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Held at Headquarters, New York, on Monday, 10 October 2011, at 10 a.m.

Chair: Ms. Miculescu (Romania)

Contents

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

Agenda item 57: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*)*

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)*

Agenda item 59: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*)*

Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other items*) (*continued*)*

* Items which the Committee has decided to consider together.

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The meeting was called to order at 10 a.m.

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

(A/66/23 (chaps. VII and XII) and A/66/65 and Add.1)

Agenda item 57: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (*continued*) (A/66/23 (chaps. V and XII))

Agenda item 58: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*) (A/66/23 (chaps. VI and XII) and A/66/63)

Agenda item 59: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (*continued*) (A/66/68 and Add.1)

Agenda item 60: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*Territories not covered under other items*) (*continued*) (A/66/23 (chaps. VIII-XII) and A/66/260)

1. **Mr. Al-Zayani** (Bahrain) said that the declaration of successive decades for the eradication of colonialism had provided an opportunity to take stock of progress and determine the best way forward. The United Nations and, in particular, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, could claim numerous achievements. In the United Nations Millennium Declaration, contained in General Assembly resolution 55/2, Member States had rededicated themselves to support all efforts to uphold the sovereign equality of all States and the right to self-determination of peoples which remained under colonial domination and foreign occupation. The declaration in 2010 of the Third International Decade for the Eradication of Colonialism should not take away from the successes of its predecessors. He hoped that during the coming decade the United Nations and its Member States would take swift action to eradicate colonialism completely, in accordance with the Charter of the United Nations and the Charter of Economic Rights and Duties of States.

2. **Mr. Gaspar** (Timor-Leste), recalling the role played by the Committee in his country's independence, said that Timor-Leste supported the legitimate right to self-determination of the people of Western Sahara. A lasting solution to the conflict, respecting the Charter of the United Nations, international law and human rights, should be reached through direct negotiations between the Frente Polisario and Morocco under the auspices of the United Nations, in consonance with the position taken by the African Union, United Nations resolutions and the advisory opinion of the International Court of Justice. In 2010, Timor-Leste had accorded full diplomatic status to the embassy of the Sahrawi Arab Democratic Republic in Dili. He welcomed the progress made, including the negotiations between the parties and the confidence-building measures taken. However, continuance of the status quo was unacceptable and threatened regional stability. Over the course of the Third International Decade for the Eradication of Colonialism, his delegation hoped that the international community would resolve the issue of the last Non-Self-Governing Territory in Africa.

3. **Mr. Tarar** (Pakistan) said that, despite the General Assembly's repeated affirmation that it was incompatible with the Charter, colonialism had not ended with the Second International Decade for the Eradication of Colonialism, owing to a lack of political will. Administering Powers must show that political will and allow the peoples of the Non-Self-Governing Territories to exercise their right to self-determination. The United Nations should assist the Territories and raise their inhabitants' awareness of their options.

4. Guaranteed by the Charter and recognized under the human rights conventions, the right to self-determination was the fundamental principle driving all struggles against colonial domination and foreign occupation; its negation ignited conflicts and threatened peace and security.

5. In South Asia, the inalienable right to self-determination of the people of Jammu and Kashmir was recognized in several Security Council resolutions. In the interest of lasting peace and stability in South Asia, Pakistan was committed to a peaceful settlement of the dispute affecting that region. The United Nations decolonization agenda would be incomplete without resolution of the dispute.

6. The underlying cause of the Middle East conflict was the continued denial of the right to self-determination of the Palestinian people. Pakistan supported their just struggle for peace and freedom and their quest for full membership of the United Nations. A strong and viable Palestinian State could guarantee peace in the Middle East.

7. Turning to the question of Western Sahara, he expressed the hope that the parties to the dispute would, in a spirit of accommodation and goodwill, achieve a just and mutually acceptable settlement to bring peace and progress to the region.

8. **Mr. Dos Santos** (Paraguay) said that his country's position on the legitimate rights of the Argentine Republic with respect to the long-standing sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas was unwavering. The Declaration on the Malvinas Islands issued by the Heads of State of the States members and associated States of the Southern Common Market (MERCOSUR) at Potrero de los Funes in 1996, and the 1999 Asunción Declaration, called upon the parties to resolve the dispute peacefully, ending the colonial situation in the Islands. The lack of genuine progress in the bilateral dialogue between Argentina and the United Kingdom was regrettable.

