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SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Second International Decade for the Eradication of Colonialism: assessment of decolonization process in today's world

**Nouméa, New Caledonia
18 to 20 May 2010**

STATEMENT

BY

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(Argentina)

Mr. Chairman,

At the outset, Mr. Chairman, allow me to convey my gratitude to the Government and the People of New Caledonia for their warm welcome and hospitality. I avail myself of this opportunity to congratulate our Chairman, Ambassador St Aimee on his designation as Chairman of the Special Committee and wish him all success in advancing the decolonization process under his wise guidance. Our special recognition also goes to the Secretariat and the other Members of the Bureau for their tireless efforts and commitment.

The decolonization process is one of the most relevant successes of the United Nations and its members continue working towards its completion. Nevertheless, each pending issue is to be approached on a case by case basis, that is to say, taking into consideration its individual features.

Decolonization and self-determination are not synonyms. Self-determination is one of the mechanisms to implement decolonization as has been clearly set forth in paragraph 6 of resolution 1514 (XV) which preserves the national unity and territorial integrity of a country.

In a few days, on 25 May, Argentina will commemorate 200 years of the May Revolution when we, as a colonized people, began our struggle for freedom and independence with the same drive and resolve that guide us today in our support for the decolonization process.

Within this process, my country has constantly supported the applicability of the principle of self-determination to the *peoples* under colonial rule in all cases which the United Nations concluded it was applicable.

This is not the case of the “Question of the Malvinas Islands”, which affects the territorial integrity of the Argentine Republic and is deeply felt by its people. This question refers to the sovereignty dispute over the Malvinas, South Georgias and South Sandwich Islands and the surrounding maritime areas, and clearly differs from traditional colonial cases. The General Assembly of the United Nations and succeeding resolutions of the Special Committee on Decolonization have classified this question as a “special and particular” form of colonialism which constitutes a sovereignty dispute to be resolved by negotiations between the Argentine Republic and the United

Kingdom of Great Britain and Northern Island, taking into account the interests of the population of the Islands.

The specificity of the Malvinas Question derives from the fact that the United Kingdom used force to occupy the islands in 1833, expelled its Argentine population and legitimate authorities and impeded their return. It therefore did not dominate or subjugate the original population, as in other colonial cases. The United Kingdom then established its own population on the Islands in a process which was never accepted by Argentina, which firmly and repeatedly rejected it.

It is fitting to point out that as from 1833 a discriminatory immigration policy was adopted by which Argentine people have not been allowed to settle again and own land. The undeniable British character of the current inhabitants of the Islands is then a consequence, to a large extent, of these administrative regulations.

Due to these circumstances the United Nations rejected the applicability of the principle of self-determination to this question which was clearly reflected when the General Assembly in 1985 rejected, by ample majority, two British proposals seeking to introduce such principle in the consideration of this issue.

Any other way of proceeding in this matter would amount to rewarding an act of usurpation which has violated the territorial integrity of the Argentine Republic and to accepting that the inhabitants become arbitrators in a territorial dispute to which their own country is a party.

It must be clearly stated that Argentina is not against the population of the Islands; on the contrary we have committed ourselves to taking into account their interests in strict accordance with the UN mandate. This commitment to their way of life and interests is enshrined in our Constitution and in the safeguards and guarantees that in the 70' Argentina presented and were negotiated with the United Kingdom.

In effect, since the early 1970's the Argentine Government has been offering guarantees and safeguards aimed at preserving the characteristics and way of life of the islanders. Since then,

Argentina is open to discussing these, with a view to updating them in accordance with the necessities and interests of the islands population only to confront with the British reluctance.

The sovereignty dispute to which the islanders are exposed is due to a British illegal act of force and to the lack of commitment from the United Kingdom to resolve it, permitting the dispute to lag for more than 177 years. Currently, the United Kingdom seeks to lay the solution of the dispute, which themselves have created, at the hands of the islanders; stepping aside from the problem and acting as a broker.

But it must be recalled that this has not always been the attitude of the United Kingdom. In fact, in the second half of the 60' the United Kingdom abode by resolution 2065 (XX) –which was adopted with no negative votes, not even that of the United Kingdom - and the two Parties, Argentina and the United Kingdom, began a process of bilateral negotiations on sovereignty. Along that process and even during the 1982 armed conflict both countries held negotiations on several proposals to settle the controversy, even if at the end an agreement proved elusive.

But after the armed conflict the United Kingdom has rejected to resume negotiations and fulfill its obligation in accordance with the UN mandate in force. On the contrary, the United Kingdom seems to act as if it would like to believe –going against the international law- that its military triumph has solved the dispute once and for all. It is a peculiar attitude for a permanent member of the Security Council of the UN to disregard its mandates and reject one of the basic instruments to resolve disputes such as that of negotiations.

A reference to the worsening of the situation in the South Atlantic cannot be avoided. This is a direct result of the United Kingdom most recent unilateral actions regarding oil and gas exploration in areas of the Argentine continental shelf unlawfully occupied by that country.

If one considers that one of the principal objectives of the United Nations –and in particular of the Special Committee- was and is to terminate with colonialism, it is astonishing that one of the permanent members of the Security Council continues in the XXI century to act as a colonial power, by unilaterally disposing of the non-renewable natural resources of the Argentine

continental shelf when a sovereignty dispute recognized by the UN still persists and a solution is still being sought and urged.

That was also the understanding of the Latin American and Caribbean States which at the Unity Summit, held in Cancun on 22 and 23 February 2010 besides reaffirming their support to the legitimate rights of the Argentine Republic in the sovereignty dispute with the United Kingdom concerning the Malvinas Question, recalled the provisions of General Assembly resolution 31/49, whereby the Assembly “calls upon the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended by the General Assembly”.

The support of these 32 countries demonstrates the regional dimension of the dispute, where in the XXI century the non-renewable natural resources of a country are being exploited and threatened by an extra-continental former colonial power.

Nowadays, there are some attempts seeking to blame us for not cooperating on this issue. However, it must be recalled that not long ago we did go through that path of cooperation. And we always did so in good faith but were not reciprocated. No bilateral cooperation is possible if one of the two parties violates the very spirit of that cooperation.

Before concluding I would like to convey that the Argentine commitment to recover the Islands that were illegally taken from us by force is not some sudden passion but a long-sustained national concern that stretches back more than 177 years. Thus, while we reiterate our call to the United Kingdom to resume negotiations to solve the sovereignty dispute, we encourage this Seminar to continue to take into account the specificities of each one of the non-self governing territories. As you wisely stated yesterday, Mr. Chairman, “no one size fits all” and the political circumstances prevailing in each case are to be duly addressed. Only this way will we be able to advance the important process of decolonization and put an end to these anachronistic situations.

Thank you very much, Mr. Chairman