



General Assembly

Distr.: General
30 August 2021

Original: English

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 3rd meeting

Held at Headquarters, New York, on Monday, 14 June 2021, at 3 p.m.

Chair: Ms. McGuire (Grenada)

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

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

1. **Mr. Jiménez** (Nicaragua) said that his Government remained committed to ensuring that Non-Self-Governing Territories were able to enjoy their inalienable rights to self-determination, independence and development. Having fought tirelessly to achieve its own liberation, Nicaragua stood in solidarity with the people of the Sahrawi Arab Democratic Republic in its struggle to obtain justice and exercise its right to live and prosper in its own free and sovereign territory. A political solution to the colonial situation in Western Sahara must be found, in accordance with the Declaration on decolonization and international law. The parties should engage in intensive negotiations, in good faith, to that end.

2. **Mr. Da Costa Tilman** (Timor-Leste), recalling that the list of Non-Self-Governing Territories remained unchanged since his country's removal in 2002, said that colonialism was a violation of basic human rights and an obstacle to socioeconomic development and well-being. A shared commitment was needed to enable the Committee to address complex challenges in accordance with the Charter and resolutions of the United Nations. His delegation welcomed the improvements that had been made to the Committee's working methods and programme of work. The Committee's priority should be to promote informal dialogue between administering Powers and other stakeholders in order to foster constructive relationships. Decolonization processes should be guided by the aspirations and needs of the communities living in the Non-Self-Governing Territories, which currently faced pressing health, social and economic challenges as a result of the coronavirus disease (COVID-19) pandemic. Climate change and devastating natural disasters further hindered their efforts to build sustainable and self-sufficient economies.

3. His delegation reiterated its strong support for the right of Western Sahara to self-determination and called for the full implementation of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). The Secretary-General should appoint a new Personal Envoy for Western Sahara as soon as possible, so that negotiations between Morocco and the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), with the participation of Algeria and Mauritania, could be resumed. Timor-Leste recognized Frente POLISARIO as the legitimate representative of the people of Western Sahara.

4. The situations in the various Non-Self-Governing Territories were all unique and should be considered

individually. Periodic visiting missions to the Territories, including Western Sahara, would help the Special Committee gain a better understanding of the aspirations of the peoples of the Territories in terms of political status and social, economic and environmental matters.

5. **Mr. Zambrano Ortiz** (Ecuador) said that the Organization's efforts to promote decolonization had always been a cornerstone of its work and had resulted in independence for many peoples. However, the existence of 17 Non-Self-Governing Territories was inconsistent with the goal of achieving global peace, and that situation hindered the cultural, economic and social development of the populations of those Territories. It was therefore crucial to promote dialogue and cooperation between administering Powers and Non-Self-Governing Territories, in order to promote progress towards the implementation of the relevant multilateral agreements and commitments.

6. Ecuador reiterated its support for the rights and principles set out in the Declaration on decolonization and called for increased efforts to implement the multilateral instruments designed to advance independence processes, on a case-by-case basis and taking into account the principles of territorial integrity and self-determination. It also continued to support the Committee's work in cases where there was an indispensable need for self-determination, such as Western Sahara, and obvious cases of territorial integrity. Negotiations on a mutually acceptable political solution to the question of Western Sahara should be resumed. Pursuant to Security Council resolution [2414 \(2018\)](#), such a solution must provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

7. **Ms. Marin Sevilla** (Bolivarian Republic of Venezuela) said that her Government supported the inalienable right of the people of Western Sahara to self-determination and independence and had had diplomatic relations with the Sahrawi Arab Democratic Republic since 1983. It was deeply regrettable that the Sahrawi people had not yet been able to realize its legitimate aspirations and that MINURSO had not yet been able to fulfil its mandate. Her Government rejected all attempts to portray the question as anything other than a decolonization issue.

8. Her delegation condemned the violation by one of the parties of the ceasefire agreed in 1991 and military agreement No. 1. Those actions were also violations of Security Council resolution [2548 \(2020\)](#), in which the Council called on the parties to adhere to the ceasefire and refrain from any actions that could further

destabilize the situation in Western Sahara; but the Security Council had failed to take strong action in response. Those recent events highlighted the pressing need to revive negotiations between Frente POLISARIO and Morocco, under the auspices of the United Nations. In that regard, her delegation strongly supported the efforts of the Secretary-General and the United Nations to achieve a just, lasting and mutually acceptable solution to the question of Western Sahara through a referendum on self-determination, in accordance with the Declaration on decolonization and Security Council resolution 690 (1991). Progress towards the holding of a referendum would help to alleviate the suffering and frustration of the Sahrawi people and contribute to peace, security and stability in the region.

9. Her delegation called upon both parties to take significant steps towards the achievement of a political solution and to meet the urgent needs of the Sahrawi people in Western Sahara and the refugee camps elsewhere, including those related to the COVID-19 pandemic. The Special Committee should take decisive action to enable the Sahrawi people to exercise its inalienable rights and legitimate aspirations, including by making every effort to ensure the appointment of a new Personal Envoy of the Secretary-General and sending a mission to Western Sahara.

10. **Mr. Abraha** (Ethiopia) said that the continued existence of colonialism in any form was a manifest violation of the Declaration on decolonization and basic tenets of international relations, such as the sovereignty of States and sovereign equality. In Africa, privileged States continued to invoke discriminatory and unjust colonial-era treaties to deprive other States of their right to the use of their natural resources. Decolonization efforts must therefore involve addressing structural problems deriving from colonialism, recognizing unjust privileges and rectifying the unacceptable status quo inherited from colonialism. The Special Committee should take concrete action to enhance cooperation among Member States in addressing structural problems and the legacy of inequality. With regard to the question of Western Sahara, the two parties should seek a solution in accordance with the principle of “African solutions to African problems”. His delegation supported the implementation of United Nations resolutions and African Union decisions on a peaceful and lasting solution for Western Sahara.

