



# General Assembly

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Special Committee on  
Decolonization  
9<sup>th</sup> Meeting (AM)

### **SPECIAL COMMITTEE ON DECOLONIZATION RECOMMENDS GENERAL ASSEMBLY REITERATE CALL**

#### **FOR RESUMPTION OF NEGOTIATIONS OVER FALKLAND ISLANDS (MALVINAS)**

##### **Members Approve Text after Hearing Petitioners, Argentine Foreign Minister**

After hearing petitioners on the question of the Falkland Islands (Malvinas) as well as a statement by the Foreign Minister of Argentina, the Special Committee on Decolonization recommended today that the General Assembly reiterate its call for direct negotiations between Argentina and the United Kingdom over that Non-Self-Governing Territory.

According to a draft resolution that the Special Committee approved by consensus, a peaceful and negotiated settlement of the sovereignty dispute between Argentina and the United Kingdom was the only way to end the special and particular colonial situation of the Falkland Islands (Malvinas). The Assembly would therefore take note of the views expressed by the President of Argentina and express regret that the implementation of resolutions on the Falklands Islands (Malvinas) had not yet started. Also by that text, the Assembly would request that both Governments consolidate the current process of dialogue and cooperation.

By other terms of the draft resolution, the Assembly would acknowledge the special and particular colonial situation of the Falkland Islands (Malvinas), which differed from others in light of the sovereignty dispute. Presenting the text, Chile's representative said it reflected the main elements of the doctrine formulated by the United Nations over the years with regard to the Falklands (Malvinas) question.

He expressed support for Argentina's sovereignty rights, citing the position of Latin American and Caribbean countries that the issue must be resolved definitively. Highlighting a special communiqué on the Malvinas question by the Nineteenth Ibero-American Summit of Heads of State and Government at the end of 2009, he stressed that "the upholding of colonial situations well into the twenty-first century is an anachronism that must end".

Addressing the Special Committee prior to its action on the draft, Héctor Timerman, Argentina's Minister for Foreign Affairs, International Trade and Worship, reiterated his country's "inalienable and imprescriptible rights" over the Malvinas, South Georgia and South Sandwich Islands, as well as surrounding maritime islands. He recalled the forcible expulsion of the Territory's Argentine population by the United Kingdom in 1833, and efforts to prevent their return, emphasizing that the current population had not been subjected to a colonial Power and therefore could not possess the right to self-determination.

Considering both Argentina's willingness to negotiate and the United Kingdom's refusal to do so, he said the administering Power considered itself beyond the opinion of the international community and the United Nations. Even more worrisome was the United Kingdom's standing as a permanent member of the Security Council, he said, stressing that "its arguments in favour of a peaceful solution are far from credible if it refuses to assume its own international obligations". Given that, he noted that his country attached great importance to the role of the Secretary-General in encouraging resumed negotiations.

As the Special Committee took up the hearing of petitioners, Emma Edwards, a Member of the Legislative Assembly of the Falkland Islands (Malvinas), called upon Argentina to recognize and adhere to previously signed agreements, saying the Territory's people were willing to discuss several important issues, but not sovereignty. She called into question the Special Committee's classification of the Territory as a "special and particular colonial situation", citing "politics" as a major impediment to the defence of Islanders' rights.

She said Argentina's clear desire to claim the Territory was supported by several members of the Special Committee. However, given that the Islanders had repeatedly stated their opposition to becoming part of Argentina, the Special Committee would be going against the purpose, spirit and principles of General Assembly resolution 1514 if its members supported the draft resolution before them.

Gavin Short, another Member of the Legislative Assembly, emphasized that the Islands were an overseas Territory of the United Kingdom by choice. While self-governing in all sectors except defence and foreign affairs, the Falklands (Malvinas) were still the target of aggressive and bullying action from Argentina. As for the negotiations called for in the draft resolution, he said Argentina interpreted such discussions as a means to "take over my home and turn it into what would be to all intents and purposes a colony of Argentina".

He stressed that Argentina's claims of having inherited the Falklands (Malvinas) from Spain were historically and factually incorrect, as were its claims that Argentine nationals were not allowed into the Territory. Following Argentina's 1982 invasion, peaceful coexistence had been re-established and agreements had been signed on the conservation of fisheries, hydrocarbons, and information sharing on preserving fish stocks in the South-West Atlantic. However, Argentina had later dismissed those agreements and issued a decree which contravened internationally binding treaties, he said.