9. Firm political will was required in order to reach a satisfactory settlement to the issue, taking into account Argentina's historical claims. His delegation opposed prospecting for hydrocarbons on the Argentine continental shelf by the United Kingdom, a flagrant violation of General Assembly resolution 31/49, and expressed the hope that the Argentine and United Kingdom Governments would continue to strengthen their political, economic and cultural relations with a view to resolving their dispute.

10. **Ms. Cavanagh** (New Zealand), welcoming the draft resolution on the question of Tokelau (A/66/23 (chap. XII)), recalled that the people of Tokelau had signalled in two referendums on self-determination that conditions were not yet right for constitutional change. New Zealand's and Tokelau's leaders had agreed to postpone further acts of self-determination. Reporting to the Committee in June 2011, the Administrator of Tokelau had noted that since 2008 the relationship between New Zealand and Tokelau had focused on the core requirements of the population of the atolls.

11. Tokelau had declared a national emergency owing to a severe water shortage and, together with New Zealand and other partners, including the United States of America, had been trying to resolve the crisis. For many years the Territory had faced challenges posed by its remoteness, its tiny population and the lack of resources. A national strategic plan to satisfy the people's cultural, economic and social aspirations had formed the basis of New Zealand's partnership with the Territory over the previous six months. A joint commitment for development had recently been signed, outlining New Zealand's financial assistance for a four-year period. Since 2010, progress had been made in improving infrastructure, but more needed to be done in health and education.

12. Tokelau was an observer at the Pacific Islands Forum and had recently been admitted as an associate member by the Food and Agriculture Organization of the United Nations (FAO). Tokelau's needs were primarily met by New Zealand, but the international community provided assistance through the United Nations Development Programme (UNDP) and the World Health Organization (WHO), in particular, and by contributing to the Tokelau International Trust Fund. Committed to enabling the people of Tokelau to exercise their right to self-determination, once the Territory's infrastructure and human resources could meet its needs, New Zealand would continue to report to the Special Committee on any developments.

13. **Ms. Bibalou** (Gabon) said that, at the beginning of Third International Decade for the Eradication of Colonialism, Gabon was preoccupied by the fate of the remaining Non Self-Governing Territories. Her delegation urged the administering Powers to hasten decolonization. In the case of Western Sahara, Gabon welcomed the resumption of talks between the parties to the dispute under the mediation of the Personal Envoy of the Secretary-General. Although the parties remained far apart, the Moroccan autonomy initiative provided a serious and credible basis for moving forward, as recognized in Security Council resolution 1979 (2011). Gabon agreed with the Secretary-General that the parties should negotiate in good faith and without preconditions in order to reach a just, lasting and mutually acceptable political solution.

14. Welcoming the informal meeting to be held in October 2011 under the auspices of the Personal Envoy, she said that the international community should do more to settle the dispute, which threatened

to destabilize the region and encourage criminal activities. The efforts of the Secretary-General and his Personal Envoy must be encouraged and the Committee must maintain its consensus-based approach in an effort to break the current deadlock and move towards a political solution.

15. **Ms. Lalama** (Ecuador) expressed her country's full support for the principle of self-determination, in accordance with international law and the Charter of the United Nations. Having chaired the Special Committee since February 2011, Ecuador wished to see a quick end to the decolonization process and urged the administering Powers to intensify their dialogue with the Special Committee and the Non-Self-Governing Territories.

16. Ecuador was concerned that, 50 years after the General Assembly had established the need for bilateral negotiations between Argentina and the United Kingdom to find a peaceful solution to the question of the Malvinas Islands, nothing had been done to end a colonial occupation that had lasted 178 years. The sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas illegally occupied by the United Kingdom must be resolved in the interests of the Islands' population. Ecuador denounced the illegal military activities and exploitation of non-renewable natural resources being conducted on the Argentine continental shelf by the United Kingdom. The activities violated General Assembly resolution 31/49 and were an affront to the whole region.

17. Her delegation reiterated its full support for the Sahrawi people and their right to self-determination in accordance with General Assembly resolution 1514 (XV). In recent years there had been various rounds of negotiations and the parties had reaffirmed their commitment to pursuing talks. Ecuador commended the work of the Personal Envoy and urged the parties to cooperate with the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to resume family visits by air and initiate family visits by road.

18. After more than a century of colonization by the United States of America, the people of Puerto Rico continued to struggle to exercise their legitimate right to independence and self-determination. In view of the 30 resolutions affirming that inalienable right, Ecuador

called for every aspect of the issue of Puerto Rico to be considered by the General Assembly.

