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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 8th meeting

Held at Headquarters, New York, on Thursday, 21 June 2018, at 10 a.m.

Chair: Mr. Webson. (Antigua and Barbuda)
later: Ms. Rodríguez Camejo (Vice-Chair) (Cuba)

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The meeting was called to order at 10.10 a.m.

Question of the Falkland Islands (Malvinas)
(A/AC.109/2018/6; A/AC.109/2018/L.8)

1. **The Chair** drew attention to the working paper prepared by the Secretariat on the question of the Falkland Islands (Malvinas) (A/AC.109/2018/6) and to a draft resolution on the issue (A/AC.109/2018/L.8).

Hearing of petitioners

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

3. **Mr. Hansen** (Legislative Assembly of the Falkland Islands) said that he was a seventh-generation Falkland Islander whose ancestors had arrived some 175 years earlier. His name was of Scandinavian origin, and many other Scandinavians had also made the Falklands their home over many years. It was impossible to comprehend how the inhabitants of the Falklands could be referred to as an implanted population sent from the United Kingdom. More than 3,500 people from over 60 countries lived and worked on the Falkland Islands, which had an inclusive and multicultural society. The Argentine claim to the Islands was unfounded and unwelcome.

4. Falkland Islanders wished to be left to their own devices to continue developing their country. Indeed, they had expressed that desire in a 2013 referendum, in which 99.8 per cent of the 92 per cent turnout had voted in favour of retaining their current political status as an overseas territory of the United Kingdom. He could not understand why any country would wish to deny another territory or people the fundamental human right to self-determination — a right enshrined in the Charter of the United Nations, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Moreover, the United Nations had never explicitly stated that that right did not apply to Falkland Islanders, in whose Constitution it featured prominently.

5. Although relations between the United Kingdom and Argentina were better than they had been in years, Argentina maintained its sovereignty claim over his country, whose people had no desire to change their way of life. Falkland Islanders made their own laws and directly regulated all industry activities within their Territory. The fisheries industry contributed around 44 per cent of gross domestic product and over £18 million annually to Government revenues, and the agriculture and tourism sectors continued to flourish.

Responsible legislation for hydrocarbons was in place to protect the environment while offshore exploration activities were conducted, and the government of the Falkland Islands worked closely with scientific and conservation partners to preserve natural resources for future generations. The population of the Islands continued to increase, and spending on capital projects to develop infrastructure and essential services had reached an all-time high.

6. The Territory was a country, not a colony. It received no direct financial aid from the United Kingdom apart from defence, itself a necessity only because Argentina maintained its unfounded claim over the Islands. Assertions that Falkland Islanders were not a people amounted to a position contrived to deny them the right to self-determination.

7. The Committee was invited to visit the Falkland Islands to bear witness to the political, social and economic developments he had described, and was asked to ignore the false claims put forward by the Government of Argentina and to support the Islanders' wishes to remain an overseas territory of the United Kingdom.

8. **Mr. Edwards** (Legislative Assembly of the Falkland Islands) said that the Falkland Islanders met all the requirements for self-determination set out in the Charter of the United Nations and the terms for delisting under the fourth option set out in General Assembly resolution 2625 (XXV). Over 185 years, the inhabitants of the Islands had grown politically, economically and culturally into a people in their own right.

9. There was no truth to claims that the population of the Falkland Islands had been implanted by the administering Power to further its colonial aspirations and that Argentine settlers had been expelled militarily. The territorial integrity of Argentina was not being breached, and the South West Atlantic was not being militarized. The Argentine claim to the Falkland Islands had not been continuous but had instead been based on Spanish succession, which the United Kingdom had never accepted. Subsequent Argentine leaders had accepted that the claim had been effectively ended by treaty in 1850.

10. No one could accuse Falkland Islanders, a diverse cultural mix comprising some 60 nationalities, of being an implanted population. While the Territory had initially been settled as a colony, its status had changed over the years. In a 2013 referendum, 99.8 per cent of Falkland Islanders who had voted had expressed their wish to remain an overseas territory of the United Kingdom. Moreover, since the adoption of its new constitution in 2009, the Territory had been effectively

self-governing and economically self-sufficient, paid no dues to its sovereign Power and passed its own laws. The United Kingdom maintained a military presence sufficient to deter any erstwhile aggressor and consulted with the local government on foreign affairs.

11. The Committee had not dared to accept his government's long-standing invitation to visit the Falkland Islands. One Committee member had even claimed that a visit would be unnecessary, given that the question of the Falkland Islands was merely a sovereignty dispute, begging the question of why the Territory remained on the Committee's agenda. He reminded the Committee that its sole responsibility was to the people of Non-Self-Governing Territories.

