to help the people of Western Sahara to exercise its right to self-determination.

74. The ceasefire in Western Sahara had ended the minute that the army of the occupying Power had illegally entered the Guerguerat zone. To date, the Sahrawi liberation army had conducted more than 240 military strikes against Moroccan soldiers hiding in their rat holes behind the wall of shame. Unlike Morocco, which was concealing its losses, the Sahrawi people sadly acknowledged the loss of several brave freedom fighters. For the time being, the occupied territory of the Sahrawi Arab Democratic Republic remained under military siege; grave human rights violations continued, as did the plunder of natural resources.

75. The proclamation by the former United States Administration recognizing Moroccan sovereignty over Western Sahara had delighted the Moroccan regime but done nothing to alter the situation. Morocco had then used its own citizens to attempt to force Spain to echo the United States position on Western Sahara. The

European Union, on the other hand, had condemned the occupying Power's rogue action. The Committee and the Organization as a whole should follow suit and denounce the Moroccan occupation of Western Sahara as colonization, something that the Secretary-General's predecessor had done. The Committee and the Security Council should set a date for the decolonization of Western Sahara so that its people could live freely in its land under the Sahrawi Arab Democratic Republic.

76. **Mr. Pali**, speaking in his personal capacity, said that the decolonization of Western Sahara had been obstructed when Morocco had invaded and occupied the territory in 1975, in violation of United Nations resolutions and the advisory opinion issued by the International Court of Justice that same year. In line with the norms of international law, the Organization had never recognized, and had indeed denounced, the illegal occupation and annexation of parts of Western Sahara by Morocco.

77. Occupied Western Sahara had undergone a massive demographic engineering process. The indigenous population was now hugely outnumbered by settlers, whose mass migration had been sponsored by the occupying Power, in violation of the Fourth Geneva Convention. The territory was thus the only Non-Self-Governing Territory under illegal military occupation by a third country and, since the withdrawal of Spain, the only one without an internationally recognized administering Power. The same Western countries that defended democracy far and wide remained silent before Moroccan oppression, occupation and plunder in Western Sahara. The Organization had a sacred duty to take tangible steps to enable the people of Western Sahara to decide its own future freely and democratically.

78. **Mr. Sassi** (SKC) said that the Sahrawi people wanted only to live in peace and harmony in an independent State alongside its neighbours. Ever since Spain had left its former colony without seeing the United Nations-mandated decolonization process through to fruition in 1975, Morocco had maintained a blinkered colonialist attitude, refusing to countenance any talk of the right to self-determination or independence. Instead, its only aim had been to sow tensions in the region.

79. Renewing the mandate of MINURSO would compel the two parties to abide by the ceasefire established in 1991 under United Nations auspices and allow the Mission to fulfil its mandate of organizing a referendum on self-determination for the Sahrawi people.

80. In 1976, Frente POLISARIO had proclaimed the Sahrawi Arab Democratic Republic, only to be marginalized in its own land by an increasingly

aggressive settlement policy. The gradual military escalation orchestrated by Morocco was steadily undermining regional security and stability. Meanwhile, Sahrawis living in refugee camps, frustrated by 40 years of diplomatic stalemate and feeling forgotten by the international community, had lost faith in negotiations. The Security Council, for its part, had not commented on the recent escalation, let alone taken action to address the situation or alleviate Sahrawi suffering. A new Personal Envoy of the Secretary-General for Western Sahara should be appointed, as the post had been vacant since 2019.

81. The occupying Power indiscriminately tortured and arrested human rights defenders, denied access to international organizations and expelled foreign journalists. The many advantages given to Moroccans who relocated to Western Sahara were upsetting the demographic balance and would soon make Sahrawis a minority in their own land. In order to break the stalemate, the international community should support the establishment of national Sahrawi institutions, even though much of the Sahrawi people was in exile. In so doing, it could buttress the Sahrawi people's claim to independence in its territory and silence the steady drumbeat of war.

82. **Ms. Perino**, speaking in her personal capacity, said that the continued illegal occupation of Western Sahara by Morocco had prevented the decolonization of the territory and forced countless Sahrawis to live as refugees outside their homeland for over four decades. Having visited and lived in the Sahrawi camps, she had witnessed the strong dedication of that peace-loving people to the liberation of its country. Despite such hardship, the Sahrawi people had built a modern society that promoted social justice, democracy, the rule of law and gender equality, with women playing a fundamental role in all aspects of social, political and economic life. Sahrawi society was among the most educated and literate on the African continent, and the culture had always prized moderation, promoted tolerance and rejected extremism. The claim advanced by Morocco and its apologists that Sahrawi refugees were being held against their will was utterly baseless and had never been substantiated by MINURSO or by the United Nations agencies which had operated in Sahrawi refugee camps for decades.

83. When Morocco had broken the ceasefire in November 2020, hundreds of Sahrawis abroad had returned to the refugee camps, despite pandemic-related travel restrictions, to join the Sahrawi army and fight for their country's freedom. After Spain had received the leader of Frente POLISARIO for medical treatment, Morocco had deliberately opened its borders with Spain

as a form of pressure. In just two days, over 10,000 Moroccans had fled to the Spanish city of Ceuta and shared with international media personal accounts of their poverty, misery and inhumane conditions. By all appearances, it was they, not the Sahrawis returning home to fight the illegal Moroccan occupation, who were being held against their will.

