



General Assembly

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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 4th meeting

Held at Headquarters, New York, on Monday, 13 June 2022, at 3 p.m.

Chair: Ms. McGuire (Grenada)
later: Ms. Fernández Palacios (Vice-Chair) (Cuba)
later: Ms. McGuire (Grenada)

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The meeting was called to order at 3.20 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

2. **The Chair** informed the Committee that the delegations of Burundi, the Gambia, Kuwait, Lesotho, Liberia, Sao Tome and Principe, Uganda and the United Arab Emirates had indicated their wish to participate in the work of the Committee as observers.

Question of Western Sahara (*continued*)

(A/AC.109/2022/17)

3. **Mr. Sahraei** (Islamic Republic of Iran) said that his delegation supported the process that was under way to achieve a just, lasting and mutually acceptable political solution that would enable the people of Western Sahara to exercise their right to self-determination in accordance with the Charter of the United Nations and General Assembly resolution [1514 \(XV\)](#). The parties should engage in negotiations conducted under the auspices of the United Nations, in good faith and in accordance with the principles and purposes of the Charter. The international community should ensure implementation of the relevant resolutions and decisions on Western Sahara and support the people of the Territory in its quest for independence.

4. **Mr. Darroux** (Dominica) said that his delegation supported the Secretary-General's efforts to move the political process forward towards a mutually acceptable political solution to the dispute. Dominica fully supported the Moroccan autonomy initiative and commended the Government of the Kingdom of Morocco for its development efforts in its southern provinces, which had improved the quality of life, increased opportunity and developed infrastructure, healthcare, education and housing. The increased foreign presence in Sahara had been evidenced by the recent opening of a consulate there by the Organisation of Eastern Caribbean States (OECS).

5. **Ms. Rambally** (Saint Lucia) said that her country was honoured to have hosted the Pacific regional seminar held from 11 to 13 May 2022, and looked forward to hosting similar events in the future. Noting that the numerous Security Council resolutions on Western Sahara had welcomed the efforts made by Morocco, including the autonomy initiative, she reaffirmed her delegation's support for the efforts of the Secretary-General the new Personal Envoy of the Secretary-General for Western Sahara, Staffan de Mistura, who had made his first visit to the region from 12 to 19 January 2022. Her delegation welcomed the commitment of Morocco to the resumption of the

political process with a view to a compromise solution to the regional dispute. It looked forward to the Personal Envoy's second visit to the region and hoped that a third session of the round-table discussions could be convened soon.

6. **Mr. Zambrana Torrelío** (Plurinational State of Bolivia) said that his delegation welcomed the efforts of the Secretary-General and his Personal Envoy for Western Sahara. All parties should continue engaging in the round-table process and explore every available peaceful means of resolution recognized by the Charter of the United Nations, international law and United Nations resolutions in order to reach a just, lasting and mutually acceptable political solution to the question of Western Sahara. Dialogue and negotiation without obstacles or preconditions, in good faith and a spirit of compromise, would be key to upholding the right of the Sahrawi people to choose its future.

7. **Mr. Durán Medina** (Ecuador) said that the question of Western Sahara was one of self-determination and must be resolved through negotiations aimed at reaching a mutually acceptable political solution, in line with the purposes and principles of the Charter and the resolutions of the Security Council, including those pertaining to the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO). Ecuador fully supported the work of the Personal Envoy of the Secretary-General for Western Sahara.

8. **Mr. Rai** (Papua New Guinea) said that his delegation supported a political settlement based on inclusive dialogue, practical realities and a spirit of good faith, and was encouraged to see growing international support for the 2007 Moroccan autonomy initiative. It welcomed the efforts of the Secretary-General and the proactive approach of his new Personal Envoy. The first two round-table meetings bringing together Morocco, Algeria, Mauritania and the "polisario", had been a success, and the agreement among the stakeholders to hold a third round in the same format was a positive sign. The other parties should follow the lead of Morocco in fully respecting the ceasefire. His delegation commended the numerous efforts made by Morocco, which included investing in the Sahara region, supporting free and fair elections, fostering human rights, helping to address the challenges of the coronavirus disease (COVID-19) pandemic, and facilitating the establishment of diplomatic missions.

9. **Ms. Koumby Missambo** (Observer for Gabon) said that Gabon fully supported the political process in the Moroccan Sahara being conducted under the

auspices of the United Nations in line with the relevant Security Council resolutions adopted since 2007. She hoped that the newly appointed Personal Envoy of the Secretary-General for Western Sahara would be able to restart the round-table process with the participation of Algeria, Morocco, Mauritania and the Polisario, in the same format, in accordance with the relevant resolutions, in particular Security Council resolution [2602 \(2021\)](#). Gabon supported the Moroccan autonomy initiative, which was in line with international law, the Charter of the United Nations, and the relevant Security Council and General Assembly resolutions, and enjoyed considerable international support. The transparency and integrity of the 8 September 2021 elections in Morocco, including the Moroccan Sahara, had been confirmed by international observers. Morocco had fully respected the ceasefire, and the other parties should do the same. The condition of refugees in the Tindouf camps remained a concern; people living there must have their fundamental rights respected, including their right to register themselves, in line with the recommendations of United Nations agencies.

10. **Ms. Arias Orlowska** (Observer for the Dominican Republic) said that her Government supported the efforts of Morocco and the Secretary-General to attain a credible, lasting and acceptable political solution to the question of Western Sahara. All parties involved should engage with the Secretary-General and his Personal Envoy for Western Sahara in a spirit of cooperation.