12. The existence of a British overseas territory over 300 miles off the coast of Argentina could not be interpreted as a threat to that country's territorial integrity. Falkland Islanders were a peaceful, hardworking people wishing to develop their country and preserve its environment for future generations. The Argentine Government's less aggressive rhetoric under a new administration did not alter that country's ambition — enshrined in its very Constitution — to colonize the Falkland Islands. Nevertheless, the change in tone had made talks on fisheries conservation possible and had led to a partial or total lifting of sanctions against his country's industries. In addition, the joint project led by his government to identify the unknown soldiers buried in the cemetery at Darwin had enabled family members of the deceased to visit their graves.

13. The fundamental right to self-determination must be upheld in the case of the Falkland Islands, a Territory populated by a unique island people that had expressed its clear wish to remain an overseas territory of the United Kingdom.

14. **Mr. Vernet**, speaking in his personal capacity as an Argentine citizen, as the great-great-grandson of the first Argentine governor of the Malvinas Islands, Luis Vernet, and as a living testimony to the Argentine citizens who had peacefully inhabited the Islands before being expelled by force, said that he had come to the Committee to call for a solution to the sovereignty dispute between the United Kingdom and Argentina so that the Islands could be restored to the Argentine Republic.

15. The Argentine Republic had inherited its rights over the Malvinas Islands from Spain, whose uncontested rule over the Islands had ended in 1810. In 1823, the Government of Buenos Aires had granted Luis Vernet a permit to raise livestock in the Malvinas Islands, one of the many acts establishing Argentine

sovereignty over the Islands. Vernet had relocated to the Malvinas Islands with his family and, in 1828, secured the ownership of vacant lands in exchange for a commitment to establish a permanent settlement there. The legitimacy of that Argentine settlement had been acknowledged in the 1825 Treaty of Friendship, Trade and Navigation concluded between the United Kingdom and the United Provinces of the Río de la Plata, which had taken possession of the Malvinas Islands in 1820. For its part, Great Britain had neither objected nor staked any claim to the Islands at that stage, yet in 1829 it had protested the appointment of Luis Vernet as Governor of the Islands as incompatible with British rights over those Islands.

16. By 1831, the Malvinas Islands had been transformed into a prosperous, stable colony by the arduous efforts of Luis Vernet and his community of Argentine settlers. The British usurpation of the Islands and the displacement of their Argentine population in 1833 were common knowledge. Representatives of the Malvinas Islands now came before the Committee seeking international recognition and demanding the right to self-determination in what they called their own country, but those people were merely the descendants of the illegal occupiers of the Islands. The international community should instead back the Argentine people, which had been subjected to the British colonial onslaught. The Committee could not uphold the right to self-determination with respect to the Malvinas Islands, given that their inhabitants were not a people under colonial rule but rather a settlement of citizens of the United Kingdom, which was one of the countries involved in the ongoing sovereignty dispute over the Islands. The Islands, not their inhabitants, were under colonial rule.

17. The time had come for the United Kingdom to resolve its sovereignty dispute with the Argentine Republic, taking into account the interests of the islanders. To that end, the self-proclaimed representatives of the Islands must relent in their intransigence. An amicable solution that was respectful of the rights of both parties would be a shining example of constructive international cooperation.

18. **Mr. Patterson**, speaking in his personal capacity as an Argentine citizen, said that Argentina had maintained a firm position on the Malvinas Islands since 1833, continuously affirming its sovereignty over the Islands and rejecting the British occupation. Nevertheless, it had never prevented inhabitants of the Islands from integrating into mainland Argentine society. While Argentina had made visible efforts to comply with General Assembly resolution 2065 (XX), the United Kingdom, which had periodically changed

the justification behind its claim to sovereignty, had not. The Argentine Government and people had maintained their tradition of respecting the lifestyle, culture and values of all their territory's inhabitants. However, the United Kingdom had refused to resume dialogue on the issue of sovereignty, thereby hindering the implementation of the relevant United Nations resolutions.

19. The British Government's grounds for refusal to resume dialogue, especially its argument that the transfer of sovereignty would force the Islands' people to become Argentine, were baseless. Argentina had a tradition of respecting its people's human rights; for example, there was a population of Welsh origin living in Patagonia that had managed to blend into Argentine society while maintaining its traditions.

20. The years that had followed the restoration of democracy in 1983 had been a period of renewal and political change, and yet there had been no change in his country's position with respect to the interests of the islanders. At one time, Argentina and the United Kingdom had enjoyed a fruitful relationship, including on matters of common interest pertaining to the Islands. The lack of progress with regard to the question of the Malvinas Islands was incomprehensible. The ongoing restoration of the relationship between the two countries and the Argentine Government's long-standing commitment to respecting the interests of the islands' inhabitants should create conditions conducive to relaunching negotiations. Time and again, his country had demonstrated its willingness to negotiate; it was now up to the United Kingdom to comply with United Nations resolutions and return to the negotiating table to find a definitive solution to the protracted sovereignty dispute.