11. **Mr. Zambrana Torrelío** (Plurinational State of Bolivia) said that no effort should be spared to ensure the realization of the universal commitment to combat colonization. Just, lasting and mutually acceptable political solutions must be found through the peaceful means of dispute resolution provided for in the Charter.

A realistic vision of how the Sahrawi people could decide on its own future should be developed through dialogue conducted in good faith, without obstruction and in a spirit of compromise.

12. **Ms. Williams** (Grenada) said that her delegation supported the political process being conducted under the auspices of the Secretary-General and the round-table meetings in which Algeria, Morocco, Mauritania and Frente POLISARIO had participated in 2018 and 2019. The next Personal Envoy of the Secretary-General should work with the parties to build on the commendable progress that had already been achieved. The autonomy initiative presented by Morocco in 2007 was a viable proposal for ending the dispute and had been described by the Security Council as serious and credible.

13. Her delegation welcomed the peaceful resolution of the recent tensions in Guerguerat. It welcomed the efforts of the United Nations to maintain peace and stability in the area and commended Morocco for the peaceful restoration of free movement in the region. Grenada called upon all parties to fully respect the ceasefire, as Morocco had done.

14. **Mr. Hilale** (Observer for Morocco) said that the situation in the Moroccan Sahara involved a dispute, not colonization, and should therefore be addressed only by the Security Council, under Chapter VI of the Charter of the United Nations concerning the peaceful settlement of disputes; there was no justification for its continued consideration by the Special Committee or the Fourth Committee. The area had been an integral part of Moroccan territory before it was colonized by Spain; the name “Western Sahara” had been coined only after that time. After achieving independence from France and recovering Tangier from several foreign powers in 1956, Morocco had regained control of its southern regions through agreements concluded with Spain between 1958 and 1975, which had been endorsed in General Assembly resolution 3458 (XXX) B. In its advisory opinion of 16 October 1975, the International Court of Justice had recognized the Moroccan character of the area: it had found that the Moroccan Sahara had not been a *terra nullius* at the time of its occupation and that legal ties of allegiance had existed between the tribes of the Sahara and the kings of Morocco. The Moroccan Sahara did not fit the criteria established by the United Nations for the identification of Non-Self-Governing Territories, as it was not geographically separate from Morocco and it had the same tribal and ethnic groups, dialects and culture as other parts of the country. It also had the same religion, Islam, and prayers in the Moroccan Sahara had been performed in the name of the King of Morocco well before the Spanish occupation. It was thus clear, both on legal and historical grounds, that the Moroccan Sahara

bore no resemblance to the 16 Non-Self-Governing Territories.

15. Morocco remained involved in the political process being conducted under the exclusive auspices of the United Nations with a view to finding a political solution to the regional dispute. The round-table process begun under the previous Personal Envoy of the Secretary-General should be continued, with the same participants and format, by the next Personal Envoy. Like many other Member States, Morocco considered that the Moroccan autonomy initiative, which the Security Council viewed as serious and credible, was the only possible basis for a realistic, pragmatic and lasting political solution to the dispute, one based on the sovereignty, territorial integrity and national unity of Morocco. The Security Council and the Secretary-General had thus definitively moved beyond the backward-looking positions of certain States.

16. On 10 December 2020 the United States of America had issued a proclamation recognizing the sovereignty of Morocco over the Moroccan Sahara, and 22 States from various regions now had consulates in the Moroccan Sahara. Mindful of its responsibility to all its citizens, Morocco had put considerable effort and investment into promoting the socioeconomic development and political emancipation of its southern provinces, with great success.

17. With regard to the events in Guerguerat, on 13 November 2020 Morocco had undertaken a civil engineering operation to restore freedom of movement between Morocco and Mauritania, after the road had been blocked by armed separatist militias from “polisario” for three weeks. Those militias, which behaved like brigands, would never set foot in that part of the Moroccan Sahara again.

18. People living in the Tindouf camps were subjected to violations of their most basic human rights. As recently reported by the international media, the leader of “polisario” was facing prosecution in Spain on charges of illegal detention, torture, crimes against humanity, genocide, murder, terrorism and forced disappearance in relation to acts committed in the camps. Furthermore, “polisario” forcibly enlisted children as young as 12 in military training. His delegation urged the international community to take the necessary steps to ensure that the Office of the United Nations High Commissioner for Refugees (UNHCR) was able to register the population in the camps, in accordance with its mandate, international humanitarian law and the relevant Security Council resolutions.

19. **Mr. Yabou** (Observer for the Gambia) said that the efforts of Morocco to ensure that the Moroccan Sahara

was included in the national COVID-19 vaccination campaign reflected the country’s long-standing commitment to the socioeconomic development of the region. His delegation fully supported the ongoing political process and encouraged stakeholders to remain constructively engaged. Resolving the regional dispute and ensuring stability and security in the Sahel region depended not only on the parties but also on the other States of the Sahel region. His Government supported the right of Morocco to sovereignty and territorial integrity, including in relation to the Moroccan Sahara, and had established a consulate in Dakhla, Moroccan Sahara, in 2020. The Moroccan autonomy initiative was a viable compromise solution and should be given favourable consideration.