11. **Mr. Sisa** (Observer for Botswana) said that Botswana expressed its solidarity with the people of Western Sahara, the last colony in Africa, and underscored its support for their inalienable right to self-determination. Western Sahara had been on the Committee's agenda for almost 60 years. Some 46 years had passed since the landmark 1975 advisory opinion of the International Court of Justice. It had been 30 years since the Sahrawi people had been promised a referendum. The lack of progress during those decades had been mainly due to unilateral obstruction by certain parties. That was what had caused the collapse of the 1991 ceasefire in November 2020 and the ensuing escalation of military hostilities, which had included attacks on civilians and human rights activists. The Secretary-General's new Personal Envoy needed to relaunch the peace process and ensure the resumption of substantive negotiations. The Committee should conduct a visit to Western Sahara, something it had not done since 1975. Member States should support the efforts of the African Union in line with that organization's 1991 Settlement Plan for Western Sahara.

12. **Ms. Salman** (Observer for Bahrain) said that her delegation supported the serious and credible efforts

being made by Morocco to achieve a political solution to the question of the Moroccan Sahara. That included the Moroccan autonomy initiative, which was the best path to a lasting solution that complied with the relevant Security Council resolutions and respected the sovereignty, unity and territorial integrity of Morocco. Bahrain had affirmed its support for Morocco by opening a consulate in Laayoune, in the Moroccan Sahara, in December 2020. She commended the efforts of the Secretary-General and the visit made to the region by his new Personal Envoy.

13. **Ms. Maria de Jesus dos Reis Ferreira** (Observer for Angola) said that, despite a half century of efforts, the last colony in Africa had yet to achieve independence because of the way the political process was being conducted. As long as consensus remained out of reach, the humanitarian situation would deteriorate, and tensions in North Africa would rise. What was needed was constructive dialogue based on the principle of respect for existing borders as set forth in the Constitutive Act of the African Union. The Secretary-General's new Personal Envoy should try to move forward negotiations between Frente POLISARIO and Morocco on the referendum agreed upon by the international community, while the Security Council should act to protect the Sahrawi civilian population from human rights violations. His delegation encouraged the United Nations to put into practice the African Union Settlement Plan for Western Sahara that had been accepted by both Frente POLISARIO and Morocco and approved by the Security Council.

14. **Mr. Niang** (Observer for Senegal) said that Senegal supported the political process under the auspices of the United Nations on the basis of resolutions adopted since 2007, and the Moroccan autonomy initiative, which was in line with international law, the Charter of the United Nations and the relevant Security Council and General Assembly resolutions. The Tindouf refugee issue should likewise be resolved in accordance with those resolutions. The good faith of the Government of Morocco had been evidenced by notable progress in human rights, democratic participation and economic development. In April 2021, Senegal had opened a consulate in the Moroccan Sahara, where some 6,000 of its nationals resided. Senegal welcomed the Personal Envoy's visit to the region and urged all parties to resume the round-table process. The success of the 8 September 2021 elections and the participation of elected representatives of the Moroccan Sahara in Committee proceedings were both positive signs. All parties should respect the 1991 ceasefire.

15. **Mr. Shaddad** (Observer for Jordan) said that the close ties between the Hashemite Kingdom of Jordan

and the Kingdom of Morocco had been reaffirmed the in March 2021 with the opening of a Jordanian consulate in the Moroccan city of Laayoune. The Moroccan autonomy initiative was a realistic and serious proposal that was consistent with the Charter of the United Nations and took into account the specificities of the region and the principles of sovereignty and territorial integrity. His delegation commended the efforts of Morocco to promote development in the Sahara, including by ensuring that the population benefited from the region's resources, as well as by combating the COVID-19 pandemic. His delegation also commended the efforts of the United Nations and the appointment of the new Personal Envoy of the Secretary-General.

16. **Mr. Moharram** (Observer for Saudi Arabia) said that the Kingdom of Saudi Arabia supported efforts by the Kingdom of Morocco to find a political solution rooted in consensus, based on Security Council resolutions and under the auspices of the Secretary-General. His delegation welcomed the two round tables that had been attended by Morocco, Algeria, Mauritania and the Polisario. It also welcomed the participation of elected representatives of the Moroccan Sahara in those round tables and Committee-sponsored events. He reiterated his country's support for the Moroccan autonomy initiative and welcomed the appointment of the new Personal Envoy of the Secretary-General. Morocco had contributed to economic development and human rights progress in the Moroccan Sahara and had successfully held elections there, as it had throughout Morocco, in September 2021. It had also helped to combat the COVID-19 pandemic and shore up regional stability by respecting the ceasefire. Saudi Arabia rejected any acts that could compromise the paramount interests of Morocco or undermine its sovereignty or territorial integrity.

17. **Mr. Araba** (Observer for Benin) said that his country supported the Secretary-General's efforts and the Security Council resolutions aimed at a consensus settlement of the question of Western Sahara, which would contribute to the stability of the Maghreb region and the integration of Africa as a whole. His delegation welcomed the appointment of the new Personal Envoy of the Secretary-General for Western Sahara and hoped that he would be able to restart the round-table process in the same format and with the same participants as previously, in accordance with Security Council resolution 2602 (2021). Morocco was to be commended for its efforts, which, in addition to the Moroccan autonomy initiative, included investments in the socioeconomic development of Western Sahara and improvements to infrastructure and public health. His

delegation called on all stakeholders to show a spirit of pragmatism and compromise.