Uruguay's representative, speaking on behalf of the Southern Common Market (MERCOSUR), reaffirmed the bloc's support for Argentina's legitimate rights in the sovereignty dispute. Underscoring the necessity of resumed bilateral negotiations, he urged the United Kingdom to comply with the relevant resolutions and cooperate with the already-willing Argentina.

Other petitioners addressing the Special Committee today were Guillermo Raimundo Clifton, Alejandro Beatts and Nelson Daniel Gleadell.

Also delivering statements were representatives of China, Cuba, Syria, Russian Federation, Indonesia, Venezuela, Bolivia, Ecuador, Nicaragua, Sierra Leone, Mali, Tunisia, Mexico (as host country for the First Latin America and Caribbean Unity Summit), Brazil and Guatemala.

The Special Committee will reconvene at 10 a.m. tomorrow, Friday, 25 June, to take up the question of Tokelau and other pending matters.

### Background

The Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples met this morning to hear petitioners on the question of the Falkland Islands (Malvinas). Before members was a working paper prepared by the Secretariat (document A/AC.109/2010/15) outlining constitutional and political developments, as well as progress on mine clearance, economic and social conditions, and the Territory's future status, among other things.

A new constitution was approved in 2008, entering into force on 1 January 2009, the working paper says. According to the administering Power, the new document, as compared with the 1985 Constitution, enhances local democracy, establishes a greater degree of internal self-government and provides more transparency and accountability. By its terms, the Governor, with the advice and consent of the Legislative Assembly, may make laws for the peace, order and good government of the Territory, but full power to make laws is reserved for the British Crown.

On 6 November 2008, the paper states, the Government of Argentina protested against a "unilateral act" by the United Kingdom "whereby it claims to have adopted a new 'constitution' for the Malvinas Islands", in disregard of General Assembly and Special Committee resolutions, and in "violation of the spirit of the provisional understandings under the sovereign formula" reached by Argentina and the United Kingdom. The United Kingdom responded by rejecting those assertions on 3 December 2008, the paper states, adding that both Governments reiterated their respective positions during 2009 and 2010.

The paper says that on 28 November 2008, the Ninth Meeting of States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction — better known as the Ottawa Convention — decided by consensus to grant the United Kingdom an extension, until 1 March 2019, to complete mine clearance. Subsequently, the United Kingdom decided to clear four mined areas. In October 2009, it signed a contract with a private company, making arrangements to set up a demining project office to carry out quality control and assurance checks so as to ensure that the land was cleared safely and to the required depth. That work had already begun and was slated for completion by

April 2010.

In its final report, adopted on 4 December 2009, the Convention's Second Review Conference granted Argentina's request for an extension of its deadline for destroying anti-personnel mines in the affected areas, until 1 January 2020, according to the working paper. The representative of the United Kingdom noted, in a letter to the General Assembly President dated 25 September 2008, that the Falkland Islands are not a colonial enclave, and that their inhabitants have chosen to retain their link with the United Kingdom. There can be no negotiations on the Territory's sovereignty unless the islanders wish to do so. In his New Year's message to the Territory for 2010, Prime Minister Gordon Brown restated his commitment to the islanders' right to self-determination, saying he had expressed those sentiments in two meetings with President Cristina Fernández de Kirchner of Argentina in 2009.

According to the paper, President Fernández, in her address to the General Assembly on 23 September 2008, referred to the situation where a "colonial enclave, our Malvinas Islands" persisted without the possibility of addressing the question of sovereignty with the United Kingdom, as called for in many Assembly resolutions. She said that, following a humanitarian request, the Governments of Argentina and the United Kingdom had agreed that family members with loved ones buried on the islands would be permitted to visit in order to pay tribute to those who had fought for their homeland. At a meeting of the Special Committee on 18 June 2009, Jorge Taiana, Argentina's Foreign Minister, reiterated his country's inalienable rights over the Malvinas Islands, South Georgia, and the South Sandwich Islands and surrounding maritime areas, unlawfully occupied by the United Kingdom through an act of force.

