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

Summary record of the 2nd meeting

Held at Headquarters, New York, on Monday, 15 June 2015, at 10 a.m.

Chair: Mr. Lasso Mendoza (Ecuador)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Organization of work (A/AC.109/2015/L.2)

2. **The Chair** drew attention to the programme of work (A/AC.109/2015/L.2) and the updated version circulated. He reminded the Committee that the delegations of Algeria, Argentina, Brazil, Colombia, El Salvador, Guatemala, Kenya, Lebanon, South Africa, Spain, Uruguay, the Observer State of the Holy See and the United Nations Children's Fund (UNICEF) had indicated their wish to participate in the work of the Committee as observers. The delegations of Ghana, Mexico, Morocco, Nigeria and the Republic of Korea had also requested to participate in the work of the Committee.

Requests for hearing (Aides-memoires 01/15, 02/15, 03/15 and 04/15)

3. **The Chair** drew attention to aides-memoires 01/15, 02/15, 03/15 and 04/15 relating to the Special Committee decision of 23 June 2014 concerning Puerto Rico and the questions of Gibraltar, New Caledonia and Western Sahara, respectively. With regard to the Special Committee decision concerning Puerto Rico, the Committee had received a substantial number of requests for hearing, and he took it that the Committee wished to accede to those requests.

4. *It was so decided.*

Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations (A/70/67 and A/AC.109/2015/L.3)

5. **The Chair** drew attention to the report of the Secretary-General pertaining to the transmittal of information from the administering Powers called for under Article 73 e of the Charter of the United Nations (A/70/67), as well as to a draft resolution on the issue (A/AC.109/2015/L.3).

Draft resolution A/AC.109/2015/L.3

6. *Draft resolution A/AC.109/2015/L.3 was adopted.*

Question of the dissemination of information on decolonization (A/AC.109/2015/18 and A/AC.109/2015/L.4)

7. **Mr. Tisovszky** (Department of Public Information), introducing the report of the Secretary-General on the dissemination of information on decolonization during the period from April 2014 to March 2015 (A/AC.109/2015/18), said that, during the reporting period, the Department had issued 35 press releases on decolonization in English and French, which covered relevant meetings, statements and hearings by various United Nations bodies, including the General Assembly, the Economic and Social Council, the Fourth Committee and the Special Committee on decolonization.

8. The United Nations Radio units and the United Nations News Centre portal continued to highlight United Nations activities on issues related to decolonization and to the Non-Self-Governing Territories, in all six official languages as well as in Portuguese and Kiswahili on United Nations Radio, and on social media platforms such as Facebook and Twitter. The coverage had also included the 2015 session of the Special Committee on decolonization and the call by the Secretary-General for innovative and practical ways to implement the decolonization process. Furthermore, United Nations News Centre stories on decolonization had been picked up by an array of external websites around the world, including media outlets, news aggregators and educational and non-governmental organizations.

9. The United Nations Information Centre in Canberra had provided media support to the 2014 Pacific regional seminar of the Special Committee on decolonization. The Information Centre had covered the daily meetings of the seminar and the Meetings Coverage Section had written and disseminated press releases. The Department continued to maintain and update the website on the United Nations and decolonization in the six official languages, which had registered more than 290,000 page views during the reporting period. Activities and issues related to decolonization were also highlighted through other special web pages maintained by the Department.

10. United Nations Television and United Nations Photo had covered all formal open meetings of the Special Committee on decolonization and related press conferences, as well as relevant sessions of the Fourth

Committee, in addition to the adoption of the reports of the Committee in the General Assembly plenary meetings. Video coverage of those meetings, as well as other events related to decolonization, had also been made available live and on demand on the United Nations Web TV website, where a total of 32 videos on that subject could be accessed on demand.

11. The Dag Hammarskjöld Library had continued to handle a steady demand for research and information services on the subject of decolonization. The Library was digitizing and uploading important United Nations documents on decolonization to the Official Documents System of the Organization, making an increasing number of documents accessible online while ensuring the preservation of the original versions. In 2014, the focus had been on the reports of the Fourth Committee from the early 1950s.