Draft resolution A/AC.109/2018/L.8: Question of the Falkland Islands (Malvinas)

21. **Mr. Skoknic Tapia** (Chile) introducing draft resolution [A/AC.109/2018/L.8](#) on behalf of the sponsors, said that the text acknowledged the established United Nations position on the peaceful resolution of the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. It recognized that the issue was a special and particular colonial situation that differed from other colonial situations as a result of the sovereignty dispute between two States. The only way to end it was through a settlement negotiated by the Governments of the two parties. Therefore, the draft resolution requested the parties to resume negotiations in order to find a peaceful solution, in accordance with the relevant United Nations resolutions.

22. The question of the Malvinas Islands was important to the Latin American and Caribbean countries, as demonstrated by the statements they had adopted at various regional forums reiterating their firm support for the legitimate rights of Argentina in the sovereignty dispute, including the declaration adopted at the fifth Summit of the Heads of State and Government of the Community of Latin American and Caribbean States (CELAC), held in January 2017. At the twenty-fifth Ibero-American Summit, held in Cartagena, Colombia, in October 2016, the Heads of State and Government of the Ibero-American countries had reaffirmed that the Governments of Argentina and the United Kingdom should resume negotiations as soon as possible with a view to finding an early solution to the sovereignty dispute in accordance with the resolutions of the United Nations and the Organization of American States and the provisions of the Charter of the United Nations, including the principle of territorial integrity. In September 2017, the Ministers for Foreign Affairs from the States members of the Group of 77 and China had adopted a declaration recognizing that the sovereignty dispute seriously damaged the economic capacities of the Argentine Republic and reiterating the need for both parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the Islands were going through the process recommended by the General Assembly.

23. The persistence of colonial situations in the twenty-first century was an anachronism that must end. The sponsors of the draft resolution regretted that, notwithstanding the amount of time that had elapsed and the many resolutions adopted by the United Nations to date, direct negotiations between the parties had not been resumed. The sponsors firmly supported the legitimate sovereignty rights of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and considered that bilateral negotiations between Argentina and the United Kingdom were the only way to resolve the dispute. They hoped that the draft resolution, like previous resolutions on the subject, would be adopted by consensus.

Statements made in explanation of position before the decision

24. **Mr. Faurie** (Observer for Argentina), Minister for Foreign Affairs and Worship of the Argentine Republic, said that Argentine sovereignty over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas had solid historical and legal underpinnings, and the passage of time had not diminished the validity of his country's

claim or diluted its conviction that the sovereignty dispute must be resolved peacefully through bilateral negotiations with the United Kingdom. All political parties in Argentina were in agreement on the issue, as evidenced by the representatives of different political parties who had accompanied him to the meeting.

25. The question of the Malvinas Islands was a special and particular colonial situation given the underlying sovereignty dispute, acknowledged in General Assembly resolution 2065 (XX). In 1833, the United Kingdom had expelled the Argentine authorities and population from the Islands, subsequently implanting its own settlers and strictly controlling migration policies, and thereby undermining the territorial integrity of the Argentine State. In none of the more than 40 resolutions adopted by the General Assembly and by the Special Committee on the question of the Malvinas Islands was there any reference to the principle of self-determination, and previous attempts to incorporate such references had been rejected. The application of the principle of self-determination required the existence of a people subjected to foreign domination. That principle therefore did not apply to the inhabitants of the Malvinas Islands, who had not been subjected to foreign colonial domination. Giving the Islands' inhabitants the right to decide the status of the territory in which they lived would contravene the letter and the spirit of General Assembly resolution 1514 (XV), as well as international law on decolonization. Decolonization and self-determination were not synonymous.

26. Nevertheless, Argentina was not indifferent to the interests of the islanders. The Argentine Republic remained firmly resolved to respect the islanders' way of life and take their interests into account. Over the years following the adoption of General Assembly resolution 2065 (XX), the Governments of Argentina and the United Kingdom had considered various proposals that would enable Argentina to resume the exercise of its sovereignty. During the same period, Argentina had made efforts to improve the living conditions of the inhabitants of the Malvinas Islands by establishing air connections, supplying fuel and facilitating access to the Argentine health-care and education systems.

27. In its bid to relaunch negotiations, his Government was pursuing a policy of greater engagement with the United Kingdom. The resulting new chapter in British-Argentine relations had led to mutual visits at the highest level, including the first visit to Argentina in 22 years by a Foreign Secretary of the United Kingdom, as well as trade and business missions and scientific and cultural cooperation initiatives. In addition, the Scientific Subcommittee of the South Atlantic Fisheries

Commission had been convened for the first time in 14 years, in pursuit of the shared objective of resource preservation.