By the terms of the draft resolution before the Special Committee (document A/AC.109/2010/L.15), the General Assembly would reiterate that the way to end the special and particular colonial situation of the Falkland Islands (Malvinas) is through a peaceful negotiated settlement of the sovereignty dispute between the Governments of Argentina and the United Kingdom. It would take note of the views expressed by the President of Argentina, and express regret that implementation of resolutions on the Falkland Islands (Malvinas) question has not yet started, in spite of widespread international support for negotiations between the two Governments. Further by that text, the Assembly would request that the two Governments consolidate the current process of dialogue and cooperation by resuming negotiations in order to find a peaceful solution as soon as possible.

#### Petitioners

EMMA EDWARDS, Member of the Legislative Assembly of the Falkland Islands (Malvinas), said the Territory enjoyed a healthy democracy and the role of the United Kingdom-appointed Governor had recently been limited to advising on issues of good governance, foreign affairs and defence. Argentina had undertaken many efforts to hinder the development of the Territory's economy, she said, calling on that country to recognize and adhere to previously signed agreements. The Islanders were willing to discuss important issues with Argentina, but against talks on sovereignty.

Calling into question the Special Committee's classification of the Falkland Islands (Malvinas) as a "special and particular colonial situation", she said politics was a major impediment to the defence of the Islanders' rights. In that regard, she urged the Special Committee to make an important distinction between upholding politics and defending human rights, noting that Argentina had spoken many times on the international stage about the liberty, equality, and self-determination of its own people, yet did not afford the Islanders the same rights.

It was clear that Argentina wished to claim the Territory against its people's wishes, she said, noting that several members of the Special Committee supported that claim, which went against what it stood for. Recalling that the people of the Falkland Islands (Malvinas) had stated clearly, within the Special Committee, that they did not wish to be part of Argentina, she said that, by pursuing its sovereignty claim over the Territory, Argentina sought to colonize its people. In supporting the current draft resolution, which did not reflect a need to respect the Islanders' right to self-determination, the Special Committee, would be going against the purpose, spirit and principles of General Assembly resolution 1514, she concluded.

GAVIN SHORT, Member of the Legislative Assembly of the Falkland Islands (Malvinas), described himself as a sixth generation Islander, and emphasized that the Islands, far from being colonized, were an overseas Territory of the United Kingdom by choice, and had even been encouraged by the United Kingdom to become ever more independent internally. The Islands were self-governing in all aspects, except defence and foreign affairs, although they were free to negotiate and trade with whomever they wished, he said. However, the Islands were being targeted by an aggressive, bullying neighbour — Argentina.

The draft resolution referred to negotiating a solution to the sovereignty problem, he said. "For me there is no 'problem' to find a solution to. For Argentina, on the other hand, the word 'negotiation' has only one

meaning: that they take over my home and turn it into what would be to all intents and purposes a colony of Argentina,” he said, asking the United Nations to respect the Islanders’ right to self-determination. He also criticized Argentina’s representative for having quoted resolution 31/49 (1097) to further his country’s unfounded claims and limit the Islanders’ ability to develop their economy, while paying no attention to the fact that in 1982 Argentina had invaded and subjected the Islanders to 74 days of oppression, and at times brutality, prior to the restoration of their freedom.

He said one myth around the dispute was that the Islands, formerly part of Spain, had been inherited by Argentina and, therefore, the principle of territorial integrity should apply. That was historically and factually incorrect, he said, noting that prior to 1883, France, the United Kingdom, Spain and Argentina had all claimed sovereignty over the Islands. Another myth was that Argentine nationals were not allowed into the Islands, yet there was no provision in the Territory’s immigration ordinance preventing them from going there. In the past two years, more than 5,000 Argentines had visited the Islands from cruise ships and more than 600 by air, he said, adding that they had all been granted visitors’ entry permits.

The Islanders had formed their own identity over the last 177 years and would “like nothing better than to have a peaceful coexistence with Argentina”, he said. After Argentina’s 1982 invasion, a peaceful coexistence had been established and agreements had been signed on the conservation of fisheries, hydrocarbons, and information sharing to preserve fish stocks in the South-West Atlantic. However, pragmatism had later been flung aside and the aggressive posturing had returned, he said. Argentina had torn up those agreements, opting instead to issue a decree, which, if enforced, would interfere with shipping to and from the Islands through international waters, and which contravened internationally binding treaties.