19. **Mr. Touré** (Guinea) encouraged the Special Committee to intensify its dialogue with the administering Powers and to continue holding regional seminars, such as the one to be held in the Pacific region in 2012. Having made huge sacrifices in the past to liberate colonial peoples in Africa, Guinea would do all it could to eradicate global colonialism once and for all.

20. Welcoming the renewed interest taken by the United Nations in the question of Western Sahara, he commended the Secretary-General on his recent report (A/66/260) and his close cooperation with the Chairperson of the African Union Commission with a view to reaching a peaceful and lasting settlement. Appreciative of the efforts of the Personal Envoy of the Secretary-General to involve the international community, Guinea was encouraged by the fact that several rounds of informal talks had been held and by the parties' commitment to implement and strengthen confidence-building measures.

21. His delegation saw no alternative to the quest for a negotiated, just, lasting and mutually acceptable political solution, guaranteeing regional peace and stability, in which connection it supported the Moroccan initiative on autonomy. He welcomed the political will shown by the parties to move forward in order to break the current impasse. The parties should continue to cooperate with the United Nations in implementing the relevant resolutions. The Secretary-General and his Personal Envoy should pursue their efforts to achieve a peaceful solution.

22. **Mr. Komba** (Central African Republic) said that the international community must help bring about a negotiated settlement to the Western Sahara conflict. Such crises exacerbated the difficulties already facing broadly homogeneous communities and undid the efforts of developing countries. The blindly destructive violence led to loss of life, with women and children paying a high price. The Central African Republic therefore welcomed the negotiations on the Moroccan initiative and the efforts by the Secretary-General and his Personal Envoy to reach a political solution to the question of Western Sahara. Recalling the Security Council's repeated acknowledgement of Morocco's commendable efforts to negotiate an autonomous status for the Sahara region, he urged the parties to begin

substantive negotiations in order to end the impasse. His delegation supported calls for a census of the residents of the Tindouf camps and the implementation of a programme of individual interviews.

23. **Mr. Archondo** (Plurinational State of Bolivia) said that all the administering Powers should negotiate just and lasting solutions to bring colonialism quickly to an end. Recognizing that the people of Western Sahara had the right to self-determination under the Charter, his delegation supported the efforts of the Secretary-General, through his Personal Envoy, to find a just, lasting and peaceful solution that would guarantee the future development of Western Sahara and the surrounding areas.

24. Puerto Rico was a Latin American and Caribbean nation colonized by an occupying Power and should be allowed to decide its own future as an independent country with its own identity, culture and language. He called on the United States Government to open a frank and transparent dialogue that would allow the people of Puerto Rico to exercise their inalienable right to self-determination in accordance with international law.

25. His delegation supported Argentina's legitimate rights in the dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas; there was no doubt that the Malvinas Islands were and would continue to be part of Argentina's national territory. The illegal seizure of the Islands in 1833 could not be justified by any occupation by force, act of war or armed intervention; nor could the passing of 178 years erase Argentina's legitimate rights to sovereignty and territorial integrity. Negotiations were the best means of settling the dispute and any unilateral decision by the United Kingdom Government would violate international law and the Charter of the United Nations.

26. **Ms. Malenga** (Democratic Republic of the Congo) reaffirmed her country's support for the efforts of the Secretary-General, the Security Council and the international community to help the parties to the Western Sahara conflict to reach a just political solution. As called for by the Personal Envoy of the Secretary-General, the parties should take a new approach in their negotiations. The Moroccan initiative on autonomy, noted in Security Council resolution 1979 (2011), had launched a momentum that could

bring about a just, lasting and mutually acceptable settlement. She hailed Morocco's commitment not only to the negotiations but also to discussions on governance issues, including education, environment, health, natural resources and demining. The international community should seize the historic opportunity offered by the initiative to end the extremely difficult humanitarian situation facing the residents of the Tindouf camps.

27. **Mr. Vidal** (Uruguay) said that, at the start of the Third International Decade for the Eradication of Colonialism, the international community should redouble its efforts to achieve self-determination in the Non-Self-Governing Territories by promoting dialogue and cooperation between the administering Powers and their Territories. With regard to the question of Western Sahara, Uruguay defended the right of the Sahrawi people to self-determination. Talks between Morocco and the Frente Polisario must be resumed as soon as possible with a view to reaching a just, lasting and mutually acceptable political solution to the conflict. Uruguay fully supported the efforts of the Secretary-General and his Personal Envoy and urged the parties to respect human rights.