84. **Mr. Elissaoui** (Organisation for Ending Human Rights Violations in the Tindouf Camps) said that the Tindouf refugee camps were controlled by the Polisario, an armed separatist group. Children from the camps were being exploited, abused and forced to take part in military activities, in flagrant violation of human rights and humanitarian principles. Polisario mercenaries indoctrinated child soldiers, separated them from their parents and sent them abroad, where they faced a bleak future of post-traumatic stress, depression and anxiety.

85. It was widely known that the Polisario had been created for hegemonic and geostrategic purposes and to undermine Moroccan territorial integrity. The group's mercenary nature had been amply documented in international reports, in which the Tindouf refugee camps had been described as a dangerous zone and the site of frequent abductions. The group's connection to various terrorist groups within and beyond the Sahel region, such as Al-Qaida in the Arabian Peninsula, was also well-attested. In recent years, the Polisario had become one of the recruitment pools of Al-Qaida in the Islamic Maghreb, and the Tindouf camps had become a strategic transit zone for arms smuggling in the Sahel region. As part of a broader trend of radicalization in the region, Polisario members had established terrorist organizations or joined existing terrorist groups, making the organization one of the preeminent threats to regional security. A case in point was Abu Walid al-Sahrawi, a former Polisario member from the Tindouf camps.

86. **Mr. Toure** (Côte d'Ivoire) said that the economic and social situation of the Non-Self-Governing Territories was deteriorating further as a result of the health crisis. Committee members should overcome their differences to address the challenges at hand. Côte d'Ivoire hailed the progress made to that end despite manifold and complex challenges. In order to achieve total decolonization, the Committee should explore lasting solutions to the questions on its agenda. It should pursue the Secretary-General's initiatives on Non-Self-Governing Territories in order to strengthen dialogue on the situation in each territory, adopting a case-by-case approach.

87. With regard to the dispute concerning Western Sahara, the Security Council had, in successive resolutions, reaffirmed the need to arrive at a realistic, pragmatic and lasting solution based on compromise.

His Government fully supported the United Nations-led political process under the auspices of the Secretary-General and welcomed the significant progress facilitated by the former Personal Envoy of the Secretary-General for Western Sahara, whose good offices had made it possible to convene two round tables in 2018 and 2019 with the participation of Algeria, Morocco, Mauritania and the Polisario. Côte d'Ivoire was optimistic about the stakeholders' commitment to participate in a third round table for in-depth discussions regarding elements of convergence. The appointment of a new Personal Envoy of the Secretary-General for Western Sahara would help to consolidate the momentum generated by the previous incumbent.

88. In the interest of all parties and States in the region, negotiations must continue until a peaceful, just and lasting settlement of the long-standing regional dispute was achieved. Such a solution would help strengthen cooperation among States of the Arab Maghreb Union and consolidate the security and stability of the Sahel region and its population. Côte d'Ivoire therefore welcomed the Moroccan autonomy initiative, which was consistent with international law and United Nations resolutions and was intended to reach a negotiated, mutually acceptable political solution. Moreover, Côte d'Ivoire appreciated the model for the development of Western Sahara launched by Morocco in 2015, whose objective was the political, economic, social and cultural autonomy of the local population. It commended the efforts of Morocco to promote human rights in the region and facilitate broad access to the COVID-19 vaccine.

89. Recent events in Guerguerat underscored the fragility of the situation and the need to maintain a climate of peace and strengthen security arrangements in the region. Côte d'Ivoire supported the Secretary-General's urgent call on all parties to abstain from any actions that might hinder commercial and civil transport and change the status quo in the region. It welcomed the peaceful actions taken by Morocco on 13 November 2020 to provide full freedom of movement in the Guerguerat buffer strip. His delegation once again called on all parties to respect the ceasefire and existing military agreements; collaborate openly and constructively with MINURSO, which played an essential role in maintaining regional security and stability; and remain committed to dialogue and peace, with a view to a definitive settlement of the dispute.

90. **Ms. Vásquez** (Chile) said that the question of Western Sahara must be resolved peacefully and in a just and lasting manner through the diplomatic mechanisms established by the United Nations and in accordance with international law and the relevant resolutions of the

Organization. In that regard, it was vital to recognize the efforts made by all parties; in the light of the achievements of the previous 20 years, the Committee should not dismiss the progress made by Morocco.

91. **Mr. Cuesta** (Cuba) said that the right of the Sahrawi people to self-determination had been asserted in numerous resolutions of the General Assembly, Security Council and African Union. His delegation supported efforts to find a lasting solution to the question of Western Sahara that would enable its people to exercise that right in a manner consistent with the principles and purposes of the Charter of the United Nations.