GUILLERMO RAIMUNDO CLIFTON, addressing the Special Committee as the grandson of a person born in the Malvinas Islands, noted that problems in the production sector of Argentina’s Patagonia region — deteriorating natural resources, increasing production costs and lack of markets, among others — were similar to those experienced in the Malvinas and could be solved in cooperation. Furthermore, the concerns of the Territory’s inhabitants could be addressed if the United Kingdom complied with United Nations resolutions with regard to sovereignty over the Malvinas, South Georgia and the South Sandwich Islands, he said, noting that the draft resolution before the Special Committee today urged the United Kingdom and Argentina to resume bilateral negotiations.

The expulsion of the Argentine population by the United Kingdom in 1833 meant that the current inhabitants of the Malvinas were not a native population with a lawful relationship to the Territory, he said. In that regard, the current inhabitants were “beneficiaries” of colonialism uninterested in resolving the issue through bilateral negotiations. Citing the basis of Argentina’s claim, he said Spain’s sovereignty had derived from the papal concession and occupation of territories in the Southern Atlantic, which the United Kingdom had recognized via several treaties and actions.

Spain had been in possession of the Malvinas from 1764 to 1811 and had placed the Territory under the jurisdiction of the Province of Buenos Aires in 1776, he recalled. Argentina, in taking up the rights and obligations inherited from Spain, had peacefully and exclusively occupied the Territory until its expulsion by the United Kingdom in 1833. The United Kingdom could, therefore, not invoke the right of first occupant, he said, stressing that its “brief, clandestine occupation” in 1766 and its use of force in 1833 could only be presented as a “plain exercise of British imperialism”.

ALEJANDRO BEATTS said that, as a native of the Malvinas, he disagreed with the views expressed by the speakers from the Legislative Assembly, adding that the colonial administration did not accept the existence of political parties or diverging views. It was merely a spokesperson for the London-based administration. The current Legislative Assembly had 13 members, including 5 from the Malvinas.

Pointing out that 60 per cent of the Territory’s 2,900 inhabitants were native-born, he said people born elsewhere should not be able to decide unilaterally what they wanted. Legal documents showed that Argentina’s historical claim to sovereignty was legitimate and that of the United Kingdom was not. To date, the islands were used to train the British troops that had intervened in Afghanistan and other countries. The current generation of Islanders must not be burdened with an unsolved issue, he said, emphasizing that, as the Second International Decade for the Eradication of Colonialism (2001-2010) came to end, there must be direct action to resolve the issue.

NELSON DANIEL GLEADELL, after outlining his family’s history, urged the Special Committee to continue to encourage dialogue between Argentina and the United Kingdom, which should be undertaken with a view to finding a “fair and lasting solution” to the sovereignty dispute, the persistence of which was not consistent with the seamless links between the islands and Patagonia. He called on the Governments of Argentina and the United Kingdom to cooperate.

## Statements

The representative of Chile introduced the draft resolution “Question of the Falklands Islands (Malvinas)” (document A/AC.109/2010/L.15), saying it reflected the main elements of the doctrine formulated by the United Nations over the years with regard to that question. The text acknowledged the special and particular colonial situation, which differed from others due to the existence of a sovereignty dispute between the Argentine Republic and the United Kingdom.

He said the text also specified that the only way to end that dispute was a negotiated settlement, expressing regret that, despite the time spent and numerous resolutions adopted to date, direct diplomatic negotiations had not begun. Expressing support for Argentina’s sovereignty rights over the islands, he said that, for Latin America, the issue must be resolved definitively. That sentiment had been expressed in the December 2009 meeting of the Southern Common Market (MERCOSUR) and at the February 2010 Latin America and Caribbean Unity Summit.

Additionally, the General Assembly of the Organization of American States, held in Lima on 8 June, had adopted resolution AG/DEC.65, “Declaration on the Question of the Malvinas Islands”, he said. The XIX Summit of Heads of State and Government of the Ibero-American community, held at the end of 2009, had issued a special communiqué on the Malvinas question. “The upholding of colonial situations well into the twenty-first century is an anachronism that must end,” he said, reiterating that “there are no valid reasons to delay the resolution of the Malvinas question” and appealing to the concerned parties promptly to resume effective negotiations.