28. Uruguay had consistently supported Argentina's legitimate sovereignty claim over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, not only because Argentina was its neighbour but also because of the claim's geographical, historical and legal basis. Since the adoption of resolution 2065 (XX), the General Assembly and the Special Committee had consistently held that the question of the Malvinas Islands was a special and particular colonial situation involving a sovereignty dispute between Argentina and the United Kingdom. Accordingly, the Argentine and United Kingdom Governments should resume negotiations as soon as possible in order to find a peaceful, just and lasting solution to the dispute, in accordance with the relevant resolutions and declarations of the United Nations and the Organization of American States and the provisions of the Charter, including the principle of territorial integrity. Uruguay recognized the constructive attitude of the Argentine Government and called on the Secretary-General to continue his mission of good offices as requested in General Assembly resolutions.

29. **Mr. Kafando** (Burkina Faso) said that cooperation between the peoples of the Territories and

the administering Powers must continue, while the international community must continue to support the Territories' social and economic development.

30. He urged the international community to find a just, mutually acceptable political solution to the question of Western Sahara. The efforts of the Secretary-General's Personal Envoy to revive the political talks and build on the progress made to date were commendable. It was gratifying that despite the difficulties that had arisen during the informal talks the parties were determined to seek an acceptable solution to the question of self-determination for the people of Western Sahara. The unacceptable status quo benefited no party to the conflict, while the impasse threatened subregional and international peace and stability. His delegation reaffirmed its support for the relevant Security Council resolutions and the efforts of the Secretary-General. The Moroccan initiative for negotiating an autonomy statute for the Sahara region was an appropriate means of settling the dispute. With the international community's support, the parties must begin negotiating substantive issues, make the necessary compromises to overcome their differences and abstain from any act that might jeopardize the success of the negotiations.

31. **Mr. Ndabishuriye** (Burundi) said that his delegation supported the efforts of the Secretary-General and his Personal Envoy to reach a just, mutually acceptable and lasting solution to the issue of self-determination in Western Sahara. He welcomed Security Council resolution 1979 (2011), the information provided by the Secretary-General on the situation of refugees in the Tindouf camps and the Security Council's assessment of the Moroccan proposal for autonomy as a serious and credible initiative. Burundi congratulated the parties on the progress made and urged them to accelerate the negotiating process, in a realistic spirit of compromise, as it was the only means of achieving peace and stability in the region.

32. **Mr. Ulibarri** (Costa Rica) said that his country had always supported the decolonization process and continued to argue for enjoyment by the remaining colonial Territories of self-determination, democracy and human rights, in accordance with the Charter and relevant General Assembly resolutions. The Malvinas Islands, South Georgia Islands and South Sandwich Islands had been an integral part of Argentine territory since the independence of that country. Since 1833,

however, they had been the subject of a colonial dispute; the justice of Argentina's claim had been recognized by the General Assembly in various resolutions and supported by Latin American countries, including Costa Rica. Regional Heads of State and Government had called on the Argentine and United Kingdom Governments to resume negotiations as soon as possible in order to find a peaceful, just and lasting solution to the dispute, in accordance with the relevant resolutions and declarations of the United Nations and the Organization of American States, and the purposes and principles of the Charter, including the principle of territorial integrity.

33. With regard to the prospecting for non-renewable natural resources being conducted in the disputed area by the United Kingdom, his delegation called on the United Kingdom Government, in accordance with General Assembly resolution 31/49, to refrain from any unilateral moves that would prevent the territorial dispute from being resolved. The United Nations should help settle international disputes by supporting the values of democracy, human rights and justice. Costa Rica believed in the self-determination of peoples and the direct link between sovereignty and democracy.

34. His Government continued to argue for a just, lasting and mutually acceptable political solution to the question of Western Sahara, in accordance with international law and the relevant General Assembly resolutions, which called for a referendum on self-determination. The United Nations Mission for the Referendum in Western Sahara (MINURSO) should be mandated to monitor human rights in Western Sahara and the Tindouf camps. His delegation hoped that the Personal Envoy of the Secretary-General would secure a just solution to the conflict without delay.