28. His Government valued the assistance extended by the Royal Navy's ice patrol ship HMS *Protector* in the search for the missing submarine ARA *San Juan*. Moreover, through the joint effort conducted by Argentina, the United Kingdom and the International Committee of the Red Cross, unknown Argentine soldiers buried in Darwin cemetery on the Malvinas Islands had been identified. The inhabitants of the Islands had welcomed the visiting relatives of the fallen with the utmost respect, a humane gesture warmly appreciated by his country.

29. Argentina wished to maintain a broad agenda with the United Kingdom in order to address all issues and build consensus in different fields. However, an open, substantive and constructive dialogue must be maintained in order to build a level of confidence conducive to the resumption of negotiations to resolve the protracted sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The new chapter in British-Argentine relations created favourable conditions in which to address the matter at the bilateral level and overcome disagreements. He therefore called once again on the United Kingdom to abide by General Assembly resolution 31/49, which required that country to refrain from taking decisions that would imply introducing unilateral modifications in the situation.

30. With political will and aided by the good offices of the Secretary-General, it would be possible to reach a definitive, peaceful solution to the question of the Malvinas Islands. Latin America had long served, and must continue to serve, as an example of dialogue and peacebuilding between nations. He wished in particular to acknowledge the countries that had sponsored the draft resolution, as well as all other countries that had joined the call for the dispute to be resolved.

31. **Ms. Rodríguez Camejo** (Cuba) said that, in General Assembly resolution 2065 (XX), it was clearly stated that the question of the Malvinas Islands involved a sovereignty dispute between Argentina and the United Kingdom that should be resolved through negotiations between those States.

32. The Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were part of the national territory of Argentina, as had been reiterated at various high-level forums such as CELAC summits. The military exercises conducted in that territory by the United Kingdom infringed the

sovereignty of Argentina and violated United Nations resolutions and others, as well as the Proclamation of Latin America and the Caribbean as a Zone of Peace adopted by CELAC in 2014.

33. Her delegation called for the negotiation of a fair, peaceful and definitive settlement of the dispute as soon as possible. The agreement should take into account the territorial integrity of Argentina and the interests of the population of the Islands. Her delegation noted that several steps had been taken to build confidence and reduce tension between the parties. In that regard, it welcomed the cooperation of both Governments with the International Committee of the Red Cross to identify the unknown Argentine soldiers buried in Darwin cemetery. Similarly, it recognized the efforts made by both parties to implement an additional flight to the existing weekly option, and to begin scientific cooperation in fishing matters. While such efforts were important, it should be noted that negotiations had not been launched on the fundamental question of sovereignty.

34. The United Kingdom should respond positively to the willingness expressed by the Government of Argentina to resume bilateral negotiations. The Committee, in accordance with its mandate, should make every effort to ensure that negotiations took place, and the Secretary-General should use his good offices to help the parties comply with the relevant General Assembly resolutions. Her country would continue to work to eradicate colonialism in Latin America and the Caribbean.

35. *Ms. Rodríguez Camejo (Cuba), Vice-Chair, took the Chair.*

36. **Ms. Rubiales de Chamorro** (Nicaragua) said that the question of the Malvinas Islands was underpinned by international law and justice, given that more than 50 years had elapsed since the historic adoption of General Assembly resolution 2065 (XX), which had been the first to characterize the question of the Malvinas Islands as a bilateral dispute between Argentina and the United Kingdom and had called on the two parties to seek a peaceful solution through bilateral negotiations. It was regrettable that the United Kingdom had still not taken concrete measures to that end. Nicaragua urged the two parties to the sovereignty dispute to resume negotiations to find a peaceful and lasting solution.

37. Since its Sandinista revolution, Nicaragua had supported the legitimate and imprescriptible sovereignty rights of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

The National Assembly of Nicaragua had declared 10 June the National Day of Solidarity with Argentina on the Malvinas Islands; the Central American Parliament had done the same at the regional level.

38. Committee members had the moral and ethical duty to fulfil the mandate entrusted to them by the General Assembly: to eradicate colonialism. In order to accomplish that goal, the Malvinas Islands must be returned to Argentina.

39. **Mr. Llorentty Solíz** (Plurinational State of Bolivia) said that the question of the Malvinas Islands was not just an Argentine concern, but a Latin American and even global issue. In 1833, the British navy had invaded the Malvinas Islands and had forcefully expelled the Argentine authorities and population for refusing to recognize British authority. On 16 December 1965, the General Assembly had adopted resolution 2065 (XX), which made explicit reference to a sovereignty dispute between the Governments of Argentina and the United Kingdom and invited those Governments to proceed with negotiations to find a peaceful solution to the problem.