18. **Mr. Conte** (Observer for Guinea) said that as a Sahel country, Guinea took a special interest in advancing dialogue and peaceful resolution in the Moroccan Sahara. It welcomed the appointment of the new Personal Envoy of the Secretary-General and hoped for a resumption of the round-table process with the same participants as previously. The Government of Morocco had fulfilled its commitments in compliance with international law and Security Council resolutions and was to be commended for its investment in the region. He also thanked the Government of Morocco for facilitating the opening of a Guinean consulate there. Guinea supported the Moroccan autonomy initiative and the efforts of the Secretary-General to resolve the crisis.

19. **Mr. Mabhongo** (Observer for South Africa) said that six decades after being put on the list of Non-Self-Governing Territories and three decades after the Security Council had called for a referendum, Western Sahara had yet to attain a full measure of self-government. His country reaffirmed its support for the inalienable right of the people of Western Sahara to self-determination and independence in accordance with Charter of the United Nations, General Assembly resolution 1514 (XV) and other relevant resolutions, the 1975 advisory opinion of the International Court of Justice, and the relevant decisions of the African Union. The Committee should act to protect the political, economic, social, and cultural rights of the Sahrawi people, including their right to permanent sovereignty over their natural resources and regular reporting to relevant United Nations bodies on their conditions. The Committee should send a mission obtain first-hand information on the general situation in Western Sahara – which would be the first such mission since 1975 – and the Security Council should consider doing the same. Member States should support efforts by the African Union and the new Personal Envoy of the Secretary-General to relaunch the peace process in Western Sahara through direct and substantive negotiations between Frente POLISARIO and Morocco. The ultimate aim of such negotiation was to enable the Sahrawi people to exercise freely and democratically their inalienable right to self-determination and independence. The Moroccan autonomy initiative was unilateral and had no basis in international law; it assumed that Western Sahara was part of Morocco, a position rejected by the United Nations, the International Court of Justice and the African Union.

20. **Mr. Sinka** (Observer for Burkina Faso) said that the United Nations should play a primary role in bringing about a settlement of the question of Western

Sahara. His delegation welcomed the appointment of the new Personal Envoy of the Secretary-General, and hoped that he would be successful in restarting the round-table process with the same format and the same participants as previously. Burkina Faso supported the Moroccan autonomy initiative and urged all parties to respect the ceasefire. A peaceful resolution of the situation would contribute to stability in the Sahel region as a whole.

21. **Ms. Kuzee** (Observer for Namibia) said that as a country that had itself been a beneficiary of United Nations decolonization efforts, Namibia hoped that Western Sahara, the last colony in Africa, would enjoy the same freedom to exercise the right to self-determination. While her delegation appreciated the renewal of the mandate of the MINURSO in October 2021, it was concerned that, after three decades and the expenditure of considerable resources, the Mission's primary objective was nowhere in sight. As a current member of the African Union Peace and Security Council, Namibia encouraged the new Personal Envoy of the Secretary-General to work within the Joint United Nations-African Union Framework for Enhanced Partnership in Peace and Security to overcome longstanding obstacles in the stalled peace process. The African Union Peace and Security Council had asked the Secretary-General to request the United Nations Legal Counsel to provide a legal opinion on the opening of consulates in Western Sahara. The Committee should send a mission to investigate conditions on the ground.

22. **Mr. Faati** (Observer for the Gambia) said that his delegation supported the efforts of Morocco, the ongoing political process under the auspices of the Secretary-General, and the appointment of the new Personal Envoy of the Secretary-General. A successful resolution depended as much on the neighbouring countries as it did on Morocco; the stability and security of the Sahel region was a collective responsibility. That made a third session of the round table process all the more imperative. The Gambia supported Moroccan sovereignty over the Moroccan Sahara and had established a consulate in the city of Dakhla in January 2020. The Moroccan autonomy initiative was a serious, realistic compromise that took into consideration the local population's desires and conformed with international law. He commended the development efforts and measures to combat COVID-19 undertaken by the Government of Morocco.

23. **Ms. Assoweh** (Observer for Djibouti) said that her delegation supported a political process under the exclusive auspices of the Secretary-General to achieve a realistic, pragmatic and enduring political solution to the regional dispute concerning Western Sahara on the

basis of compromise. Such a solution would strengthen regional cooperation in the Maghreb and contribute to security and stability in the Sahel region. The Moroccan autonomy initiative was in line with international law, the Charter of the United Nations and the relevant Security Council and General Assembly resolutions, and provided an excellent basis for negotiations. Morocco was to be commended for observing the ceasefire and conducting the 8 September 2021 elections in Western Sahara in a free and transparent manner without incident.

24. **Mr. Ruiz Díaz** (Observer for Paraguay) said his delegation recognized that the question of self-determination was a complex one and that the conflicting interests of the indigenous population and populations that had settled in a given Territory as a result of the colonial enterprise must be taken into account. The political will required to achieve progress towards decolonization, and thereby to respond to long-standing claims, must extend beyond the term of any one governmental administration.

25. With regard to the question of Western Sahara, Paraguay supported the resolutions adopted by the Organization and endorsed the efforts of the Secretary-General and his Personal Envoy to help the parties reach a just, lasting and mutually acceptable solution to the dispute.