20. **Ms. Nyagura** (Observer for Zimbabwe) said that as long as Western Sahara, the last colony in Africa, remained under occupation, the continent’s aspirations of being prosperous, integrated, peaceful, strong and united would be unattainable. Her delegation supported the holding of a referendum in Western Sahara. It encouraged the Committee to send a visiting mission to Western Sahara in order to gather information to enable it to better protect the political, economic, social and cultural rights of the Sahrawi people and provide accurate information to the relevant United Nations entities. The Committee should also support the efforts of the Secretary-General to relaunch the peace process. Only through sincere, free and credible negotiations conducted under the auspices of the United Nations and the African Union could a solution be found that would enable the people of Western Sahara to enjoy its inalienable rights. The United Nations must fulfil its obligation to uphold the fundamental right of the Sahrawi people to self-determination and independence.

21. **Mr. Anatolio** (Observer for Equatorial Guinea) said that his delegation welcomed the progress that had been made with regard to the dispute concerning Western Sahara in recent years and recommended that the round-table meetings continue under the next Personal Envoy of the Secretary-General for Western Sahara. His delegation supported the ongoing political process under the auspices of the Secretary-General and the willingness of the parties to reach a just, lasting and mutually beneficial solution. Morocco had demonstrated its commitment to finding a peaceful political solution, through its autonomy initiative and such actions as facilitating the participation of elected representatives of the Moroccan Sahara in meetings and other activities of the Special Committee. It had also gone to great lengths to promote the development of the Moroccan Sahara and to ensure that the population had access to COVID-19 vaccines. In recognition of those efforts,

Equatorial Guinea had established a consulate in Dakhla in October 2020.

22. The approach to the resolution of the territorial dispute should take historical and cultural considerations into account, be just and forward-looking and promote human rights. The United Nations and the African Union could help the parties to achieve a mutually beneficial solution. Morocco, Algeria, Mauritania and Frente POLISARIO should, through dialogue and mediation, find an agreement with a view to ending the dispute. In the meantime, the fundamental rights of the people living in the Tindouf camps must be respected, and all individuals should be properly registered in accordance with international humanitarian law, the mandate of UNHCR, the recommendations of the Secretary-General and the relevant resolutions of the Security Council. The United Nations and the African Union were to be commended for their tireless efforts to bring the dispute to an end and thereby promote security, peace and stability in the Sahel region.

23. **Mr. Masuku** (Observer for Eswatini) said that his Government highly valued its friendly relations with Morocco and fully supported the ongoing political process under the auspices of the Secretary-General, including the round tables that had been held. His delegation encouraged Algeria, Mauritania, Morocco and the “Polisario” to remain engaged in the process. The next Personal Envoy of the Secretary-General for Western Sahara should build on the momentum established by the previous Personal Envoy. The Moroccan autonomy initiative was a serious and credible effort to resolve the long-standing political dispute, which would in turn enhance cooperation between the members of the Arab Maghreb Union and contribute to the stability and security of the Sahel region. The participation of elected representatives of the Moroccan Sahara in regional seminars and meetings of the Special Committee should continue. His delegation welcomed the efforts of Morocco to promote the socioeconomic development of the Moroccan Sahara, which had empowered the population and improved human development indicators, and to combat the COVID-19 pandemic in the Moroccan Sahara.

24. **Mr. Domingos** (Observer for Mozambique) said that his Government continued to support efforts to enable the people of Western Sahara to enjoy its rights to sustainable development and independence. The lack of progress in the three decades since the establishment of MINURSO perpetuated the suffering of the people of Western Sahara. The Committee must assume its responsibility to ensure sustainable development in the region, and Morocco and Frente POLISARIO should resume negotiations with a view to achieving a fair and

lasting solution. The two States involved in the dispute should give higher priority to the decisions of the African Union, of which they were both members. His Government supported all global efforts to find a solution to the question of Western Sahara in accordance with the Charter of the United Nations and the provisions of international law.

25. **Mr. Moharram** (Observer for Saudi Arabia) said that his delegation welcomed the efforts being made under the auspices of the Secretary-General and in accordance with the relevant resolutions of the Security Council to find a consensus-based solution to the protracted dispute concerning the Moroccan Sahara. In particular, it welcomed the two round tables held in Geneva and the Moroccan autonomy initiative, which provided for a solution that would respect the sovereignty and territorial integrity of Morocco. His delegation welcomed the participation of elected representatives of the Moroccan Sahara in the round tables and in the meetings of the Special Committee.

26. Morocco had contributed to the social and economic development of the Moroccan Sahara, achieved significant progress in relation to human rights and ensured wide access to COVID-19 vaccines in the region. His Government commended Morocco for its respect of the ceasefire in the Moroccan Sahara and its peaceful operations to restoring freedom of movement in Guerguerat in November 2020. His Government would continue to support the efforts of Morocco to find a solution to the regional dispute. All parties should approach the situation pragmatically and be guided by a spirit of compromise. The resolution of the dispute would do much to promote stability in the Sahel region. His Government rejected any acts that could compromise the paramount interests of Morocco or undermine its sovereignty or territorial integrity.