40. Numerous resolutions had been adopted by the Committee and the General Assembly on the question of the Malvinas Islands. No one had been fooled: “occupiers” were not “peoples” with the right to self-determination. Echoing the Ministerial Declaration issued by the Group of 77 and China on 22 September 2017, his delegation reaffirmed the need for the Governments of the Argentine Republic and the United Kingdom to hold negotiations in accordance with the principles and the objectives of the Charter of the United Nations and the relevant resolutions adopted by the General Assembly, in order to find, as soon as possible, a peaceful solution to the sovereignty dispute.

41. The question of the Malvinas Islands was a question of Argentine and, more broadly, Latin American and Caribbean identity; his delegation therefore supported the legitimate rights of Argentina. In order to eradicate colonialism, the matter should be settled peacefully through negotiation.

42. **Mr. Skoknic Tapia** (Chile) said that his delegation supported the legitimate sovereign rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, as evidenced by the Argentina-Chile Joint Communiqué issued on 26 April 2018. His delegation welcomed the progress made in fostering closer bilateral relations between the United Kingdom and the Argentine Republic in recent years, including the addition of new flights to the Malvinas Islands and the visits made by the British Foreign Secretary Boris

Johnson and the Argentine Chief of the Cabinet Marcos Peña.

43. His delegation reaffirmed the need for the Governments of the Argentine Republic and the United Kingdom to hold negotiations in order to find, as soon as possible, a peaceful and lasting solution to the sovereignty dispute, in accordance with the relevant resolutions adopted by the United Nations and other regional and multilateral forums.

44. **Mr. Zambrano Ortiz** (Ecuador) said that the only way to resolve the special and particular colonial situation of the Malvinas Islands was through the resumption of bilateral negotiations between the Argentine Republic and the United Kingdom, in accordance with international law, the purposes and principles of the Charter of the United Nations, and the relevant resolutions adopted by the General Assembly and the Committee. The Secretary-General should use his good offices to help the parties resolve the dispute.

45. The Government of Ecuador supported the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The principle of self-determination did not apply to the question of the Malvinas Islands, as it was a violation of the principle of territorial integrity of Argentina. His Government also supported the Ministerial Decision on the question of the Malvinas Islands adopted by the Latin American Energy Organization on 7 December 2017, which reiterated the importance of General Assembly resolution 31/49 in relation to the exploration and exploitation of hydrocarbons on the Argentine continental shelf, as well as the call on both parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the Islands were going through the process recommended in the relevant United Nations resolutions. The Argentine Republic had the right to defend, protect and use the hydrocarbon natural resources of its continental shelf and to adopt appropriate measures in that regard with full respect for international law.

46. **Mr. Ja'afari** (Syrian Arab Republic) said that the political ramifications of the continued existence of 17 Non-Self-Governing Territories decades after the establishment of the Special Committee needed to be discussed and should prompt the Committee to intensify its efforts, since colonialism was a crime against humanity and a violation of international law. His delegation reiterated its support for the legitimate rights of the Argentine Republic in relation to the Malvinas Islands, South Georgia Islands and South Sandwich

Islands and the surrounding maritime areas, taking into account the principle of the territorial integrity of Argentina.

47. While the Syrian Arab Republic remained a staunch defender of the right of peoples to self-determination, it would not accept the use of that principle to justify the ongoing sovereignty dispute between the United Kingdom and Argentina. The territorial integrity of Argentina had been violated by the United Kingdom, whose settler colonialism dating back to 1833 was akin to that perpetrated by Israel in its occupation of Palestinian and Syrian territory. In that connection, his delegation rejected all unilateral measures taken by the United Kingdom in the Malvinas Islands, in violation of the relevant United Nations resolutions. The United Kingdom should end its colonial occupation of those Islands in accordance with General Assembly resolutions stating that the situation was a special and particular colonial situation involving a sovereignty dispute between the United Kingdom and Argentina and that it could be resolved only through peaceful negotiations. His delegation supported the draft resolution, the adoption of which by consensus would constitute a reaffirmation of the general support for the Argentine position in that dispute.

48. **Mr. Escalante Hasbún** (Observer for El Salvador), speaking on behalf of CELAC, said that the Community supported the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. At the second CELAC Summit, the Heads of State and Government from the region had pledged to continue working to consolidate Latin America and the Caribbean as a zone of peace in which differences among nations were settled through dialogue and negotiation or any other peaceful means in compliance with international law. At the fifth Summit, they had adopted a special declaration on the question of the Malvinas Islands, in which they had reiterated their strongest support for the legitimate rights of Argentina in the dispute and the abiding interest of the countries of the region in having the Governments of Argentina and the United Kingdom resume negotiations in order to find, as soon as possible, a peaceful and definitive solution to the dispute, pursuant to General Assembly resolution 2065 (XX) and other relevant resolutions of the United Nations and the Organization of American States.