HÉCTOR TIMERMAN, Minister for Foreign Affairs, International Trade and Worship of Argentina, reiterated once more his country’s “inalienable and imprescriptible rights” over the Malvinas, South Georgia and South Sandwich Islands, as well as surrounding maritime islands. The Territory had been unlawfully and forcibly occupied by the United Kingdom since 1833, he said, noting that it had expelled the Islands’ Argentine inhabitants, who had peacefully exercised the rights they had inherited from Spain. That forceful act was “further reflection of the imperialistic policy developed by the great Powers” of the nineteenth century, he said.

Argentina had never consented to that action, he emphasized, noting that, while the United Kingdom had prevented Argentines from settling on or owning their lands in a discriminatory and systematic manner, his own country had always encouraged an open-door policy. Since the Territory’s current “transplanted British population” could not be considered victims of colonial power, they could not have a right to self-determination, he said, cautioning that it would be dangerous to accept a precedent whereby a time lapse could assign rights to an administering Power despite protests by deprived peoples.

He said that when the United Kingdom refused to negotiate with Argentina — invoking the self-determination principle of resolution 1514 (XV) and alleging that it would not do so if its occupiers did not wish it — it sought to take advantage of the resolution to perpetuate an anachronistic colonial situation. He recalled that, in 1985, following two attempts by the administering Power to invoke the principle of self-determination, the international community had ratified the inapplicability of that principle. Further, the United Nations had consistently reiterated since 1965 its appeal for both parties to negotiate.

Underscoring the Argentine Government’s willingness to negotiate the dispute and to cooperate with the United Kingdom on the situation in the South Atlantic, he said the administering Power considered itself beyond the opinion of the international community, as well as that of the United Nations. Such an attitude was even more worrisome when expressed by a permanent member of the Security Council, which was responsible for maintaining international peace and security. “Its arguments in favour of a peaceful solution are far from credible if it refuses to assume its own international obligations,” he added.

In that regard, Argentina attached great importance to the role that the Secretary-General could play in bringing both parties back to negotiations, he said, noting that his country actively considered the interests of the Territory’s current population. As for the situation in the South Atlantic, he pointed to the United Kingdom’s “unilateral and unlawful” decision to exploit the non-renewable resources of the Argentine continental shelf in waters surrounding the Malvinas Islands. Expressing concern about the United Kingdom’s illegal military base in the Territory, he urged the Special Committee to support a call for resumed negotiations.

The representative of China, stressing the consistency of his country’s position, said the settlement of territorial disputes through peaceful negotiations was in line with the United Nations Charter and must be promoted by the international community. China hoped that the Governments of Argentina and the United Kingdom would continue their negotiations to find a peaceful solution at an early date. He supported the draft

resolution before the Special Committee.

The representative of Cuba, expressing support for the Argentine Minister's statement, pointed out that the Special Committee had approved 44 draft resolutions, 11 of which had subsequently been adopted by the General Assembly. The issue must be resolved, he stressed, adding that he admired the way in which Argentina had pursued its just claim. It was ready to recover the Islands through negotiations, in accordance with the resolutions of the Special Committee and the Assembly. However, despite repeated appeals, the two sides were not close to a definitive solution.

Reiterating his country's unrestricted support for Argentina's legitimate right of sovereignty over the Territory, he said: "The Malvinas Islands are and will continue to be Argentine." Cuba called for a fair, effective solution that respected Argentina's territorial integrity, as well as the interests of the Islanders, and on the United Kingdom to respond positively to Argentina's request for the reactivation of substantive bilateral talks to resolve the matter in a just, peaceful and definitive way as soon as possible. Meanwhile, there should be no unilateral acts that could alter the situation on the Islands, he said.

The representative of Syria, welcoming Minister Timerman, hailed the historic and close ties between his own country and Argentina, saying that the Minister's participation in the discussion underscored that country's sincere and serious efforts to reach a peaceful solution to the sovereignty dispute. His presence also showed the importance that Argentina attached to the Special Committee's work and the need to respect international sovereignty rights and achieve greater democracy.