27. **Mr. Doualeh** (Observer for Djibouti) said that his delegation supported the efforts to achieve a realistic, pragmatic and enduring political solution to the regional dispute concerning Western Sahara on the basis of compromise. It was important to maintain the momentum created by the round-table meetings. The resolution of the dispute and the strengthening of regional cooperation in the Maghreb would help to bring about the stability and security that were needed for economic development and prosperity in the Sahel region. The Moroccan autonomy initiative provided an excellent basis for negotiations. His delegation commended Morocco for its early launch of a national COVID-19 vaccination campaign across the whole of its territory, including Western Sahara. Djibouti had established a consulate in Dakhla in February 2020. His delegation encouraged all stakeholders to work tirelessly

towards the resolution of the regional dispute, which was achievable.

28. **Mr. Shaddad** (Observer for Jordan) said that his Government supported the right of Morocco to territorial integrity and had recently established a consulate in the Moroccan city of Laayoune. The Moroccan autonomy initiative was a realistic and serious proposal that was consistent with the Charter of the United Nations and took into account the specificities of the region and the principles of sovereignty and territorial integrity. His delegation commended the efforts of Morocco to promote development in the Sahara, including by ensuring that the population benefitted from the region's resources. The new development model launched in 2015 had improved human development indicators. His delegation welcomed the positive engagement of all participants in the round-table meetings, which had given new momentum to the process.

29. **Ms. Joyini** (Observer for South Africa) said that it was regrettable that the people of Western Sahara had not yet attained a full measure of self-government. The heightened tensions in November and December 2020 had created further challenges with regard to the achievement of the Committee's objectives. The breach of the ceasefire agreement of 1991 by the occupying Power, which had resulted in the resumption of hostilities, and unilateral statements inconsistent with the legal status of the territory made by certain States, could seriously hinder the achievement of peace, security and stability in the region.

30. Morocco and Frente POLISARIO must abide by the terms of the ceasefire agreement and military agreement No. 1 and refrain from any acts that could lead to increased tensions or hostilities. Her delegation called for the full implementation of all relevant Security Council resolutions and African Union decisions. The Secretary-General should swiftly appoint a Personal Envoy for Western Sahara to revive the stagnant political process and prevent further deterioration of the political and security situation in Western Sahara. The long-awaited referendum on self-determination for Western Sahara should be held without further delay.

31. The Special Committee must take concrete action to ensure that the people of Western Sahara was able to enjoy its inalienable right to self-determination and independence. In that regard, it must assume its responsibility to protect the political, economic, social and cultural rights of the Sahrawi people, including its right to permanent sovereignty over their natural resources, and report regularly to the relevant United Nations entities. The Committee should also send a

visiting mission to Western Sahara to obtain first-hand information on the situation in the Territory. It was regrettable that only one mission had ever been sent, in 1975. The Committee should also actively support the efforts of the Secretary-General to relaunch the peace process through direct and substantive negotiations between Frente POLISARIO and Morocco, with the explicit aim of allowing the Sahrawi people to exercise its inalienable right to self-determination and independence. Any recognition of Western Sahara as part of Morocco was a contravention of international law, as it was tantamount to the recognition of illegal occupation.

32. **Mr. Tiare** (Observer for Burkina Faso) said that the United Nations should play the primary role in all decolonization processes, including in bringing about a realistic, pragmatic and enduring political solution, based on compromise, to the question of Western Sahara. His delegation welcomed the holding of the round-table meetings and the participation of representatives of Western Sahara in the Committee's meetings and regional seminars. The next Personal Envoy should pursue a similar course and organize a third round table. The four primary stakeholders should remain engaged in the process in order to ensure a satisfactory outcome for all. His delegation supported the Moroccan autonomy initiative, which was a credible and realistic proposal for resolving the dispute. A political solution would strengthen cooperation among the members of the Arab Maghreb Union and contribute to stability and security in the Sahel region.

33. His delegation welcomed the successful efforts of Morocco to promote development and combat the COVID-19 pandemic in Western Sahara. It commended Morocco for respecting the ceasefire agreement and using peaceful means to ensure free movement in Guerguerat. All other parties should respect the ceasefire, so as not to undermine United Nations efforts to bring about a political solution or put the security and stability of the whole region at risk. Like a number of other States, Burkina Faso now had a consulate in Dakhla.

34. **Ms. Kuzee** (Observer for Namibia) said that urgent action must be taken to enable the Sahrawi people to achieve its aspirations to independence and self-governance. Human rights violations in Western Sahara were causing tensions to rise and could have serious implications for peace, security and stability in the wider region. The Secretary-General must appoint a Personal Envoy for Western Sahara as a matter of urgency, in order to reinvigorate the political process and calm the rising tensions. The Special Committee must actively support the efforts of the Secretary-General to relaunch the peace process. It had a duty to ensure that the negotiations between Frente POLISARIO and

Morocco were substantive enough to chart the way for the exercise by the Sahrawi people of its inalienable right to self-determination and independence. Her Government called on the occupying Power to end its occupation and stop undermining the territorial integrity of Western Sahara, in accordance with the relevant resolutions of the Security Council and the General Assembly. The United Nations must fulfil its responsibility to enable the Sahrawi people to live freely in its own country.

35. **Mr. Maniratanga** (Observer for Burundi) said that the growing instability and lack of security in the Sahel and surrounding regions made tackling the long-standing conflict in Western Sahara a matter of urgency, especially because it was hindering the further integration of the Maghreb. His delegation supported the political process on Western Sahara that was being conducted under the exclusive auspices of the Secretary-General and on the basis of the relevant Security Council resolutions adopted since 2007, and hoped that a new Personal Envoy of the Secretary-General for Western Sahara would soon be appointed. His delegation supported the Moroccan autonomy initiative, which was in line with international law, the Charter of the United Nations and the relevant resolutions of the General Assembly and the Security Council. It welcomed the fresh momentum created by the two round-table meetings and hoped that the parties would remain engaged in the political process and demonstrate a spirit of compromise.