26. **Mr. Al-Maawda** (Observer for Qatar) said that Qatar supported the efforts of the Secretary-General and welcomed the appointment of the new Personal Envoy of the Secretary-General. It believed that the Moroccan autonomy initiative should be the basis for any solution, and commended Morocco for making a significant contribution to economic and social development in the Moroccan Sahara.

27. **Ms. AlMatrooshi** (Observer for the United Arab Emirates) said that her country firmly supported the Moroccan autonomy initiative, which offered a serious and credible path to a solution that was in line with the Charter of the United Nations and United Nations resolutions and the relevant Security Council and General Assembly resolutions, while also preserving the territorial integrity of the Morocco. The Government of Morocco had made commendable efforts to improve the lives of the inhabitants of the Moroccan Sahara, especially in view of the COVID-19 pandemic. Her delegation welcomed the two round-table sessions that had been held and urged continuation of the process begun in 2007 under the exclusive auspices of the Secretary-General and his Personal Envoy. In furtherance of the historical and strategic relations between the two countries, the United Arab Emirates

had opened a consulate in the city of Laayoune, in the southern provinces of Morocco. Her delegation supported the work of MINURSO and stressed that all parties must comply with the ceasefire.

28. **Mr. Ríos Sánchez** (Observer for Mexico) said that Mexico remained committed to achieving a just and lasting solution to the dispute over Western Sahara, in line with the relevant United Nations resolutions. The will of the Sahrawi people must be taken into account, and its right to self-determination must be upheld by organizing a referendum acceptable to both parties. Moreover, the voices of women and youth must figure prominently in any future dialogue between the parties. MINURSO had a vital role to play in ensuring stability and monitoring the ceasefire, in addition to its important demining work, which must continue unhindered. In view of the concerning reports of human rights violations in Western Sahara, there should be closer monitoring of human rights and greater accountability in the Territory.

29. **Mr. Maniratanga** (Observer for Burundi) said that his delegation strongly supported the political process being conducted under the exclusive auspices of the Secretary-General on the basis of the relevant Security Council resolutions adopted since 2007. It hoped for continuation of the round-table process with the participation of Algeria, Morocco, Mauritania and the Polisario. Enhanced cooperation among the member States of the Arab Maghreb Union would contribute to stability and security in the Sahel region. His delegation welcomed the appointment of the new Personal Envoy of the Secretary-General and was confident that the renewed momentum he would impart to the process would lead to a resolution of the issue in line with the relevant Security Council resolutions and reports of the Secretary-General.

30. **Mr. Mendes** (Observer for Guinea-Bissau) said that the efficacy of United Nations mediation had been demonstrated by the round table process, which his delegation hoped the new Personal Envoy of the Secretary-General would be able to restart. The Moroccan autonomy initiative was the most pragmatic solution for Western Sahara and for stability in the Maghreb and Sahel regions as a whole. The success of the September 2021 elections and the participation of elected representatives of Western Sahara in the round-table process was a tribute to the realism and the spirit of compromise being displayed by the parties. Morocco was to be commended for its contributions to infrastructure, education and health, as well as its anti-COVID-19 efforts in Western Sahara. Guinea-Bissau had joined other countries in opening a consulate there.

31. **Mr. Larbaoui** (Observer for Algeria) said that many of the statements the Committee had just heard showed that the conscience of free peoples was still alive. Unfortunately, United Nations efforts had reached an impasse, leaving Western Sahara among the 17 Non-Self-Governing Territories and making it the last remaining colony in Africa. The stalemate was eroding trust between the two parties, Morocco and Frente POLISARIO, and sowing frustration among the Sahrawi people. Numerous General Assembly and Security Council resolutions had affirmed the legitimate right of the Sahrawi people to self-determination in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations.

32. The so-called “autonomy” initiative was no more than an effort by Morocco to impose a colonial fait accompli so that it could continue to plunder the Sahrawi people’s resources. States that supported that initiative were complicit in the hegemonic attempt by Morocco to impose its sovereignty on territory outside its internationally recognized boundaries. That initiative or any other option that did not allow the Sahrawi people to exercise their inalienable rights through a free and fair referendum was contrary to international law, the Charter of the United Nations, United Nations decolonization doctrine, and numerous United Nations resolutions. Moreover, MINURSO was unable to properly monitor the human rights situation in the occupied Western Sahara; it was, incomprehensibly, the only United Nations mission without a human rights component in its mandate. As a host country, Algeria would continue offer assistance to Sahrawi refugees in Tindouf, where its efforts had garnered the praise of international agencies.

33. **Mr. Al-barati** (Observer for Yemen) said that his delegation commended the efforts of Morocco to bring about a sustainable consensus solution in Western Sahara. It welcomed the efforts of the Secretary-General and his new Personal Envoy to restart the political process in accordance with the relevant Security Council resolutions adopted since 2007. It was essential to find a solution that preserved security and stability in the Sahel region without affecting the territorial integrity of Morocco.

34. **Mr. Kadyautumbe** (Observer for Zimbabwe) said that the Committee must uphold its long-standing and unequivocal position that Western Sahara was a Non-Self-Governing Territory whose people had an inalienable right to self-determination, which should be exercised through a referendum to be held in accordance with the United Nations Settlement Plan and the relevant United Nations and African Union resolutions and decisions. His delegation welcomed the

appointment of the new Personal Envoy of the Secretary-General and hoped that he would be able to restart the political process in line with Security Council resolution 2602 (2021).