35. **Mr. Emvula** (Namibia) said that, having experienced foreign domination, his country was concerned that global decolonization, yet to be completed, was allotted insufficient time on the United Nations agenda. His Government recognized the right of the Sahrawi people to peace, respect, self-determination and independence, and called upon the parties to the conflict to accelerate their negotiations with a view to holding a free and fair referendum in Western Sahara, as provided for by United Nations resolutions. Namibia supported the peoples of Western Sahara and Palestine in their just cause and hoped they would soon attain freedom.

36. **Mr. Mashabane** (South Africa) said that the United Nations remained paralysed on the question of Western Sahara, to whose people it had an obligation. He denounced the repeated violations of the Charter and United Nations resolutions by Member States and the failure of the United Nations even to provide basic information about the situation in the Territory, for which no administering Power had been named. Although the International Court of Justice and the United Nations had issued opinions in support of the Sahrawi people's right to self determination, the referendum mandated by the Security Council had not been held. The Sahrawi people must be allowed and helped to choose their own future, as was their legal right, and not have autonomy forced upon them. South Africa called for greater efforts to hold a referendum, in accordance with the position of the African Union, of which the Sahrawi Arab Democratic Republic was a credible member.

37. The lack of a settlement was holding up Africa's socio economic development and integration based on peace, security and a shared identity. In flagrant violation of international law, some Member States had been exploiting the natural resources of the Western Sahara through bilateral trade agreements. Moreover, the Security Council had ignored the worsening human rights situation and failed to protect civilians in Western Sahara, who had repeatedly suffered, most recently in events at Dakhla and the encampment at Gdim Izik. He recalled that capacity building was a crucial element of decolonization. In the absence of any progress reports on the social, economic and cultural development of Western Sahara, the United Nations must visit the Territory and provide updates on the situation on the ground.

38. **Mr. Ndong Mba** (Equatorial Guinea) said that a peaceful and balanced solution could and must be found to conflicts such as that in Western Sahara. He welcomed the ongoing negotiations, which the Security Council had described as serious and credible. It was encouraging that the Moroccan initiative on autonomy had resulted from wide-ranging national and international consultations. All parties must act in a spirit of realism, to allow the negotiations to move towards the achievement of a fair, lasting and mutually acceptable agreement. The countries involved in the conflict must show flexibility and build mutual trust. His delegation urged the parties to take advantage of

the historic opportunity and settle the conflict once and for all in accordance with the relevant resolutions.

39. **Mr. Loulichki** (Morocco) said that his Government was seeking a negotiated solution to the question of Western Sahara in accordance with the resolutions of the Security Council. The solidarity displayed by the peoples of the Maghreb constituted an eloquent appeal for the countries of the region to overcome their differences and jointly address the challenges facing them. He hoped that the democratic stirrings in the region would facilitate early resolution of the regional dispute over the Moroccan Sahara and induce the other parties to adopt a constructive attitude.

40. Having painstakingly implemented a settlement plan until it was judged inapplicable by the United Nations, Morocco had begun to explore a political solution that the other parties had done everything to thwart. In response to Security Council calls for compromise, Morocco had held national, regional and international consultations resulting in an autonomy initiative that accorded with international standards, met the population's expectations and complied with the Security Council's terms of reference. That initiative had been welcomed by the Security Council and had triggered a negotiation process in which Morocco, the Saharan population and the whole of the Maghreb placed high hopes. The Security Council had invited the parties and neighbouring States to join the negotiations in a spirit of realism and compromise, respecting the wishes of the population concerned. Morocco was ready to abide by those parameters, with the Personal Envoy's support, and negotiate a lasting political settlement. It had shown its commitment to that goal in the eight rounds of informal meetings held since August 2009. However, Morocco now wanted formal negotiations to resume and hoped that the other parties would heed the call by the Security Council and join them in the quest for a win-win solution.

41. The Security Council had called on the neighbouring countries to cooperate in order to end the current impasse. Morocco therefore welcomed Algeria's contribution to the success of the meeting in February 2011 that had allowed for the resumption of family visits and hoped it would also agree to the holding of a population census in the Tindouf camps, as requested by UNHCR and in accordance with its international obligations. Knowledge of the exact number of camp residents would allow for more transparent management of the humanitarian aid

destined for them. He reminded the Committee that what was at stake was the fate of thousands of people who since 1975 had been denied their fundamental human rights. The peoples of the Maghreb would judge the parties to the conflict by their ability to transcend their differences and end an artificial dispute.