36. Enhanced cooperation between the member States of the Arab Maghreb Union would contribute to stability and security in the Sahel region. His delegation welcomed the development model for the Sahara launched by Morocco in 2015, which had resulted in improvements in human development indicators in the region. It also welcomed the participation of representatives of Western Sahara in the round tables and in the Committee's meetings and regional seminars. It was important to ensure that refugees in the Tindouf camps were registered, in accordance with international humanitarian law, the mandate of UNHCR and the relevant Security Council resolutions.

37. **Mr. Kelapile** (Observer for Botswana) said that decolonization efforts must be intensified. Botswana stood in solidarity with the people of Western Sahara and supported its inalienable right to self-determination. It was concerned about the collapse of the 1991 ceasefire in November 2020 and the violence that had ensued. The next Personal Envoy of the Secretary-General for Western Sahara, who should be appointed as soon as possible, would have a key role to play in relaunching the peace process and ensuring the

resumption of substantive negotiations, with the ultimate objective of enabling the Sahrawi people to exercise its right to self-determination and independence.

38. His delegation implored all parties to refrain from provocative actions that could destabilize the situation in Western Sahara or undermine its territorial integrity. The Special Committee must fully assume its responsibility to protect the political, economic, social and cultural rights of the Sahrawi people, which was subjected to human rights violations, the plundering of its natural resources, aggressive military action and challenges related to the COVID-19 pandemic. A visiting mission, which would enable the Committee to develop better recommendations with regard to the implementation of the Declaration on decolonization in Western Sahara, was long overdue. The Special Committee, by virtue of its mandate, was the entity best placed to instil momentum into the Organization's efforts to fulfil its promise to the people of Western Sahara. Ensuring that the population of the last remaining colony in Africa was able to exercise its right to self-determination and independence would contribute to peace and security on the continent and around the world.

39. **Ms. Maria de Jesus dos Reis Ferreira** (Observer for Angola) said that all States should be concerned about any violations of international law, the rule of law and the principles of independence, sovereignty, the territorial integrity of States, the inviolability of national boundaries and democracy. The Sahrawi people had shown patience, moderation and flexibility for three decades as it waited to be able to exercise its inalienable right to self-determination. Her delegation supported the efforts of the United Nations, the African Union and the Southern African Development Community to uphold that right, in accordance with international law and the principle of the sanctity of inherited colonial borders in Africa, as set out in the Constitutive Act of the African Union. Her delegation also called for the implementation of the 1991 Settlement Plan for Western Sahara, which provided for the holding of a referendum on self-determination. The matter of the appointment of a new Personal Envoy of the Secretary-General for Western Sahara should be addressed urgently in order to accelerate the process of organizing a referendum and achieving a just, lasting and mutually acceptable solution to the question of Western Sahara. The Special Committee should actively support the efforts of the Secretary-General to relaunch the peace process, encourage direct substantive negotiations between Frente POLISARIO and Morocco and emphasize that the ultimate objective was to enable the Sahrawi people to exercise its inalienable right to self-determination and independence.

40. **Mr. Mimouni** (Observer for Algeria) said that there had been no meaningful progress on decolonization for two decades. All Member States must demonstrate genuine political will to uphold the rights of the peoples of the remaining Non-Self-Governing Territories and bring decolonization processes to a successful conclusion. The question of Western Sahara had always been a decolonization issue. It had been clearly established in an advisory opinion of the International Court of Justice that the provisions of General Assembly resolution 1514 (XV) were applicable to Western Sahara, and the need for the people of the Territory to be allowed to exercise freely their right to self-determination had been reaffirmed in resolutions of the General Assembly and the Security Council. No unilateral actions, attempts to have the current situation accepted as a *fait accompli* or efforts to change the demographic composition of the population would have any legal effect on the status of Western Sahara.

41. There had been too many hampered initiatives and missed opportunities to secure a just and definitive solution to the question of Western Sahara over the past three decades. One party continued to impede the holding of a referendum by procrastinating and deliberately creating obstacles. That obstruction had led to the deterioration of the situation on the ground, where the ceasefire had collapsed and the peace process had stalled. There was no imminent prospect of the appointment of a Personal Envoy of the Secretary-General for Western Sahara, the Security Council had reached a stalemate on the issue, and the Special Committee was unable or unwilling to fulfil its responsibilities. Meanwhile, the Sahrawi people continued to endure grave violations of its human and political rights and the systematic plundering of its natural resources. The situation was now compounded by the COVID-19 pandemic.

42. The current situation called for greater efforts to break the deadlock and more commitment from the Special Committee, the General Assembly and the Security Council to the implementation of their resolutions. In its resolution 2548 (2020), the Security Council had reaffirmed its commitment to assist the parties in achieving a just, lasting and mutually acceptable political solution, based on compromise, that would provide for the self-determination of the people of Western Sahara. The resumption of direct and substantive talks between Morocco and Frente POLISARIO was the obvious path to such a solution. His delegation urged the Secretary-General to appoint a new Personal Envoy who could help relaunch that dialogue. The General Assembly and the Special Committee must step up their efforts to uphold the right

to self-determination and advance the peace process. In that regard, the Committee should use all available tools, including a visiting mission, to protect the political, economic, social and cultural rights of the people of Western Sahara and support the decolonization process.