Emphasizing that Argentina's position was in keeping with that of the "Group of 77" developing countries and China, he said the Government of Syria, therefore, supported the Minister's presentation, as well as the draft resolution before the Special Committee. Approving it by consensus would assert the international community's role in resolving the situation through peaceful means, he said, stressing that the pursuit of dialogue between Argentina and the United Kingdom would lead to an appropriate settlement and guarantee territorial integrity.

The representative of the Russian Federation said her Government supported the draft resolution and hoped it would be adopted without a vote, adding that there was a need for a just, mutually acceptable solution in the context of bilateral negotiations.

The representative of Indonesia stressed that uniform criteria could not be applied to every colonial situation since each was unique. While the positions of Argentina and the United Kingdom clearly differed, both Governments should resume accelerated negotiations for an agreement in the best interest of the Territory's people, he said.

He emphasized his country's full acknowledgement of the growing relationship between Argentina and the United Kingdom, calling on them to return to negotiations, in line with the relevant resolutions, as soon as possible. Indonesia supported the draft resolution and hoped it would be approved by consensus, he added.

The representative of Venezuela reiterated his full support for and solidarity with Argentina's just demand for sovereignty over the Falkland Islands (Malvinas), South Georgia and South Sandwich Islands, as well as surrounding maritime areas. Resuming bilateral negotiations was the appropriate way to achieve a peaceful, just and lasting solution to the dispute over Argentina's sovereignty rights and the United Kingdom's violation of them, thereby resolving an anachronistic colonial situation. The Special Committee was dealing with a "special and particular" decolonization case, he reiterated, noting that President Hugo Chávez had expressed in various statements his strong, determined and fraternal support for Argentina's legitimate rights.

He pointed to other forums that had urged a speedy resolution to the dispute in support of Argentina's position, including the Union of South American Nations, the Summit of South American and Arab Countries, and the Summit of South American and African Countries, among others. Heads of State at the 2009 Ibero-American Summit had reaffirmed the need for the two Governments concerned to resume negotiations as soon as possible in order to find an early solution to the dispute. Venezuela encouraged the Secretary-General to continue to use his good offices to bring the two parties together and expressed hope that the draft resolution before the Special Committee would be approved by consensus.

The representative of Bolivia, endorsing the statement to be made on behalf MERCOSUR, said the United Kingdom had invaded the Malvinas in 1883, and one could not invoke the principle of self-determination in that case. One must invoke the principle of sovereignty. The dispute reaffirmed that multilateralism was becoming a driving force in matters concerning the integrity of States, he said, describing the matter as one of regional importance, as recalled during the recent MERCOSUR meeting in Montevideo. A solution must be

found as soon as possible, he reiterated, stressing the importance of preventing obstructionism and overcoming divisions. Bolivia had co-sponsored the draft resolution, which warranted the support of all members of the Special Committee, he said, calling for its unanimous approval.

The representative of Ecuador, expressing support for the draft resolution, noted with regret that negotiations to resolve the sovereignty dispute had not taken place. Ecuador supported Argentina's legitimate right to sovereignty over the Malvinas, he said, underscoring that country's readiness to negotiate a peaceful solution. All relevant Assembly resolutions must be implemented because they recognized the Territory's unique colonial situation, he said, adding that since calls for the United Kingdom to participate in bilateral negotiations had gone unheeded for 45 years, it was to be hoped that it would soon respond to such appeals and work towards negotiating a peaceful and lasting solution.

The representative of Nicaragua, describing Argentina's sovereignty over the Territory as "unquestionable", stressed that the colonial situation must end. The United Kingdom, having usurped the Malvinas by force in 1833, had expelled its Argentine inhabitants and blocked their return. Nicaragua shared the view of other Latin American countries, as well as that of the international community, that negotiations were the only way to reach a peaceful solution to the dispute. Highlighting Argentina's consistent readiness to undertake negotiations, he said the United Kingdom's illegal actions to exploit the Territory's natural resources contributed nothing to resolving the dispute. Reaffirming his country's unconditional support of Argentina's legitimate right, he urged the United Kingdom to resume negotiations for an early, fair, just and equitable solution.

The representative of Sierra Leone affirmed her country's commitment to its long-held position that the sovereignty dispute between Argentina and the United Kingdom should be resolved through a peaceful, negotiated settlement. Urging an early resumption of bilateral negotiations on the matter, she recalled that, in Assembly resolution 637 (Vii), Member States collectively decided to uphold the self-determination of all peoples, and committed to recognizing that principle as a prerequisite for the realization of fundamental human rights.