42. Morocco's autonomy proposal was proof of its commitment to compromise and he hoped that the other parties would accept it. The residents of the Tindouf camps had been closely following Morocco's efforts to develop infrastructure and public services in the Sahara and were impatient to join their compatriots in implementing the reforms launched by the King to improve local governance, encourage the development of regional specificities and strengthen democracy.

43. The changes taking place in the Maghreb offered an opportunity to improve intraregional relations. Recent visits by Algerian and Moroccan ministers raised hopes that bilateral relations could be normalized and that the Algerian-Moroccan border might be re-opened. Reviving the Arab Maghreb Union project and improving relations between Morocco and Algeria would undoubtedly help to resolve the dispute over the Moroccan Sahara while making the five countries in the region more able to face their common security challenges. Morocco called on its fellow Maghreb countries to turn the project into reality.

44. **Mr. Benmehidi** (Algeria) said that, as the Third International Decade for the Eradication of Colonialism began, Western Sahara was the last Territory in Africa still awaiting decolonization, despite United Nations resolutions and the advisory opinion of the International Court of Justice. Working within the African Union and the United Nations, Algeria and other African States had consistently striven for the full restoration of all the legitimate rights of the people of Western Sahara and appealed for greater efforts towards the holding of a referendum to enable them to exercise their inalienable right to self-determination. Algeria stood by the people of Western Sahara, recalling that the United Nations was responsible for solving the question, in accordance with General Assembly resolution 1514 (XV).

45. Security Council resolution 1754 (2007), and subsequent resolutions, including resolution 1979 (2011), had called for direct negotiations on an equal footing between Morocco and the Frente Polisario. The different interpretations of the purpose of the

negotiations were unfounded since the Security Council had clearly called for a just, lasting and mutually acceptable political solution that would allow self-determination for the people of Western Sahara. Algeria's glorious fight for independence had historically made it a leader of liberation movements. Out of solidarity and justice, it was bound to support the right of the people of Western Sahara to self-determination and had therefore participated in the formal and informal talks as an observer and as a neighbouring State.

46. His Government would continue to contribute towards reconciliation between the Sahrawi and Moroccan peoples. Welcoming the positive momentum achieved in the negotiations by the Secretary-General's Personal Envoy and the informal talks held since August 2009 in readiness for a new round of formal negotiations, Algeria deplored the repeated stalling of talks over differences that were by no means insurmountable. Continuing to support the Secretary-General and his Personal Envoy, his country would do all it could to bring about a peaceful settlement.

47. In an era of globalization, there was a trend towards the creation of regional groupings. United by the same history and destiny, the peoples of the Maghreb were likelier than others to form such a bloc. They were aware that the construction of a peaceful and prosperous Europe had been made possible by allowing populations to exercise their right to self-determination. Algeria was determined to act in concert with its neighbours to relaunch the process of building a Maghreb united in peace, stability and prosperity. Settling the Western Sahara conflict on the basis of self-determination would pave the way.

48. **The Chair** invited the Committee to take action on the draft resolutions and the draft decision before the Committee under agenda items 56, 57, 58, 59 and 60, none of which had any programme budget implications.

Draft resolution A/C.4/66/L.3: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

49. *Draft resolution A/C.4/66/L.3 was adopted.*

Draft resolution A/C.4/66/L.5: Question of Western Sahara

50. **Mr. Kos** (Observer for the European Union), speaking also on behalf of the candidate countries

Croatia, Montenegro, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania, Bosnia and Herzegovina and Serbia; and, in addition, Georgia, Norway and the Republic of Moldova, said that the European Union supported the efforts of the Secretary-General and his Personal Envoy to achieve a just, lasting and mutually acceptable political solution that provided for the self-determination of the people of Western Sahara. Urging the parties and neighbouring States to cooperate with the Personal Envoy, it welcomed Security Council resolution 1979 (2011) and the parties' commitment to intensify the negotiations, which should be held in good faith and without preconditions, in accordance with recent Security Council resolutions.

51. The European Union supported the holding of further informal meetings and welcomed discussions on the ideas contained in the Secretary-General's report to the Security Council on the situation concerning Western Sahara (S/2011/249). The parties should cooperate with UNHCR in implementing and possibly extending confidence-building measures. The European Union welcomed the UNHCR seminar held in Madeira, Portugal, in September 2011. It remained concerned about the implications of the Western Sahara conflict for security and cooperation in the region.