12. As requested in paragraph 1 of General Assembly resolution 69/106, the Department had continued to update the leaflet *What the United Nations Can Do to Assist Non-Self-Governing Territories*, which summarized the activities of various United Nations entities and bodies in support of the 17 Non-Self-Governing Territories. A revised edition of the leaflet had been scheduled for release soon.

13. As the public voice of the Organization, the Department of Public Information worked closely with the Decolonization Unit of the Department of Political Affairs to disseminate information about decolonization. Using both traditional and new information and communications technologies, it continued to highlight the need for immediate and full implementation of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960. The work of the Special Committee on decolonization, which was the intergovernmental body exclusively devoted to advancing the United Nations decolonization agenda, remained at the centre of the Department's outreach activities with media, civil society and educational institutions.

14. **Mr. León González** (Cuba) said that the dissemination of information on issues related to decolonization was extremely important and his delegation was pleased that the Department of Public Information was using both traditional and new means of communication. However, the availability of webcasts in the six official languages had been a problem in recent years. Given the importance of those

webcasts for maintaining transparency, his delegation wished to know whether meetings were currently being broadcast in all official languages.

15. **Mr. Tisovszky** (Department of Public Information) said that he would confirm with colleagues in which languages the webcast was available and stressed that the availability of webcasts in all six official languages was an issue on the agenda of both the Committee on Information and the Department of Public Information.

16. **Mr. Kamara** (Sierra Leone) said that his delegation welcomed the very important work that the Department of Public Information was doing in disseminating information on the work of the Committee. Given that knowledge was power, his delegation wondered whether it would be possible for Member States to engage with the Department more so that the work of the Committee could be better translated at the national level. In many States the public was not aware of what the Committee was doing and it would be useful if the various media outlets at the national level could work with the Department to raise public awareness of the work of the Committee.

17. **Mr. Tisovszky** (Department of Public Information) said that the Department had 63 United Nations information centres around the world, spanning some 140 countries, and those centres were working to connect the work of the United Nations to local populations and to different constituents including the media, academia, and governmental and non-governmental entities. It was through that local level of representation that the Department promoted the work of the Organization, built knowledge and established support for the work of the United Nations including in the specific field of decolonization issues. The 70th anniversary of the Organization was an ideal opportunity to look back and look ahead, and one of the issues that the information centres were focusing on was decolonization.

18. **Ms. Benhabouche** (Observer for Algeria) said that the decolonization process in the remaining Non-Self-Governing Territories should be completed in a manner that allowed the people to freely choose their future. Member States and international organizations should cooperate with the Committee to ensure that it brought a speedy end to colonialism in accordance with its mandate. Her delegation was seriously concerned and frustrated at the lack of progress that

had been made in resolving the remaining cases of colonialism. There was no alternative to the full implementation of the principle of self-determination, which was a basic principle embodied in the Charter of the United Nations and recognized as a fundamental human right in both international and regional instruments.

19. The United Nations had the primary responsibility to ensure the emancipation of the Non-Self-Governing Territories and put an immediate end to illegal occupation and domination, and the Special Committee had the specific responsibility to keep the situation of the 17 Non-Self-Governing Territories still on its agenda under continuous review. The dissemination of information on decolonization was among the tools that should be used to achieve the immediate and full implementation of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples.

20. Her delegation was deeply concerned at the way that the important issue of decolonization was being handled in relation to the Western Sahara, the last colony in Africa, and sought information from the Secretariat on any activities that were being carried out to disseminate information on that specific case. It was deplorable that the report of the sole visit conducted by the Committee to Western Sahara in 1975 was not available on the website of the Committee. Her delegation also had concerns about the papers that had been presented by some experts at the regional seminar of the Committee and posted on its website. General Assembly resolution 69/106 specified the nature of the documents that should be posted on the United Nations website, and her delegation was concerned that the experts segment of the regional seminar had included presentations by retired Secretariat personnel. The Committee should examine that situation in depth.