35. **Mr. Cravid e Silva** (Observer for Sao Tome and Principe) said that his delegation supported the political process under the auspices of the Secretary-General in accordance with the relevant Security Council resolutions. It welcomed the political and economic reforms implemented by the Government of Morocco, which had improved the lives of the inhabitants of Western Sahara. It urged all the parties to remain engaged and display the requisite political will and spirit of compromise.

36. **Mr. Mohammad** (Observer for Kuwait) said that his delegation supported the efforts of the Secretary-General. The two previous round-table meetings had been marked by constructive engagement on the part of all four stakeholders in line with the relevant Security Council resolutions. His delegation hoped that the momentum they had generated could carry the process forward to a consensus political solution overseen by the Secretary-General's new Personal Envoy. The Moroccan autonomy initiative was the most constructive option available, and the unity and sovereignty of Morocco must be respected. Kuwait supported the unified position adopted by the Cooperation Council for the Arab States of the Gulf.

37. **Ms. McGill** (Observer for Liberia) said that Liberia supported the process being conducted under the exclusive auspices of the Secretary-General with a view to reaching a realistic, pragmatic and enduring political solution to the regional dispute over the Moroccan southern provinces. It embraced the round-table process with the participation of Morocco, Algeria, Mauritania and the Polisario, in accordance with the relevant Security Council resolutions. It welcomed the appointment of the new Personal Envoy of the Secretary-General for Western Sahara and hoped he would be able to restart the round-table process with the same four participants and in the same format as previously. Liberia supported the Moroccan autonomy plan, which was enjoying increasing international support, as a compromise solution consistent with international law, the Charter of the United Nations and the relevant Security Council and General Assembly resolutions. Her delegation welcomed the 8 September 2021 elections, which had been held without violence and drawn a large turnout, and the participation of elected representatives of the Moroccan Sahara in regional seminars and Committee-sponsored events.

38. **Mr. Odida** (Observer for Uganda) said that decolonization of Western Sahara should be at the top of the Committee's agenda. The United Nations should support regional efforts to find a solution in line with principles set forth in the Constitutive Act of the African Union by implementing the joint United Nations-African Union settlement plan and holding the referendum. The Committee should send a visiting mission to Western Sahara, which would be the first in many years. His delegation welcomed the appointment of the new Personal Envoy of the Secretary-General.

39. **Mr. Said Mohamed Ousseï** (Observer for the Comoros) said that his delegation supported the political process being conducted under the exclusive auspices of the Secretary-General on the basis of the relevant Security Council resolutions. It welcomed the appointment of the Personal Envoy of the Secretary-General for Western Sahara and hoped that he would be able to restart the round-table process with the same four participants and in the same format as previously. The success of the 8 September 2021 elections and the participation by elected representatives of the Moroccan Sahara in the Committee's regional seminars were welcome developments. Moroccan investments had been conducive to the overall economic and social development of the region. The Comoros supported the Moroccan autonomy initiative. It had opened a consulate in Laayoune and was pleased to see other countries doing the same. He called on all parties to emulate Morocco in fully observing the ceasefire.

40. **Mr. Hilale** (Observer for Morocco) said that the Moroccaness of the Moroccan Sahara was an incontrovertible historical, legal and political fact, and the Moroccan Sahara would remain a part of the Moroccan homeland until the end of time. Morocco remained involved in the political process being conducted under the exclusive auspices of the United Nations with a view to finding solution to a regional dispute. That included taking part in the round-table process along with Algeria, Mauritania and the "polisario". The realistic, pragmatic and credible compromise political solution being sought by the United Nations was in fact embodied in the Moroccan autonomy plan, in the context of the sovereignty and territorial integrity of Morocco. That solution was gaining increasing international support, as was evident from statements just heard by the Committee. In addition to the majority of Arab and African States, its supporters now included Germany, Hungary, the Netherlands, the Philippines, Romania, Serbia and Spain.

41. Contrary to the deceitful fabrications of certain parties, the Moroccan Sahara was a haven of peace,

stability and prosperity that attracted investors, tourists and international events. The population enjoyed full civil and political rights and had the highest rates of political participation of any region of Morocco, as had been confirmed in the recent elections of 8 September 2021, which had seen a turnout of 63 per cent and resulted in the democratic election of legitimate representatives of the Moroccan Sahara, some of whom had appeared before the Committee.

42. Unfortunately, Algeria had been consistently using the pretext of so-called “self-determination” to stir up regional conflict. Algeria should not hide behind its “observer status”; it was the primary party responsible for perpetuating the conflict. The refusal of Algeria to return to the round-table process as called for in Security Council resolution [2602 \(2021\)](#) was an affront to the Security Council and international law.

Statements made in exercise of the right of reply

43. **Mr. Larbaoui** (Observer for Algeria) said that, had been a teacher, he would have had been obligated to call out the representative of Morocco for speaking off-topic. It was seemingly impossible to engage him in a responsible debate on the topic at hand, namely decolonization. The representative of Morocco insisted that the only possible solution was the one he proposed. That stance clearly flew in the face of the resolutions of the United Nations and the mandate of the Committee. The States listed as supporting that solution were also taking a position in violation of United Nations resolutions. The representative of Morocco merely sought to draw attention away from the subject under discussion namely decolonization.