92. The Sahrawi people required the backing of the international community. For its part, Cuba had supported the Sahrawi people since 1976. A total of 2,069 Sahrawi students had graduated from Cuban educational institutions; 76 others were currently enrolled, and 24 scholarships had been awarded to Sahrawi students for future study. Cuba stood in solidarity with the Sahrawi people in its fight to exercise its legitimate rights and would continue to support efforts to reach a just and lasting solution on the question of Western Sahara.

93. **Mr. Webson** (Antigua and Barbuda) said that it was vital for all administering Powers to provide equal access to vaccines in the Non-Self-Governing Territories. His delegation therefore commended the Government of Morocco on its vaccine programme in the Sahara region. It supported the ongoing political process, which was taking place under the auspices of the Secretary-General in accordance with the relevant Security Council resolutions. The two round tables in Geneva had given a welcome impetus to the process, whose purpose was to achieve a political solution and promote enhanced cooperation among the States of the Sahel region. The ceasefire must be respected, and all parties must continue to demonstrate political will and create a climate conducive to continuous dialogue with a view to a political solution and the eradication of colonialism in all its forms. All stakeholders should be willing to compromise in order to promote the human rights and the economic and social development of the people of the Sahara region.

94. **Ms. Bannis-Roberts** (Dominica) said that her delegation supported the Secretary-General's efforts to move the political process forward with the aim of reaching a mutually acceptable political solution to the dispute. Dominica fully supported the Moroccan autonomy initiative, which was a win-win compromise that allowed the populations of the Sahara to fully enjoy their rights and manage their affairs democratically, and whose aim was to resolve the regional dispute over the

Sahara for the well-being of the entire region. It was important that Algeria, Morocco, Mauritania and the Polisario, all of which had participated at the round-table meetings in Geneva, remain engaged throughout the political process.

95. Morocco had made commendable efforts to transform the Sahara into a peaceful and productive region by making substantial economic investments, developing infrastructure and promoting human rights. Her delegation welcomed the participation of the elected representatives from the Sahara in regional seminars and at the current meeting; those representatives had brought valuable insights from the ground.

96. Her delegation congratulated Morocco on its achievements in the fight against the coronavirus disease, including in the Sahara region; its substantial progress in the area of human rights, including the strengthening of the regional commissions of its national human rights council in Dakhla and Laayoune; and its bilateral cooperation with United Nations human rights entities. Her delegation urged UNHCR to register the population of the Tindouf camps, in accordance with international humanitarian law and the relevant Security Council resolutions. It welcomed the full support of Morocco for the ceasefire in the Sahara and called on all parties to follow suit in order to preserve regional security and stability.

97. **Mr. Richardson** (Saint Lucia) said that Saint Lucia supported the political process in Western Sahara under the auspices of the Secretary-General, whose aim was to achieve a realistic, practicable and enduring political solution based on compromise. Saint Lucia also supported the round-table process, which should continue under the next Personal Envoy of the Secretary-General for Western Sahara. The Moroccan autonomy initiative was a commendable compromise solution that was in conformity with international law and United Nations resolutions. His delegation welcomed the progress made in the socioeconomic development of the Sahara through the Moroccan initiative of a human-centred development model and the emphasis placed on the promotion and protection of human rights. Along with the resulting changes on the ground and the recent recognition by the United States of America of Moroccan sovereignty over the territory, several countries had opened consular offices in the Sahara, highlighting the region's potential for economic and social development to the benefit of its people. It was therefore vital to maintain peace in the region and to ensure that goods and persons could continue to circulate freely, an effort to which Moroccan forces had made a positive contribution.

98. **Mr. Rai** (Papua New Guinea) said that his delegation believed that consideration of the draft resolution on the question of Tokelau should be deferred in order to ensure that the text reflected key recent developments in the territory, as relayed by the Permanent Representative of New Zealand as administering Power of Tokelau. Those developments included the impact of the COVID-19 pandemic; although no cases of the coronavirus disease had been recorded to date, important public services, including domestic and international travel, continued to be impeded by the preventive public health and safety measures put in place.

99. New Zealand and Tokelau were working together to facilitate access to the COVID-19 vaccine for the people of Tokelau. The Committee and the United Nations system should support the efforts of the Government of Tokelau and the administering Power to that end.

100. The constructive and mutually beneficial partnership between the Non-Self-Governing Territory and the administering Power attested to their resolve to work in a cooperative spirit to promote the well-being of the people of Tokelau in a manner consistent with their aspirations for self-determination. Papua New Guinea renewed its commitment to work constructively with Tokelau, New Zealand, and Committee members to make those aspirations a reality.

101. His delegation was encouraged by the political process in Western Sahara under the auspices of the Secretary-General, in line with the relevant Security Council resolutions, and by the Moroccan autonomy initiative to find a realistic, practical and lasting solution based on compromise. Papua New Guinea welcomed the round table process and called for genuine dialogue. Morocco had made an important gesture of goodwill on the ceasefire initiative in November 2020 in order to preserve and foster peace and security and promote sustainable development efforts. He urged other parties to follow suit. Lastly, the Committee could play a positive role by allowing all stakeholders from Western Sahara to attend the Committee's regional seminars and substantive resumed sessions.

The meeting rose at 1.05 p.m.