43. Algeria, as a neighbouring country and observer that had placed the principles of self-determination and freedom at the core of its foreign policy, would continue to fulfil, with complete transparency, its duties in respect of the refugee population in Tindouf and the people of Western Sahara. It would also continue to support the efforts of the Secretary-General and the Special Committee to bring the decolonization of Western Sahara to its long-overdue conclusion.

44. **Ms. Salman** (Observer for Bahrain) said that her delegation supported the serious and credible efforts of Morocco to achieve a political solution to the question of the Moroccan Sahara through its autonomy initiative, which would be the best way to ensure a lasting solution that was in compliance with the relevant Security Council resolutions and respected the sovereignty, unity and territorial integrity of Morocco. Bahrain had reaffirmed its support for Morocco by opening a consulate in Laayoune in December 2020. The actions taken by Morocco in Guerguerat were consistent with international law; their purpose had been to defend the sovereignty and territorial integrity of the country and to protect its citizens. Her delegation welcomed the efforts of the Secretary-General to find a lasting and mutually acceptable political solution to the question of Western Sahara that respected the sovereignty of Morocco.

45. **Mr. Monyane** (Observer for Lesotho) said that it was regrettable that the commitments made under the Settlement Plan for Western Sahara had not been implemented. Her Government was deeply concerned about the attacks in Guerguerat in November 2020, in which civilians had been injured and subjected to arbitrary arrest and torture. Lesotho condemned all attacks against the civilian population and urged the parties to the dispute to end the hostilities and engage in talks in good faith, with a view to achieving a lasting solution and promoting the enjoyment of the human rights of the people of Western Sahara.

46. It was deplorable that the self-determination referendum had not yet been held in Western Sahara, and that the appointment of a new Personal Envoy of the Secretary-General was being deliberately blocked in order to further delay the referendum. His delegation reiterated its call for the Security Council to facilitate a free and fair referendum, in accordance with the Declaration on decolonization, as a matter of urgency. The Special Committee should conduct a visiting

mission to Western Sahara to properly assess the dire situation on the ground and provide real support for the efforts of the Secretary-General to relaunch peace negotiations between Frente POLISARIO and Morocco. The parties to the conflict should refrain from any attempt to undermine what little progress had been achieved thus far. It was regrettable that a colony still existed in Africa, and that the occupying Power was an African neighbour. His Government would continue to support all efforts of the African Union and the United Nations to bring about the decolonization of Western Sahara.

47. **Mr. Makanga** (Observer for Gabon) said that Gabon fully supported the political process on the question of Western Sahara under the aegis of the United Nations, in line with the relevant Security Council resolutions. His delegation welcomed the holding of the two round-table meetings and requested that the next Personal Envoy of the Secretary-General for Western Sahara move those discussions forward. His delegation supported the Moroccan autonomy initiative as a compromise solution that was in accordance with international law, the Charter of the United Nations and the relevant resolutions of the Security Council and the General Assembly. A solution to the dispute, and the resulting enhanced cooperation between the members of the Arab Maghreb Union, would contribute to stability and security in the Sahel region.

48. Encouraged by the efforts of Morocco to promote socioeconomic development and respect for human rights in the Moroccan Sahara, his Government had recently opened a consulate in the Moroccan Sahara. Gabon commended Morocco for strictly respecting the ceasefire agreement and for using peaceful means to ensure free movement in Guerguerat in November 2020. People living in the Tindouf camps must have their fundamental rights respected, including their right to register themselves.

49. **Mr. Bastaki** (Observer for the United Arab Emirates) said that his Government fully supported the sovereignty of Morocco over all the Moroccan Sahara, and all measures taken by Morocco to defend its territorial integrity and the safety of its citizens. His delegation therefore supported the Moroccan autonomy initiative and welcomed the holding of the two round-table meetings and other negotiations that had taken place since 2007 under the auspices of the Secretary-General. His Government had opened a consulate in the Moroccan city of Laayoune in November 2020.

50. Morocco was to be commended for its human rights efforts in the Moroccan Sahara and its cooperation with UNHCR, and for its efforts to ensure that the population of the Moroccan Sahara were able to

participate in free, democratic and transparent national legislative elections. Morocco had also made great efforts to promote socioeconomic development and combat the COVID-19 pandemic in the Moroccan Sahara. His delegation was committed to supporting efforts to reach a political solution under the auspices of the United Nations with a view to enhancing international peace and security.

51. **Mr. Niang** (Observer for Senegal) said that the disruption to the Committee's work caused by the pandemic and the breaking of what had seemed to be a stable ceasefire in the Moroccan Sahara in November 2020 highlighted the need for a political solution to the regional dispute. His delegation supported the process being conducted under the exclusive auspices of the United Nations to achieve a just, lasting and mutually acceptable solution and considered that the Moroccan autonomy initiative would be the best way to achieve that aim. The initiative also took into consideration, in accordance with international humanitarian law, the question of refugees in the Tindouf camp.

52. The progress made by Morocco with regard to human rights, democracy, socioeconomic development and empowerment in the Moroccan Sahara demonstrated the willingness of Morocco to resolve the dispute peacefully. Morocco should also be commended for its responsible and peaceful approach to restoring free movement in Guerguerat in 2020. Senegal had established a consulate in Dakhla in April 2021.

53. His delegation urged the parties to remain engaged in the political process, in a spirit of realism and compromise, and to respect the ceasefire agreement. It also called on the international community to support the Organization's efforts in that regard, bearing in mind an end to the dispute would have a positive effect on cooperation, development and the capacity to address the significant challenges faced by the Sahel region. His delegation urged the member States of the Arab Maghreb Union to intensify their cooperation and thereby contribute to the stability and security of the Sahel.