21. In its resolution 69/106, the General Assembly had requested the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to take measures through all available media, including publications, radio and television, as well as the Internet, to publicize the work of the United Nations in the field of decolonization. Her delegation was therefore disappointed at the lack of webcast coverage of the opening meetings of the 2015 session of the Committee and wished to know the reasons for the failure to comply with that resolution. Lastly, the

dissemination of information on decolonization should be broader and should cover the decolonization process in each of the 17 Non-Self-Governing Territories, and her delegation hoped for less restrictive information in future reports of the Secretary-General.

22. **Mr. Tisovszky** (Department of Public Information (DPI)) said that he would look into the matters raised by the representative of Algeria and respond at a later time.

23. **Mr. Kadiri** (Observer for Morocco) said that the remarks made by the representative of Algeria clearly identified the main party behind the various regional disputes in Moroccan Sahara. That issue was one of national sovereignty and territorial integrity. Morocco had been divided into several territories, and had only been able to gradually recover its territorial integrity after reaching an agreement with the various colonial powers. Having raised the issue of the territory in 1963, then under Spanish rule, it was clearly understood that the matter was between Morocco and Spain; and yet, even after decolonization took place, Algeria's hostile attitude and persistent desire to deny Morocco's inalienable right to territorial integrity and national unity, as well as Algeria's desire to exercise control over the territory in question, led to the matter's continued existence on the agenda. Algeria's attitude, in the face of major existing risks, including criminal and terrorist threats, jeopardized the prosperity of the populations and region in question. Until Algeria assumed its responsibilities, there could be no solution. That country claimed to defend the right to self-determination; however, on 2 November 2001 it had proposed to the personal envoy of the Secretary-General that the territory and its population be partitioned, a proposal that Morocco had rejected. His Government had presented a credible proposal for self-determination, one sanctioned by the relevant Security Council resolutions since 2007.

24. **Mr. Cousino** (Chile) recalled that the standard language used in Committee resolutions referred to the region in question as Western Sahara. Changing the appellation of a territory changed the manner in which it was perceived.

Dissemination of information on decolonization (A/AC.109/2015/18 and A/AC.109/2015/L.4)

25. **Ms. Ambiehl** (Decolonization Unit, Department of Political Affairs (DPA)), accompanying her

statement with a digital slide presentation, said that her Department's work had been carried out in close cooperation with all relevant entities, in particular the Department of Public Information (DPI). Areas in which the two collaborated closely included the maintenance of the dedicated decolonization website, preparation of the Secretariat Working Papers on each of the Non-Self-Governing Territories under the purview of the Committee, and support to the annual regional seminar. During that year's seminar, a DPI press officer had prepared daily press releases, which were disseminated on the aforementioned website. Also available on the website were statements made at the seminar.

26. The Decolonization Unit maintained a roster of relevant contacts as a means to widen the network of formal and informal exchanges on decolonization issues. That roster was also important to the preparation of the aforementioned annual seminars as well as the Working Papers. The Unit also responded to queries on decolonization issues. Both traditional and new information and communication technologies would continue to be used to disseminate information on decolonization. For example, the Department of Public Affairs (DPA) web magazine informed the public about upcoming decolonization events. DPA was also an active participant on social media platforms. The public could also access the dedicated decolonization website, which was maintained in the six official languages.

27. **Ms. Rubiales de Chamorro** (Nicaragua) welcomed the presentation made by the Chief of the Decolonization Unit of the Department of Political Affairs. She encouraged the Department of Public Information and the Decolonization Unit to continue their work. Though there was much to be done during the seventieth anniversary of the United Nations, there was a team ready and concerned about decolonization issues with whom progress could be achieved.

28. **Mr. Kamara** (Sierra Leone) encouraged continued synergy between the Departments of Public Information and Political Affairs in the provision of information.

29. **Mr. León González** (Cuba) said that the remarks made by the representative of the Department of Political Affairs complemented his earlier statement with regard to the importance of disseminating information, in particular the work done in the regional

seminars. He welcomed the new website which, alongside more traditional means, would contribute to the dissemination of the Committee's work.