44. **Mr. Hilale** (Observer for Morocco) said that it was fortunate that the representative of Algeria was not a teacher, because he would have produced a generation of students ignorant of history. The Sahara was Moroccan and would remain so. The Committee had just heard numerous delegations say exactly that. The representative of Algeria was engaging in intellectual terrorism by insisting that other delegations were either with Algeria or against it. In so doing, he failed to respect legitimate international resolutions and processes. Algeria had imposed a war for 45 years, had hindered progress in the Maghreb for 35 years, had undermined the ceasefire and military agreements, and was now giving orders aimed at destabilizing the region. If Algeria was not a party to the conflict, why had the Human Rights Committee just that day published a statement asking Algeria, as host country, to clarify the fate of a Sahrawi abductee?

45. **Mr. Larbaoui** (Observer for Algeria) said that once again, the representative of Morocco was trying to change the subject and turn a decolonization issue into a bilateral dispute. If Morocco truly believed that the Western Sahara was part of its sovereign territory, why had Morocco agreed to partition it with Mauritania in 1976? Moreover, many people might not know that, prior to that, Morocco had suggested a partition with Algeria, something that the latter had refused.

46. **Mr. Hilale** (Observer for Morocco) said that it was breaking news to him, and to the rest of the world, that Morocco had ever proposed a partition of the Sahara with Algeria. It was hypocritical of Algeria to speak of self-determination when Algeria had occupied the Kabyle region by force since Algerian independence in 1962, treating it as an open-air prison. By contrast, the Moroccan Sahara was and always would be Moroccan.

Question of American Samoa ([A/AC.109/2022/1](#))

47. **The Chair** drew attention to the working paper prepared by the Secretariat on American Samoa ([A/AC.109/2022/1](#)).

48. *Ms. Fernández Palacios (Cuba), Vice-Chair, took the Chair.*

Question of Anguilla ([A/AC.109/2022/2](#))

49. **The Chair** drew attention to the working paper prepared by the Secretariat on Anguilla ([A/AC.109/2022/2](#)).

50. *Ms. McGuire (Grenada) resumed the Chair.*

Question of Bermuda ([A/AC.109/2022/3](#))

51. **The Chair** drew attention to the working paper prepared by the Secretariat on Bermuda ([A/AC.109/2022/3](#)).

Hearing of representatives of the Non-Self-Governing Territory

52. **The Chair** said that, in accordance with the Committee’s usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

53. **Ms. Simmons** (Attorney-General and Minister of Legal Affairs and Constitutional Reform of Bermuda) said that the Government of Bermuda was proud of its parliamentary history, its more than 350 years of self-government with minimal interference by the United Kingdom, and its 53 years of constitutional democracy. By all objective measures, Bermuda remained an

advanced society characterized by economic, social and political stability. However, involvement by the United Kingdom in the Territory's domestic affairs had undercut the stability of its democracy and undermined the collective desire of Bermudians to handle their own affairs. In the Bermuda Constitution Order 1968, certain powers were reserved for the Governor and exercised in the interests of the United Kingdom, something that stifled the Territory's growth and dampened its people's legitimate aspirations. Moreover, the domestic interests of Bermuda and the democratically expressed will of its people were often at odds with the interests of the United Kingdom and its domestic political positions, yet Bermuda citizens had no vote or direct representation in the Parliament or executive Government of the United Kingdom.

54. Constitutions were living instruments that were expected to be modified as societies evolved. Bermudian society had certainly evolved since 1968, when the Constitution Order, intended to take Bermuda to independence in the same manner as the Bahamas, had come into effect. Calls for its reform had rung out across the islands before the ink had had time to dry. Despite its glaring deficiencies, only in 2003 had amendments to the Constitution Order brought about universal adult suffrage in Bermuda, a development which the Progressive Labour Party, the current governing party, had championed since the 1960s. The establishment of the office of the Ombudsman was another constitutional advancement showing that Bermudians were capable of overseeing the administration of their own public institutions. More recently, high profile legal challenges had tested the limits of the legal interpretation of Chapter I of the Constitution Order (Protection of fundamental rights and freedoms of the individual), while the unfair exercise and delegation of powers derived from the Constitution Order had created practical constraints.

55. Bermuda unreservedly embraced the inalienable right of its people to self-determination, a right that underpinned the Committee's mandate, and was concerned that there remained 17 Non-Self-Governing Territories, including Bermuda. While progress towards self-determination had been made in Bermuda, decolonization would remain an elusive ideal unless the political polarization that had historically surrounded the subject was displaced by the will of a populace fully aware of the Territory's present and future constitutional arrangements as they pertained to decolonization.

56. The Government of Bermuda acknowledged the findings set forth in the report of the United Nations Special Mission to Bermuda, 2005 (A/AC.109/2005/19). It took note of General Assembly resolution 76/92, in

which the Assembly had stressed the importance of the 2005 report of the Bermuda Independence Commission, which provided a thorough examination of the facts surrounding independence, and expressed regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda had so far not materialized. Against that backdrop, the Government of the Territory had expressed its renewed commitment to the development and execution of legal and diplomatic strategies aimed at achieving reform as a precursor to decolonization. The Government intended to build upon the recommendations of the Bermuda Independence Commission and the observations of the United Nations Special Mission to Bermuda with regard to educating the populace on constitutional reform, self-determination and the three options recognized by the United Nations, namely, independence, integration with an independent State or free association with an independent State, in order to enable Bermudians to make informed choices regarding their future status. That approach would be a marked departure from the position historically advanced by the United Kingdom, according to which the options were limited to maintaining the status quo or choosing independence. In addition, Bermuda would commission a self-governance assessment in the immediate future to ensure that the requisite minimum standards for political status options that provided for the full measure of self-government could be achieved.