54. **Mr. Chanfi** (Observer for the Comoros) said that his delegation welcomed the participation of elected representatives of the Moroccan Sahara in the two round-tables and the meetings of the Special Committee. Algeria, Morocco, Mauritania and Frente POLISARIO should remain engaged in the political process in a spirit of realism and compromise. His delegation supported the compromise solution represented by the Moroccan autonomy initiative. A political solution to the long-standing dispute and enhanced cooperation between the Member States of the Arab Maghreb Union would contribute to stability and

security in the region. His delegation commended the efforts of Morocco to promote development and empowerment and combat the COVID-19 pandemic in the Moroccan Sahara.

55. The Comoros had opened a consulate in Laayoune in December 2019, which would help it to support the political process that was under way. The efforts of Morocco to strengthen the role of the national human rights institution in Laayoune and Dakhla and increase its cooperation with UNHCR would help to promote peace and security. Morocco had respected the ceasefire in the Moroccan Sahara and taken peaceful action in November 2020 to put an end to the obstruction of the Guerguerat passage by armed members of Frente POLISARIO. All parties should respect the ceasefire so as not to put the stability and security of the whole region at risk.

56. His Government was deeply concerned about the situation of the population of the Tindouf camps and considered that urgent action should be taken to enable them to be registered, in accordance with international humanitarian law, the mandate of UNHCR and the relevant United Nations resolutions.

57. **Mr. Sahraei** (Observer for the Islamic Republic of Iran) said that his delegation supported the process that was under way to achieve a just, lasting and mutually acceptable political solution that would enable the people of Western Sahara to exercise its right to self-determination in accordance with the Charter of the United Nations and General Assembly resolution 1514 (XV). The parties should engage in negotiations conducted under the auspices of the United Nations, in good faith and in accordance with the principles and purposes of the Charter. The international community should ensure the implementation of the relevant resolutions and decisions on Western Sahara and support the people of the Territory in its quest for independence.

Question of Anguilla (A/AC.109/2021/2)

58. **The Chair** drew attention to the working paper prepared by the Secretariat on Anguilla (A/AC.109/2021/2).

Question of Bermuda (A/AC.109/2021/3)

59. **The Chair** drew attention to the working paper prepared by the Secretariat on Bermuda (A/AC.109/2021/3).

Question of the British Virgin Islands (A/AC.109/2021/4)

60. **The Chair** drew attention to the working paper prepared by the Secretariat on the British Virgin Islands (A/AC.109/2021/4).

Hearing of representatives of the Non-Self-Governing Territory

61. **The Chair** said that, in accordance with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

62. **Mr. Natalio Wheatley** (Deputy Premier of the British Virgin Islands) said that the British Virgin Islands was at a critical juncture in its relationship with the United Kingdom, as the Territory prepared to conduct a constitutional review. The British Virgin Islands was not being allowed to exercise the maximum degree of self-government permissible under its Constitution, and in some instances the United Kingdom had prevented the Territory's democratic political institutions from performing their constitutional functions. For instance, the United Kingdom had blocked a bill to transfer responsibility for disaster management to the elected Government of the British Virgin Islands, even though disaster management was a policy matter and, as such, fell under the purview of the Government of the Territory. The United Kingdom had refused or delayed assent to bills concerning other devolved matters, such as medical marijuana and gaming and betting, and was thus impeding efforts to diversify the local economy. While the British Virgin Islands had voluntarily made a commitment to establish public registers of beneficial ownership, despite the impact that such action could have on its economy, it did not welcome the decision by the United Kingdom to compel overseas territories that did not voluntarily do so to establish such registers.

63. In January 2021, the United Kingdom had surprised the Government of the Territory by announcing the establishment of a Commission of Inquiry to consider whether corruption, abuse of office or other serious dishonesty may have taken place among officials of the British Virgin Islands. The manner in which the inquiry was announced, and the accompanying media campaign by the British press, had created a presumption of guilt. The Caribbean Community (CARICOM) had expressed dismay at the manner in which the Commission had been established with no consultation or prior communication between the Government of the United Kingdom and the elected Government of the British Virgin Islands. Despite the efforts of the United Kingdom to damage the reputation of the Territory, the British Virgin Islands had gone to great lengths to cooperate with the inquiry. The territorial Government did not question the independence of the Commission and was in favour of a transparent inquiry. However, it was concerned that the Commission was

being hosted by the Foreign, Commonwealth and Development Office, that staff of that Office were assisting with the inquiry, and that electronic files provided by the Territory were being stored on servers at the Office. The Office was also covering the costs of inquiry, even though the Commission of Inquiry Act provided that those costs should be covered by the local Government. Despite the burdens placed on it by the inquiry, the territorial Government had continued to introduce bills aimed at enhancing good governance.

64. The Government of the British Virgin Islands had responded effectively to the threat of COVID-19, and there had been only one death thus far. Vaccines were available to all, and 40 per cent of the population had already been vaccinated. The United Kingdom had provided vaccines, test kits, personal protective equipment and technical advice. Vaccines had also been donated by Dominica. While infection rates had remained low, the country's gross domestic product had shrunk by approximately 18 per cent as a result of the loss of tourism revenue. The Government of the Territory had used its own resources to assist those in need and was working towards the reopening of the tourism sector. United Nations agencies had provided excellent support throughout the pandemic.