49. Through its special declaration on the question of the Malvinas Islands, CELAC had also mandated the CELAC Pro Tempore President to request the Secretary-General of the United Nations to renew his efforts to accomplish the good offices mission entrusted to him by

the General Assembly, with a view to bringing about the resumption of negotiations; reiterated the importance of complying with General Assembly resolution 31/49, which called on the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the Islands were going through the process recommended by the General Assembly; and highlighted the willingness of the Government of Argentina to resume a dialogue that would enable a definitive solution to the sovereignty dispute to be found.

50. **Mr. Aleksaev** (Russian Federation) said that the Governments of Argentina and the United Kingdom should resolve the sovereignty dispute through political and diplomatic means, in line with the relevant resolutions and the principles of the Charter of the United Nations. His Government was concerned about the potential militarization of the disputed region and hoped that the parties would respect their international commitments under the Treaty of Tlatelolco and its Additional Protocol. The concerns of States and entities in the region should also be taken into account.

51. **Mr. Arriola Ramírez** (Observer for Paraguay), speaking on behalf of the Southern Common Market (MERCOSUR), said that in the joint communiqué adopted in December 2017, the Presidents of the MERCOSUR States parties and associated States had reiterated the terms of the 1996 Declaration of Potrero de los Funes on the Malvinas Islands and had reaffirmed their support for the legitimate rights of Argentina in the sovereignty dispute. In July 2017, they had also reiterated that the adoption of unilateral measures was incompatible with United Nations resolutions and recalled that it would be in the interests of the region if the protracted dispute between Argentina and the United Kingdom over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were resolved as soon as possible in accordance with the relevant United Nations resolutions and the declarations of the Organization of American States and other regional and multilateral forums. MERCOSUR once again commended the Argentine Government for its willingness to continue exploring all possible means for cooperation with the Government of the United Kingdom, with a view to ensuring a constructive climate for the resumption of sovereignty negotiations.

52. **Mr. Liu Song** (China) said that the question of the Malvinas Islands was primarily a colonial issue. Over the years, the General Assembly and the Committee had adopted many resolutions calling on Argentina and the United Kingdom to conduct negotiations with a view to resolving the matter peacefully. China had consistently

supported the Argentine claim to sovereignty over the Malvinas Islands, and was of the view that negotiations between the two countries would peacefully resolve the territorial dispute in accordance with international law and the Charter of the United Nations. His delegation called on the Government of the United Kingdom to start negotiations with the Argentine Government with a view to reaching a peaceful solution as soon as possible.

53. **Mr. Habib** (Indonesia) said that joint efforts and a spirit of cooperation were needed to ensure the success of the Third International Decade for the Eradication of Colonialism, and the Committee should focus its efforts on the 17 remaining Non-Self-Governing Territories. His delegation welcomed the progress made by the Committee in promoting decolonization, as well as the goodwill and cooperation demonstrated by certain administering Powers and by the relevant parties engaging with the Committee. Only through peaceful dialogue could mutually acceptable solutions be found to the challenges before the Committee.

54. Acknowledging the special and particular situation of the Falkland Islands (Malvinas) and taking note of the resolutions adopted on the subject, his delegation welcomed the consensual approach taken by the Committee to that issue and urged Argentina and the United Kingdom to resume negotiations towards a peaceful, just and lasting solution to the sovereignty dispute. Indonesia fully supported the Secretary-General's mission of good offices to facilitate the parties' compliance with the relevant General Assembly resolutions.

55. **Mr. Castañeda Solares** (Observer for Guatemala), speaking on behalf of the Ibero-American countries, said that the presence of the Minister for Foreign Affairs and Worship of Argentina at the meeting was further evidence of the Argentine Government's commitment to multilateralism and respect for the Charter of the United Nations. The General Assembly had long recognized the existence of a sovereignty dispute between Argentina and the United Kingdom concerning a special and particular colonial situation. The territorial integrity of Argentina had been violated in 1833, and part of its territory had been occupied by force since that time. The question of the Malvinas Islands concerned an occupied territory, not an occupied people. The current inhabitants of the Islands were subjects of the occupying Power and as such had no legal right to self-determination. The United Nations had expressly ruled out the possibility of applying the right to self-determination in relation to the question of the Malvinas Islands. More than 50 years had passed since the adoption of General Assembly resolution 2065 (XX), but the occupying Power had still not

demonstrated any intention to act in good faith to find a solution to the dispute.