52. **Mr. Zinsou** (Benin) welcomed the progress made on the question of Western Sahara and the clarity and objectivity of the Secretary-General's report (A/66/260), and in particular its highlighting of the importance of continued United Nations engagement to break the deadlock in the negotiations. The parties should make full use of the historic opportunity thus presented.

53. His delegation was concerned by the violations of military agreement No. 1, and urged the parties to establish direct communication channels in the context of military verification mechanisms concerning alleged violations and other matters of common interest. In consultation with UNHCR, the parties should also facilitate expansion of the family visits programme. Progress in that area would improve the atmosphere ahead of the upcoming informal talks.

54. His delegation supported the efforts of the Secretary-General's Personal Envoy to facilitate progress in those talks on the key aspects of the conflict. The overriding interest of the Sahrawi people

should motivate all parties to be realistic and reach a negotiated settlement in good faith under the auspices of the international community. For its part, the international community must explore solutions and so address the emerging threats that jeopardized the stability of the region.

55. The Moroccan autonomy proposal, aimed at securing a consensus-based solution, deserved serious consideration. The proposal had been put forward in the context of efforts to build a modern, democratic society based on the rule of law, freedom and socio-economic development, promising reconciliation and a better future for all. The Sahrawi people would be guaranteed full participation within Morocco, with their own legislative, executive and legal institutions. The Moroccan State would retain its competence in matters relating to defence and external relations and in respect of constitutional and religious questions.

56. He recalled that the General Assembly and Security Council had endorsed the Moroccan autonomy proposal, which gave full expression to the right to self-determination. He hailed the willingness of the parties to resume negotiations and Algeria's willingness to work with them on any agreement on confidence-building measures and human rights matters. The parties should make full use of the informal talks to overcome their differences and put an end to the suffering of the Sahrawi people. The risk of prolonged destabilization in the region could be addressed only if the question of Western Sahara was resolved quickly.

57. *Draft resolution A/C.4/66/L.5 was adopted.*

Draft decision A/C.4/66/L.4: Question of Gibraltar

58. *Draft decision A/C.4/66/L.4 was adopted.*

Draft resolution IV: Question of New Caledonia (A/66/23 (chap. XII))

59. *Draft resolution IV was adopted.*

Draft resolution V: Question of Tokelau (A/66/23 (chap. XII))

60. *Draft resolution V was adopted.*

Draft resolution VI: Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands (A/66/23 (chap. XII))

61. **The Chair** recalled that the draft resolution had been orally revised by the Rapporteur of the Special Committee at the Committee's 2nd meeting.

62. *Draft resolution VI, as orally revised, was adopted.*

63. **Ms. Pedrós-Carretero** (Spain) said that, whereas Spain supported the principle of self-determination with regard to draft resolution VI, in certain cases the principle of territorial integrity applied to the decolonization process, as was the case of Gibraltar. In accordance with the General Assembly's mandate, Spain wanted the dispute over Gibraltar to be settled once and for all through negotiations with the United Kingdom, in which the interests and aspirations of Gibraltar would be heard.

64. **Mr. Díaz Bartolomé** (Argentina) expressed his country's support for the right to self-determination of the peoples in all 11 Territories considered in draft resolution VI, in accordance with the principles of the Charter, the Declaration on decolonization and the relevant General Assembly resolutions. Accordingly, he reiterated the need for the administering Powers, the governments of those Territories and the United Nations to ensure that the populations of those Territories were made aware of their right to self-determination through civic education. However, in accordance with General Assembly resolution 1514 (XV), self-determination was not the only principle applying to decolonization; the principle of territorial integrity also applied in certain cases, such as that of the Malvinas Islands. All resolutions on the question of the Malvinas Islands had explicitly defined it as a special and particular colonial situation. In that context, Argentina reiterated its willingness to resume negotiations with the United Kingdom to settle the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

65. **Ms. Allum** (United Kingdom) said that since her country supported the right to self-determination it had joined the consensus on draft resolution VI. However, it found the draft resolution partly unacceptable in that it failed to reflect the modernization of the relationship

between the United Kingdom and its Overseas Territories. It was a mutually acceptable relationship, based on partnership, shared values and recognition of the right to self-determination. In particular, the draft resolution did not reflect the progress made in the Turks and Caicos Islands where, following wide consultations, a new Constitution had been agreed upon. It would enter into force and elections would be held in the Territory in 2012, provided certain conditions were met. The draft resolution made no reference to the new Constitution that had entered into force in Montserrat in September 2011, an event that her delegation welcomed. She reiterated the United Kingdom's position that the peoples of the Falkland Islands and Gibraltar had the right to self-determination.