30. **Mr. Maleki** (Islamic Republic of Iran) thanked all the parties involved in the success of the 2015 Caribbean Regional Seminar in Managua, Nicaragua. He requested that it be made possible to download high resolution photos of the event from the relevant website.

31. **Mr. Hamed** (Syrian Arab Republic), **Mr. Maleki** (Islamic Republic of Iran) and **Mr. Cousino** (Chile) said that they were satisfied with the successful outcome of the Caribbean Regional Seminar held in Managua, Nicaragua from 19 to 21 May 2015.

32. **Ms. Benhabouche** (Observer for Algeria) said that while efforts had been made to maintain the Committee's website, its main page continued to feature a link to the 2014 session despite the fact that the 2015 session was well under way. The delegation wondered why, if the 17 Non-Self-Governing Territories on the Committee's agenda were to be dealt with on a case-by-case basis, each Territory did not have its own webpage.

Draft resolution A/AC.109/2015/L.4

33. *Draft resolution A/AC.109/2015/L.4 was adopted.*

Question of sending visiting missions to Territories (A/AC.109/2015/L.5)

34. **Mr. Sarufa** (Papua New Guinea) said that the draft resolution under consideration (A/AC.109/2015/L.5) contained no reference to invitations for visiting missions that had been made at the recent seminar in Managua.

35. **Ms. Ukabiala** (Secretary of the Committee) said that such information would be included in the report of the seminar, which the Committee would consider in a subsequent meeting. Draft resolution A/AC.109/2015/L.5 had been circulated in advance for comments, but there was still time for delegations to propose changes or additions to the text.

36. **The Chair** said that what was most important to the Committee was transparency. The delegation of Papua New Guinea should not fail to submit its observations, especially if they served to enrich the draft resolution.

37. **Mr. Maleki** (Islamic Republic of Iran) said that, while some territorial Governments had issued invitations at the Managua seminar, no administering Power had taken that step. While it was doubtful that territorial peoples or Governments were empowered to make invitations, administering Powers were encouraged to issue invitations for visiting missions. However, expressions of desire by Territories to host visiting missions should be included in the report, not the draft resolution.

38. **Ms. Benhabouche** (Observer for Algeria) said that, at the meeting devoted to Western Sahara at the Managua seminar, the representative of Western Sahara formally invited the Committee to send a visiting mission to the territory. The invitation was received with great appreciation and large support by the seminar's participants, as forty years had elapsed since the Committee's previous visit to Western Sahara and the settlement process was locked in a stalemate.

39. **Mr. Kadiri** (Observer for Morocco) said that the Security Council remained seized of the matter of Western Sahara and the appointed Personal Envoy of the Secretary-General and the Special Representative of the Secretary-General were trustworthy sources of information on the situation there. A visiting mission to the Territory would therefore be counterproductive and would hinder the political process.

40. **The Chair** said that in the light of Papua New Guinea's expressed intent to seek amendment of [A/AC.109/2015/L.5](#), consideration and approval of the draft resolution would be postponed.

Question of Gibraltar (A/AC.109/2015/13)

41. **The Chair** informed the Committee that the delegation of Spain had indicated its wish to participate in the Committee's consideration of the item. He drew attention to the working paper prepared by the Secretariat on the question of Gibraltar ([A/AC.109/2015/13](#))

Hearing of representatives of the Non-Self-Governing Territory

42. *At the invitation of the Chair, Mr. Picardo (Chief Minister, Gibraltar) took a place at the Committee table.*

43. **Mr. Picardo** (Chief Minister, Gibraltar) said that Gibraltar had repeatedly requested the Special

Committee to give an opinion on whether under the Territory's 2006 Constitution the people of Gibraltar had attained a level of political autonomy that warranted the delisting of the Territory by the Committee, but these requests had been met with deafening silence. The Committee represented and owed its sacred trust to the colonial peoples of the remaining Non-Self-Governing Territories. Yet, despite the comment by the Chair in the previous year that pessimism was not called for, there was a notable lack of progress on the decolonization of Gibraltar.