56. He welcomed the continued willingness of Argentina to resolve the dispute through negotiation and dialogue and called on the United Kingdom to enter into negotiations with a view to finding a definitive and peaceful solution that would benefit both parties. In that connection, he congratulated the parties for reaching an agreement that had allowed for the identification of the unknown Argentine soldiers buried in Darwin cemetery with the collaboration of the International Committee of the Red Cross. However, it was a matter of great concern that the United Kingdom continued to engage in the unilateral exploration and exploitation of natural resources in the disputed area, in violation of General Assembly resolution 31/49.

57. The time had come to use the multilateral system, in particular the means of peaceful dispute resolution provided for under international law, to fulfil the Committee's mandate by ensuring the negotiation of a solution to the ongoing colonial situation in Latin America, which had suffered a great deal from colonialism and imperialism. The Governments of Argentina and the United Kingdom should resume negotiations as soon as possible with a view to finding a negotiated and peaceful solution to the sovereignty dispute in accordance with the resolutions of the United Nations and the Organization of American States and the provisions of the Charter of the United Nations, including the principle of territorial integrity. The parties should also comply with General Assembly resolution 31/49, which called on the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the Islands were going through the process recommended by the General Assembly.

58. **Mr. Rosselli Frieri** (Observer for Uruguay) said that the question of the Malvinas Islands was of particular importance to his country and region. The 13 member countries of the Latin American Integration Association had highlighted the regional importance of finding a solution to the sovereignty dispute as soon as possible, in accordance with the relevant resolutions of the United Nations and the Organization of American States. Despite calls by the international community to refrain from taking decisions that would imply introducing unilateral modifications in the situation, the United Kingdom had pursued unilateral activities relating to the exploration and exploitation of natural resources. Argentina was therefore entitled to take legal action against the unauthorized exploration and exploitation of hydrocarbons in the disputed area.

59. In accordance with General Assembly resolution 2065 (XX), the special and particular colonial situation of the Malvinas Islands, which involved a sovereignty dispute between the Governments of Argentina and the United Kingdom as the only concerned parties, must be resolved through bilateral negotiations between the two parties. Uruguay welcomed the progress described by the Minister for Foreign Affairs and Worship of the Argentine Republic and hoped that it would allow the parties to move towards a peaceful, fair and definitive solution to the sovereignty dispute. It was time, near the end of the second decade of the twenty-first century, to eradicate such surviving vestiges of colonialism. Uruguay reaffirmed its total commitment to the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

60. **Mr. Duque Estrada Meyer** (Observer for Brazil) said that his Government firmly supported the legitimate rights of Argentina in the sovereignty dispute, which was a special and particular colonial situation in Latin America that had lasted for nearly two centuries. The principle of self-determination did not apply because the inhabitants of the Islands were descended from a British population introduced as part of an illegal occupation. Negotiations on the question should instead be based on the principle of territorial integrity. The resolution of the dispute depended on dialogue between the two parties and the completion of the good offices mission of the Secretary-General as mandated by the General Assembly in resolution 37/9.

61. In that regard, Brazil welcomed the efforts of Argentina and the United Kingdom to strengthen bilateral relations and reach practical agreements concerning sovereignty in the South Atlantic. Brazil also welcomed initiatives such as the identification of the unknown Argentine soldiers buried in Darwin cemetery, negotiations with other countries in the region to increase the number of regular flights from the South American continent to the Islands, and the resumption of scientific cooperation in the domain of fishing. Brazil supported the constructive attitude of both parties, believing that improvements in the bilateral relationship would help to establish the conditions necessary to resume negotiations with a view to returning full sovereignty over the Islands to Argentina, in accordance with international law and the relevant resolutions of the United Nations.

62. In accordance with General Assembly resolution 31/49, his Government urged the United Kingdom to cease its exploration and exploitation of natural resources in the disputed area. In solidarity with Argentina, Brazil did not allow aircraft and ships bound

for the Malvinas Islands to use its airports and ports unless they complied with that resolution. The South Atlantic was a zone of peace and cooperation, free of nuclear weapons and weapons of mass destruction, dedicated to the harmony and peaceful settlement of disputes that characterized Latin America, the Caribbean and the African countries of the South Atlantic.

63. The desire for a negotiated solution was shared not only throughout Latin America but by all developing countries. In the Latin American Integration Association declaration on the question of the Malvinas Islands of 21 August 2014, the members of the Association had expressed support for the legitimate rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and had recalled that it was in the interests of the region for the prolonged sovereignty dispute to be resolved as soon as possible, in accordance with the relevant United Nations resolutions and the declarations of the Organization of American States. His delegation supported the mission of good offices entrusted to the Secretary-General by the General Assembly.