66. **Mr. Ragutthalli** (India), speaking in exercise of the right of reply, said that the comments made by the representative of Pakistan with reference to Jammu and Kashmir were unwarranted and irrelevant. The State of Jammu and Kashmir was an integral part of India, whose Constitution protected the fundamental rights of all its citizens. The people of Jammu and Kashmir had expressed their will in free and fair elections.

67. **Mr. Andrabi** (Pakistan), speaking in exercise of the right of reply, refuted the claim by the representative of India that his own comments about Jammu and Kashmir were irrelevant. For 63 years, the people of Jammu and Kashmir, which was not and never had been an integral part of India, had been denied the right to self-determination. In accordance with several United Nations resolutions, binding on both India and Pakistan but yet to be implemented, Jammu and Kashmir was a disputed territory whose final disposition was to be made in accordance with the will of its people. No electoral exercise conducted by India could replace an expression of the people's will through a free and impartial plebiscite conducted under the auspices of the United Nations.

68. **Ms. Allum** (United Kingdom), speaking in exercise of the right of reply to the statements by the representatives of the Plurinational State of Bolivia, Costa Rica, Ecuador, Paraguay and Uruguay, said that the United Kingdom had no doubt about its sovereignty over the Falkland Islands, South Georgia and South Sandwich Islands. Her Government attached great importance to the principle of self-determination as set out in the Charter and the International Covenant on Civil and Political Rights. There could be no

negotiations on the sovereignty of the Falkland Islands unless and until such time as their inhabitants so wished.

69. The United Kingdom's relationship with all its Overseas Territories was a modern one, based on partnership, shared values and recognition of the right to self-determination. Democratically elected representatives of the Falkland Islands had again reminded the Special Committee of the historical facts that the Falkland Islands had no indigenous people and that no civilian population had been removed before their people had settled the Falkland Islands in 1833. Expressing their wish, in accordance with their right to self-determination, that the status of the Falkland Islands should remain unchanged, they had deplored the illegal measures taken by the Argentine Government to restrict their transport links and access to free trade. The government of the Falkland Islands was entitled to develop fishing and hydrocarbons industries within its territorial waters in accordance with the International Covenant on Civil and Political Rights. The United Kingdom would continue to defend the rights of the people of the Falkland Islands to determine their social and economic future.

70. **Mr. Díaz Bartolomé** (Argentina), speaking in exercise of the right of reply to the statement by the representative of the United Kingdom, reiterated his Government's position that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were an integral part of Argentine territory and that they were the subject of a sovereignty dispute between Argentina and the United Kingdom, as had been recognized repeatedly by the international community. The illegal occupation by the United Kingdom had led to the adoption of successive General Assembly and Special Committee resolutions, all of which urged the two Governments to resume negotiations in order to find a peaceful, lasting solution to the dispute. That position had also been repeatedly endorsed by the Organization of American States.

71. Argentina deplored the attempts by the United Kingdom to distort the historical facts of its illegal occupation since 1833, the subject of repeated protests by Argentina ever since. That distortion revealed the United Kingdom's uncertainty as to its alleged sovereignty over the Malvinas Islands. General Assembly resolution 2065 (XX) had established that the only way to settle the dispute was through the resumption of bilateral negotiations in order to find

without delay a just, peaceful and lasting solution to the dispute, and the two countries had made an unequivocal commitment to reaching an amicable settlement. By complying with that resolution, the United Kingdom would be demonstrating the lawful and responsible behaviour that it demanded of the rest of the international community.

72. Instead the United Kingdom justified its occupation solely on the basis of the right to self-determination, which it invoked exclusively in relation to the Malvinas Islands, even though that principle did not apply to the dispute. His delegation deplored the attempts by the United Kingdom to raise the hopes of the population of the Malvinas Islands with regard to the illegal exploitation of Argentina's natural resources. The rights of the people of the Malvinas Islands were adequately protected by international law and the Argentine Constitution. Finally, he reaffirmed Argentina's legitimate right to national sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

The meeting was suspended at 12.55 p.m. and resumed at 1 p.m.

73. **The Chair** said that owing to technical difficulties with the voting machine the Committee would defer taking action on the outstanding draft resolutions.

The meeting rose at 1.10 p.m.