44. The conclusions reached on the Territory at the recent Managua seminar were inaccurate and needed to be amended to state, for example, that Gibraltar remained strongly committed to the trilateral process of dialogue. The policy favouring the creation of a quadripartite process was not the agreed position of all parties, but of only one party, the Kingdom of Spain. Moreover, it was disappointing that Mr. Ignacio Ybáñez, Spain's State Secretary for Foreign Affairs, had met privately with the Chair to discuss the latest developments in Gibraltar, given that Spain was neither the administering Power nor the representative of the colonial people of Gibraltar. The Chair should provide the Chief Minister with an opportunity to meet privately in order to discuss the latest real developments in Gibraltar.

45. As on previous occasions, Gibraltar invited the Chair to visit the Territory. Pursuant to General Assembly resolution 69/107, the Committee was required to dispatch visiting missions as they were an effective means for ascertaining the situation in the Territories and the wishes and aspirations of their inhabitants. To facilitate such a visit, an open airline ticket from New York to Gibraltar would be provided so that Gibraltar's reality could be seen and understood. He urged the Committee to do the work of decolonization in Gibraltar in partnership with all stakeholders, making it an example for the rest of the world.

46. *Mr. Picardo withdrew.*

47. **The Chair** said that there was nothing clandestine about his meeting with Mr. Ignacio Ybáñez of Spain. The resolutions of the United Nations provided the basis for his work, which precluded his having any biases, and there was no reason for him to act without full transparency. His role as Chair obligated him to meet with a seemingly limitless

number of people of all points of view, origins, and interests. Accordingly, he would be delighted to meet with the Chief Minister of Gibraltar to hear his point of view, and thanked the Chief Minister for the air ticket despite the fact he would not use it.

48. **Mr. Gutiérrez Blanco Navarrete** (Observer for Spain) first spoke on a point of order, referring to the previous speaker's mention of Mr. Ybáñez, the State Secretary for Foreign Affairs of Spain. He asked that the record reflect Spain's fervent opposition to the speaker's remarks about Mr. Ybáñez and the Government of Spain.

49. The Committee should consider the various situations before it on a case-by-case basis, seeking pragmatic solutions where possible, in accordance with United Nations doctrine. The opinion of the population was an important factor in achieving decolonization, except where there was a dispute regarding the rights of another State. Colonial territories and administering Powers must initiate a dialogue aimed at dissolving or transforming colonial ties without delay.

50. In some cases, the inhabitants of a Territory gave up their political independence, in agreement with the colonial Power, so long as their economic stability was guaranteed. Such colonialism by consent was utterly unacceptable, especially when it came at the expense of the legitimate rights of another State and those of the original inhabitants of the colony, as in the case with Gibraltar.

51. The United Kingdom had occupied Gibraltar in 1704, expelling the original inhabitants. Subsequently, it had artificially populated the territory with people brought from different locations and had enlarged it by illegally seizing land not ceded under the Treaty of Utrecht. It should also be noted that Spain had not ceded territorial waters; what the United Kingdom described as illegal incursions into British waters were in fact the routine activities of Spanish ships in Spanish waters.

52. The United Nations had repeatedly recognized that the colonial situation of Gibraltar undermined the territorial integrity of Spain, as was clear from General Assembly resolution 2353 (XXII). The administering Power itself had acknowledged that the independence of its colony was not possible without the consent of Spain. Accordingly, a negotiated solution was required, involving the return of territory that the United Kingdom had occupied in violation of international

law. For years, the United Nations had called for bilateral dialogue, but the administering Power had refused to hold discussions with Spain on the future of Gibraltar.

53. Spain's difficulties with Gibraltar had intensified since 2012, when the local authorities of Gibraltar had stopped applying an informal agreement between the previous authorities and Spanish fishermen. The local authorities were also implementing a policy of territorial expansion into Spanish waters. Moreover, those authorities were not properly cooperating in combating all forms of illicit trafficking, particularly tobacco smuggling. The increase in such smuggling had forced Spain to intensify surveillance in the waters and the border around Gibraltar. In November 2013, the European Commission had found that, contrary to claims by the United Kingdom, Spain's border checks did not violate European Union legislation.