64. *Draft resolution A/AC.109/2018/L.8 was adopted.*

65. **Mr. Faurie** (Observer for Argentina), Minister for Foreign Affairs and Worship of the Argentine Republic, said that the draft resolution represented 30 years of efforts by Argentina to resume negotiations with the United Kingdom to find a peaceful solution that supported his country's territorial integrity and its recovery of the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas.

66. **Mr. Sandoval Mendiola** (Observer for Mexico) said that the rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas were legally and historically valid. Argentina and the United Kingdom, countries that shared many values and objectives, should continue to search for a just, peaceful and definitive solution in accordance with international law and the relevant resolutions. Adopting a declaration on the Malvinas Islands in June 2018, the Organization of American States had reiterated the need for the Governments of the Argentine Republic and the United Kingdom to resume negotiations as soon as possible with a view to finding an early solution to the sovereignty dispute. The parties should refrain from taking unilateral actions that violated international law and were urged to take advantage of the good offices of the Secretary-General,

who had expressed his willingness to help while recognizing that Member States had the main role to play.

67. **Mr. González** (Observer for Colombia) said that his country fully supported the rights of Argentina in the sovereignty dispute concerning the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and recognized that the issue was a special and particular colonial situation that differed from other colonial situations. The only way to end the dispute was through a peaceful settlement negotiated by the Governments of Argentina and the United Kingdom. The two Governments should resume negotiations as soon as possible with a view to finding a peaceful and lasting solution to the sovereignty dispute, in accordance with the relevant resolutions of the General Assembly. His delegation fully supported the mission of good offices of the Secretary-General to facilitate the parties' compliance with the relevant General Assembly resolutions.

68. Although more than 50 years had elapsed since the adoption of General Assembly resolution 2065 (XX), the dispute had not been resolved. In that regard, his delegation reiterated the importance of complying with General Assembly resolution 31/49, which called on the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the Islands were going through the process recommended by the General Assembly. It also highlighted the willingness of the Government of Argentina to resume a dialogue that would enable a definitive solution to the sovereignty dispute to be found.

69. **Ms. Sánchez de Orozco** (Observer for Honduras) said that in the various multilateral organizations, mechanisms and forums in which her country participated, it continued to support the sovereign rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. In January 2017, at the fifth CELAC Summit, held in Punta Cana, Dominican Republic, the Heads of State and Government had emphasized the willingness of the Argentine Government to engage in dialogue with a view to reaching a definitive solution to the dispute, and had reaffirmed their commitment to continue working within the framework of international law to ensure that Latin America and the Caribbean was a region free of colonialism. On 5 June 2018, the Organization of American States had adopted a declaration on the question of the Malvinas Islands in which it had reiterated the need for the Governments of the Argentine Republic and the United Kingdom to resume negotiations as soon as possible with a view to

finding an early and peaceful solution to the lengthy sovereignty dispute.

70. **Ms. García Gutiérrez** (Observer for Costa Rica) said that the Committee should continue to seek appropriate means to implement the Declaration on the Granting of Independence to Colonial Countries and Peoples and the provisions of other relevant General Assembly resolutions, including resolution 1514 (XV), and put into practice the measures adopted within the framework of the Third International Decade for the Eradication of Colonialism.

71. Costa Rica supported the legitimate sovereign rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, and acknowledged the justice of its claim, which was supported by various General Assembly resolutions. Costa Rica had declared its support in various regional and international forums and organizations and urged the parties to initiate negotiations as soon as possible in order to reach a peaceful, definitive solution to the protracted dispute.

72. Costa Rica welcomed the advances made by the United Kingdom and Argentina, in particular the Humanitarian Project Plan supported by the International Committee of the Red Cross and designed to identify the unidentified Argentine soldiers buried in Darwin cemetery. When the project had finished in March 2018, the remains of 90 soldiers had been identified and their families had travelled to the cemetery to hold a ceremony and install plaques with the soldiers' names. Bilateral relations between the two parties had improved; however, further steps should be taken to achieve a peaceful and lasting solution to the dispute. Costa Rica was committed to finding efficient, lasting and peaceful solutions in a world characterized by new challenges, and to ending colonialism in all its forms and manifestations.

73. **Mr. Habich** (Observer for Peru) said that his delegation supported the legitimate sovereignty rights of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, pursuant to General Assembly resolution 2065 (XX). Argentina had exercised its sovereignty right over the Islands from the moment of its independence until 1833.

74. A solution to the question of the Malvinas Islands must be found through negotiations between the two parties. In that regard, Peru urged the Governments of Argentina and the United Kingdom to resume negotiations in order to find, as soon as possible, a peaceful and definitive solution to the dispute, in accordance with the relevant resolutions of the United

Nations and the Organization of American States; it therefore welcomed the recent efforts by the Governments of both countries to improve bilateral relations.

The meeting rose at 1.05 p.m.