57. The time had come for a new generation of Bermudians to have an active say in a constitutional reform process that was relevant to their needs, input largely denied to past generations as a result of historic exclusion and disparities in political representation and rights. Bermuda could not hope to weather the climate crisis, rising sea levels, migration and global market instability and supply chain disruptions, or other such global crises disproportionately affecting small island States and territories, while it was plagued by uncertainty as to whether the United Kingdom would respect and protect the interests of the people of Bermuda. A new constitutional arrangement with the United Kingdom was therefore needed, based on equal partnership, mutual respect and shared values. A modernized constitution would enshrine those and other democratic rights in a document drafted by Bermudians for Bermudians. The Government of Bermuda would remain firmly committed to eradicating all vestiges of colonialism embedded in its legal, political, economic and social structures, and to achieving self-determination for its people.

Question of the British Virgin Islands (A/AC.109/2022/4)

58. **The Chair** drew attention to the working paper prepared by the Secretariat on the British Virgin Islands (A/AC.109/2022/4).

Hearing of representatives of the Non-Self-Governing Territory

59. **The Chair** said that, in accordance with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

60. **Mr. Natalio Wheatley** (Premier and Minister of Finance of the British Virgin Islands) said that the report of the British Virgin Islands Commission of Inquiry had been published on 29 April 2022. On 8 June, the Governor of the Territory and the Foreign Secretary of the United Kingdom had announced that the Government of the United Kingdom would not partially suspend the Constitution of the British Virgin Islands. They had instead agreed to a proposal made by the Government of National Unity of the Territory, according to which that Government would implement the recommendations contained in the report and other reforms over a two-year period, under continued democratic governance. That approach was optimal, given that the Governor was responsible for the public service, security and administration of the courts while the Premier, Cabinet Ministers and Junior Ministers were responsible for managing the remaining functions of government.

61. While it was not ideal that the Government of the United Kingdom could issue an Order in Council that would partially suspend the Constitution if it assessed that implementation was not proceeding satisfactorily, the Government of the Territory was forging ahead with its proposed reforms, which it deemed to be in the best interests of the people of the British Virgin Islands, in some cases going farther than the report of the Commission of Inquiry had recommended.

62. The people of the Territory had a legitimate expectation that their elected representatives would govern with honesty and integrity and deliver the necessary reforms to strengthen government institutions. His Government had already taken important steps as part of its commitment to change the way the people's business was handled, with a view to transforming the British Virgin Islands into a model democracy with an economy that delivered for all. The support and technical assistance of international and regional partners in that endeavour were most welcome. While

change would not be easy, reform would strengthen governance and, with it, self-determination, as the people of the Territory took responsibility for improving their own institutions and systems of government.

63. While the Territorial Government's top priority was reform, it was still working to position the society for sustainable development over the medium to long term. The nearly finalized national sustainable development plan would serve as a road map to achieving the Sustainable Development Goals. The Territorial Government was continuing to implement the country implementation plan, which was aligned with the 2030 Agenda for Sustainable Development. It was also participating in a United Nations joint programme on social protection and youth economic empowerment that was being implemented in the Territory by United Nations agencies. It had signed on to the United Nations multi-country sustainable development framework for the Caribbean, with a view to securing a new round of support for the period 2022–2026. Support for post-pandemic socioeconomic recovery and technical assistance for sustainable development would be provided by the United Nations Development Programme and the Economic Commission for Latin America and the Caribbean, respectively. The Government of the United Kingdom continued to provide vaccines against COVID-19.

64. As the British Virgin Islands continued to recover from the pandemic, the Territorial Government was monitoring the social impact of global inflation and rising fuel and energy costs and engaging with the private sector to stimulate the economy and accelerate the growth of the tourism sector.

Hearing of petitioners

65. **The Chair** said that, in accordance 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.

66. **Mr. Eliezer Benito Wheatley**, speaking in his personal capacity, said that the aftermath of the crisis in the British Virgin Islands presented an opportunity to set the Territory on course to achieve a full measure of self-government. The reforms being implemented by the Government of National Unity would strengthen the checks and balances needed for the system of government to work effectively over time. The forthcoming constitutional review was an important feature of the reform process proposed by the Government of National Unity, under which the terms of reference of the constitutional review would establish the mechanism of transfer of the Governor's reserved

powers to the devolved Territorial Government in the future without requiring a further change to the Constitution. Consequently, the Territory's next constitution would likely include a date for a change in its political status, which could be based on the options recognized by the United Nations.

67. The constitutional review would provide the people of the British Virgin Islands with an opportunity to consider when responsibility for the public service, internal security, administration of the courts and external affairs would be turned over permanently to the local elected executive branch of government. However, for the Territory to be prepared for that transition by the end of the decade, it would need to accelerate the process of strengthening and building institutions to promote good governance and sustainable development. Reform must proceed swiftly to embed in the society the changes required for greater self-determination. The assistance and support of the United Kingdom, the Caribbean region and the United Nations would be critical to preparing the British Virgin Islands for the next steps.