She cautioned, however, that any solution that failed to embrace the Islanders' aspirations would be inconsistent with paragraph 2, Article 1, as well as Article 73 (b) of the United Nations Charter. In that context, and as the world prepared for the Third International Decade for the Eradication of Colonialism, set to begin in 2011, Sierra Leone reiterated its support for the Islanders' basic human right to self-determination. Subjecting people to foreign domination was a denial of their fundamental human rights and violated their fight to determine freely their political, economic, social and cultural status, she said.

The representative of Mali said his country enjoyed excellent relations with Argentina and the United Kingdom, and expressed regret that their dispute had yet to be resolved. Calling on both parties to create conditions conducive to the resumption of negotiations, he said he fully supported the draft resolution and hoped it would be approved by consensus.

The representative of Tunisia expressed his country's hope that the draft resolution before the Special Committee would win unanimous approval, and that Argentina and the United Kingdom would resume negotiations for a solution was in keeping with the relevant Assembly resolutions.

The representative of Uruguay, speaking on behalf of the Southern Common Market (MERCOSUR), said the bloc and its associated States reaffirmed their support for Argentina's legitimate rights in the sovereignty dispute, the same position expressed in the Declaration of MERCOSUR Presidents in 1996 and 1999, as well as in successive joint communiqués adopted during its meetings. More recently, the bloc had renewed its commitment to Argentina's position in a joint communiqué adopted on 8 December 2009.

While recognizing and supporting the Organization's decolonization process, he noted that decolonization and self-determination were not synonymous. The only way to end the sovereignty dispute over the Malvinas Islands was to resume negotiations between both parties, he said, highlighting Argentina's "permanent" willingness to do so, and urging United Kingdom to comply with the relevant resolutions calling for such negotiations.

The representative of Mexico (as host country for the First Latin American and Caribbean Unity Summit) read out the Declaration on the Question of the Malvinas Islands, adopted by Heads of State and Government at the Latin America and Caribbean Unity Summit last February, in which the region's leaders reaffirmed their support for Argentina's legitimate rights in its sovereignty dispute with the United Kingdom. Both Governments should resume negotiations in order to reach, as soon as possible, a just, peaceful and definitive solution to the dispute. With regarding to the Treaty of Lisbon modifying the Treaty of the European Union and the Constitutive Treaty of the European Community, she said the inclusion of the Malvinas in the "Association of Overseas

Countries and Territories” regime was incompatible with Argentina’s legitimate rights and with the sovereignty dispute over the archipelagos.

The representative of Brazil, supporting Argentina’s legitimate rights in the sovereignty dispute, said she regretted the lack of progress in restarting negotiations on all aspects of the Islands’ future. Brazil recognized the constructive attitude of the Argentine Government and reaffirmed its interest in a prompt resumption of negotiations. She supported the good offices of the Secretary-General on the matter. She underlined the Declaration adopted by the Union of South American Nations, in which Heads of State and Government rejected the United Kingdom’s exploration for non-renewable natural resources on the Argentine continental shelf, in open opposition to Assembly resolution 31/49, which called on the two parties not to unilaterally alter the Islands while the process recommended by the Assembly was taking place.

The representative of Guatemala said the colonial situation in the Malvinas was defined as “special and particular” because it bore characteristics largely distinguishing it from classical cases of decolonization. Taking that into account, the United Nations had brushed aside the application of the principle of self-determination, and it was to be hoped that the Governments of Argentina and the United Kingdom would renew bilateral negotiations as soon as possible.

Argentina had always shown a desire to resolve the dispute in line with United Nations resolutions, he said, expressing hope that the United Kingdom would do the same, with a view to arriving at a peaceful solution of benefit to both parties. Concerned about the unilateral actions carried out by the United Kingdom in areas of the Argentine continental shelf and in violation of the stipulations contained in Assembly resolution 31/49, he said that concern had been reaffirmed in February by Heads of State and Government during the Latin America and Caribbean Summit. Hopefully the Special Committee’s new call for a peaceful, negotiated solution to the dispute would contribute to the clear goal held by the United Nations on the matter since 1965.

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