54. In addition, in its July 2014 report, the European Union Anti-Fraud Agency had acknowledged that Gibraltar was maintaining a discriminatory and opaque tax system that caused great damage to the Spanish economy and the public finances of the European Union. The unilateral and provocative attitude of the Gibraltar authorities made it more urgent than ever to put an end to the colonial situation.

55. Calling for the resumption of bilateral dialogue with the United Kingdom, Spain expressed confidence that the two States will be able to find creative formulas to resolve their differences while taking into account the interests of the people of Gibraltar. Under no circumstances, however, would the Government of Spain accept the current situation in which the administering Power and the colony ignored Spain's legitimate rights.

56. Despite the stalling of the Brussels process and the repeated provocations by the local authorities in Gibraltar, Spain stood ready to engage in regional cooperation with the goal of creating a constructive atmosphere of mutual trust that would benefit Gibraltar. In 2004, Spain had spearheaded the Forum for Dialogue on Gibraltar as a cooperation and confidence-building initiative that would pave the way for negotiations on sovereignty. However, the Forum process had been blocked in 2010 as a result of the Gibraltar local government's insistence on using discussions on technical issues and local cooperation to advance its sovereignty claims. The Government of

Spain had proposed to the United Kingdom a new framework for regional cooperation which, unlike the former “Trilateral Forum”, included the participation of both Gibraltarian and Spanish local authorities.

57. The work of the Special Committee, in Spain’s view, was crucial, as was the need to respect established United Nations procedures on decolonization. The Committee should therefore not remove from the list of Non-Self-Governing Territories any Territories that had not been decolonized pursuant to its own criteria.

Hearing of petitioners

58. *At the invitation of the Chair, Mr. Buttigieg (Self-Determination for Gibraltar Group) took a place at the petitioners’ table.*

59. **Mr. Buttigieg** (Self-Determination for Gibraltar Group) said that it was regrettable that Gibraltar still had to advocate its right to self-determination and seek removal from the United Nations list of colonies. It was sad that in an era of increased European and world cooperation the Territory was still ignored by the Special Committee on Decolonization. Furthermore, it was appalling that Gibraltar’s position had been wrongly stated at the Managua seminar.

60. Gibraltar repeated its long-standing request that the Committee recognize Gibraltar’s inalienable right to self-determination and renewed its government’s invitation to the United Nations to send a visiting mission. If the Committee were to do so, it would see that the Gibraltar issue was not a case to be resolved bilaterally by the United Kingdom and Spain. The people of Gibraltar should have a voice and be allowed to freely and democratically choose their own political status. All they were asking for was to be recognized as a people with the right to decide their future for themselves.

61. In Gibraltar’s view, the previous speaker’s comment that the Chief Minister of Gibraltar had spoken with a lack of respect for the Spanish Secretary of State for Foreign Affairs was inexplicable. Past Foreign Ministers of Spain had referred to the people of Gibraltar in far more disrespectful terms without triggering any response from the Committee or moving it to organize a visiting mission to the Territory to verify Spain’s claims. While the invitation by the Chair for the Chief Minister to meet privately with him was important, sending a visiting mission to Gibraltar would be even more significant, given that, without

such a visit, the people of Gibraltar could reasonably think that the United Nations was shirking its responsibilities.

61. Although the Kingdom of Spain had previously supported the right of peoples to self-determination, it continued to press a territorial claim based on the belief that territorial integrity should prevail over the rights of the Gibraltarian people, even though they were integrated within the European Union, of which both Spain and the United Kingdom were members.

62. Spain’s current accusations that Gibraltar was harbouring mafias and organized criminals engaged in tobacco smuggling belied the fact that Spain had failed to acknowledge that in previous months its own authorities had made unprecedented levels of arrests in Spanish territory across the border from Gibraltar, which suggested that the organized criminals were actually operating there.

63. *Mr. Buttigieg withdrew.*

The meeting rose at 1:00 p.m.