68. **Mr. Spencer** (Antigua and Barbuda) said that his Government was concerned that the British Virgin Islands remained shackled by the chains of colonialism, a condition exacerbated by Commission of Inquiry. Some of the proposed recommendations signalled a counter-productive approach to governance. The people of the British Virgin Islands had demonstrated their capacity for self-rule for years. They should therefore have the autonomy to resolve any national problems relating to social development and governance. The Government of National Unity reflected the desire of the people of the Territory to have a government that represented their interests and transcended political parties. The British Virgin Islands could ensure good governance with transparency and accountability and should have the freedom to exercise their right to self-determination.

69. **Ms. Williams** (Grenada) said that the Caribbean Community (CARICOM) and OECS continued to support the political, constitutional and socioeconomic advancement of the Caribbean Non-Self-Governing Territories as integral to the overall process of regional integration. CARICOM and OECS supported the decision of the duly elected Government of the British Virgin Islands to welcome the recommendations of the Commission of Inquiry and its commitment to work with the United Kingdom to address the weaknesses identified in the report of the Commission.

70. While Grenada welcomed those recommendations, it supported the elected representatives of the people of

the British Virgin Islands in their objection to the recommendation to suspend parts of the Constitution and restore direct rule. The historical responsibility for strengthening governance in the Territory must rest on the shoulders of its elected representatives and its people.

Question of the Cayman Islands (A/AC.109/2022/5)

71. **The Chair** drew attention to the working paper prepared by the Secretariat on the Cayman Islands (A/AC.109/2022/5).

Question of French Polynesia (A/AC.109/2022/7)

72. **The Chair** drew attention to the working paper prepared by the Secretariat on French Polynesia (A/AC.109/2022/7).

Hearing of representatives of the Non-Self-Governing Territory

73. **The Chair** said that, in accordance with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

74. **Mr. Raygadas** (Deputy Delegate for International Affairs of French Polynesia), said that French Polynesia had been building its autonomy for more than 40 years, having negotiated and obtained its first self-governing status in 1984. Major developments had subsequently taken place following intense negotiations between elected French Polynesian officials and France. Under the Organic Act of 2004 on the self-governing status of French Polynesia, the Territory was an overseas country within the French Republic and governed itself freely and democratically through its elected representatives and by local referendum. The French Republic guaranteed the self-governing status of French Polynesia and foster the development of that status in order to promote the economic, social and cultural development of the Territory, while respecting its interests and geographic specificities and the identity of its population.

75. While the autonomy that French Polynesia enjoyed was not full sovereignty, it gave the Territory enough powers to shape its own future and suited the vast majority of French Polynesians, as demonstrated by the results of general elections held every five years. Financial autonomy allowed French Polynesia to take control of its economic and social development. Moreover, the level of autonomy allowed the Territory to engage confidently with regional and global issues. French Polynesia had incorporated the Sustainable

Development Goals into its public policies and had submitted its first implementation report to the Secretary-General and the Decolonization Unit of the United Nations. He hoped that those efforts would be mentioned in the resolution on French Polynesia that would be adopted by the Committee.

76. Against that backdrop, it was perplexing that, in paragraph 4 of General Assembly resolution 76/95, reference was made to an assessment by an independent consultant outside French Polynesia and the United Nations according to whom the country did not meet the full measure of self-government. The statement was an insult to the elected representatives who had fought for more than four decades to establish the Territory's current status.

77. French Polynesia would participate in the United Nations Ocean Conference to be held in Lisbon from 27 June to 1 July 2022. The Territory's commitment to protecting its waters was significant, given that only the sustainable management of marine resources and protection of maritime spaces would guarantee its self-sufficiency and the prosperity of its future generations.

78. French Polynesia benefited from an institutional framework that guaranteed the respect of individual freedoms as a result of its autonomy. French Polynesians were free to be themselves, express themselves in their own languages, and live according to their values and belief systems. The vast majority of the population did not think that the Territory was a colony in need of decolonization, and the Territorial Government ensured that its partnership with France was fair and balanced.

Hearing of petitioners

79. **The Chair** said that, in accordance 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.

80. **Mr. Corbin** (Dependency Studies Project) said that insufficient implementation of the decolonization mandate continued to delay the self-determination of Non-Self-Governing Territories. Without implementation, resolutions on decolonization would continue to be adopted without accountability. The question of French Polynesia was an important case in point.

81. That year, the General Assembly would adopt its tenth resolution reaffirming that the Declaration on decolonization applied to French Polynesia and acknowledging that the Territory's administrative autonomy, as opposed to political autonomy, did not amount to the full measure of self-government stipulated in the Charter of the United Nations. Thus, the

legitimization of political inequality was not consistent with the Charter. Such territorial arrangements had always been recognized as preparatory for full self-government, not as the embodiment thereof.

82. In-depth examination of those points had been limited because, in violation of the Charter, the administering Power had failed to transmit information to the United Nations since the Territory had been designated anew as a Non-Self-Governing Territory. Moreover, the Committee's working methods did not provide for detailed analysis of those dependency arrangements, instead limiting the debate to the expressions of competing opinions. It would therefore be appropriate to initiate a case-specific programme of work for French Polynesia in order to assess the intricacies of the current dependency arrangement. Those who advocated the legitimization of the status quo should welcome the opportunity to justify their position. Such a programme of work would pave the way for a genuine decolonization process. A visiting mission to French Polynesia was also a point of convergence among the political parties and would be an important element of the discussion.

The meeting rose at 6.15 p.m.