65. The Government of the British Virgin islands requested that the Committee send a visiting mission to the Territory in 2021 to assess the situation with regard to recovery from the damage caused by Hurricanes Irma and Maria in 2017, COVID-19, sustainable development, the constitutional review and self-determination. It also requested the Committee's assistance in educating the population on their options for self-determination.

66. **Mr. Webson** (Antigua and Barbuda) said that the Committee must help countries to free themselves from the yoke of colonialism. His Government was concerned that the United Kingdom did not seem to fully respect the right of the British Virgin Islands to self-governance in areas of constitutional responsibility reserved for the Government and political institutions of the British Virgin Islands. In particular, the peoples of the Non-Self-Governing Territories should have a say in strategies to combat the pandemic and its effects. CARICOM had recently expressed concern about the relationship between the British Government and the Government of the British Virgin Islands and the ways in which that could harm the tourism and financial services sectors in the Territory, in particular at a time when the Territory was combating the impact of the pandemic and recovering from the hurricanes of 2017. The Special Committee should respond favourably to the request for a visiting mission.

Hearing of petitioners

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

68. **Mr. Eliezer Wheatley**, speaking in his personal capacity, said that the public interest in the political future of the British Virgin Islands had been growing in recent years as the relationship with the United Kingdom had become more strained. Tensions related to the financial services sector and disaster management, together with the decision by the United Kingdom to leave the European Union, had raised questions about the future of the Territory's relationship with the United Kingdom. In response to public sentiment, the territorial authorities had begun to prepare for a constitutional review. He urged the Special Committee to assist the Territory in educating the public about the different options for achieving a full measure of self-government. To meet the goal of ending colonialism by 2030, the United Nations and the United Kingdom should make a significant effort to enable the people of the British Virgin Islands to take a decision on the political status of the territory no later than 2030. The Committee should also send a visiting mission to assess the situation on the ground.

Question of French Polynesia (A/AC.109/2021/7)

69. **The Chair** drew attention to the working paper prepared by the Secretariat on French Polynesia.

Hearing of representatives of the Non-Self-Governing Territory

70. **The Chair** said that, in accordance with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

71. **Mr. Terai** (Adviser for International, European and Pacific Affairs) said that strict lockdown measures had been implemented in French Polynesia to combat the COVID-19 pandemic, but the situation was now fully under control and infection levels remained low. The Government of the Territory had spent more than 50 million euros of its own funds on economic measures to support affected sectors, primarily tourism, during the pandemic. The country had now reopened its borders to certain tourists, with a view to generating revenue to fund assistance and social security programmes and prevent an unprecedented social and financial crisis. Longer-term plans were also in place to increase the

Territory's food and energy independence, step up the digital transition and address social deprivation.

72. French Polynesia had continued to be an active participant in regional and international affairs, including through its membership of the Pacific Islands Forum, the Pacific Community and the Pacific Regional Environment Programme and its participation in the Pacific Islands Conference of Leaders.

73. France owed French Polynesia truth, justice and respect in the matter of nuclear testing. He welcomed the willingness of the French President to engage in an open and constructive dialogue. The President's offer to chair personally the high-level round table on the issue, which would be held in July 2021, sent a strong message. The delegation of French Polynesia to the round table would comprise members of civil society organizations, political representatives and members of parliament.

74. He wished to reiterate that third parties should refrain from interfering in the internal affairs of French Polynesia. He therefore objected to paragraph 4 of the draft resolution on the question of French Polynesia (A/AC.109/2021/L.24), which referred to an independent self-governance assessment of French Polynesia that had been presented by such a third party in 2016, and which nobody in French Polynesia had seen. Nobody but the population of French Polynesia should speak to the future of the Territory, and paragraph 4 should accordingly be removed from the draft resolution. The priority for the vast majority of people in French Polynesia was economic development. As had been demonstrated through free and democratic elections, the people were not subjected to any restrictions in terms of the expression of their identity, culture, language or values and did not see French Polynesia as a Territory in need of decolonization. The Committee should consider engaging in dialogue with the Permanent Representative of France to the United Nations in New York with regard to the potential removal of French Polynesia from the list of Non-Self-Governing Territories.

Hearing of petitioners

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

76. **Mr. Corbin** (Dependency Studies Project) said that since the re-listing of French Polynesia as a Non-Self-Governing Territory in 2013, the General Assembly had adopted nine resolutions reaffirming that the Territory was non-self-governing within the meaning established by the Charter of the United Nations. There was still an asymmetrical relationship between the Territory and the

administering Power. French Polynesia did not have sovereignty over its natural resources, as France claimed that the rare earth elements found there were strategic minerals and therefore not owned by the people of the Territory. While the impact of nuclear testing in the Territory had consistently been recognized in General Assembly resolutions on French Polynesia, a recent international study had demonstrated that the effects were far more devastating than previously shown. The Secretary-General might wish to issue a report that took into account that new evidence. Furthermore, election observers had stated that changes made to the electoral system by the administering Power in 2013, whereby additional seats were awarded to the political party that won the most votes, were contrary to the principle of representative democracy.

77. The next logical step for French Polynesia would be the implementation of a genuine decolonization process through a constructive programme of work, as called for in General Assembly resolutions on the implementation of the Declaration on decolonization and requested by political and civil society leaders from French Polynesia. The process should involve political analysis, a visiting mission, the dissemination of information on legitimate options for the future political status of the Territory and, ultimately, a genuine act of self-determination. The General Assembly had a mandate to promote self-governance in the Territory, as dependency arrangements were never intended to be permanent.

The meeting rose at 6.15 p.m.