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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: priorities for action

Yanuca, Fiji
28 to 30 November 2006

STATEMENT BY

ARGENTINA

"Pacific Regional Seminar on the implementation of the Second International Decade for the Eradication of the Colonialism, Fiji. (20-23 November 2006)

Statement by the Argentine Delegate

Mr. Chairman,

First, I would like to thank the Government and People of Fiji for their warm welcome and hospitality and the Special Committee on Decolonization for the invitation extended to my Government to attend and address this Pacific Regional Seminar on the situation in the non-self governing territories. I would like to add my country's support and good wishes for the success of this Seminar and for your chairmanship of the Special Committee which will help to continue and advance the decolonization process.

This process is one of the most relevant successes of the United Nations and its members continue working towards its completion. Nevertheless, each pending issue should be approached taking into consideration its individual features, including the Question of the Malvinas Islands which affects the territorial integrity of the Argentine Republic and is deeply felt by its people.

The Malvinas Question constitutes a special and particular case that differs from other colonial cases, as it was expressly recognized by the Resolutions of the Special Committee related to that Question. Its specificity derives from the fact that the United Kingdom seized the islands by force in 1833, ousting the Argentine authorities and population residing there, who were never allowed to return, and replacing them by British subjects taken from Europe to the South Atlantic to populate the islands as a colony. Such actions were clearly protested by the Argentine Republic the very same year of 1833 and since then has continued in doing so.

In 1965 the General Assembly adopted Resolution 2065 (XX), noting the existence of a sovereignty dispute between the Argentine Republic and the United Kingdom over the Malvinas Islands. Through this and subsequent resolutions the General Assembly ruled out the applicability of the principle of self-determination to this special colonial situation that involves a territorial dispute. In this particular case, it was decided that the principle of territorial integrity prevails over the principle of self-determination in order to prevent any attempt to break the national unity and the territorial integrity of the Argentine Republic. In 1985 the General Assembly confirmed this when it rejected, by ample majority, two British amendment proposals aiming at

introducing the principle of self determination into the consideration of the issue.

Likewise, the Special Committee on Decolonization has been reiterating that the way to put an end to the special and particular colonial situation in the Question of the Malvinas Islands is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland, taking due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on this matter.

Mr. Chairman,

Decolonization and self-determination are not synonyms. Self-determination is only one of the mechanisms to implement decolonization as has been clearly set forth in paragraph 6 of resolution 1514 (XV), which says that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations".

Within the framework of the decolonization process, my country has constantly supported the applicability of the principle of self-determination to the peoples under colonial rule in all cases in which the United Nations concluded it was applicable. The Argentine Republic has demonstrated its firm commitment to this principle as one of the paths that leads to the eradication of colonialism in most of the Non-Self-Governing Territories.

However, in the Question of the Malvinas Islands it has been ruled out due to the fact that the inhabitants of the territory cannot be distinguished from the occupying power since they are descendants of the British population transplanted there by the United Kingdom as a consequence of its act of force. The existence of the sovereignty dispute ruled out the applicability of the right to self determination since it would be unacceptable that British citizens residing in the territory decide over a dispute to which the United Kingdom is a party. We do not have here a colonial population but a colonial territory.

These inhabitants have never been subjected to the subjugation, domination and exploitation of the colonial power as requested by the Declaration on the granting of independence to colonial countries and peoples (Resolution 1514 of the General Assembly, paragraph 1.) to be entitled to the applicability of such a principle. These inhabitants are part of the colonial power, they were never mixed with the original local Argentine population because that one had been ousted in 1833 and never allowed to return.

This was understood by the Special Committee as well as by the General Assembly through resolution 2065 (XX) in which it recognizes a dispute between the Argentine Republic and the United Kingdom over sovereignty of the Malvinas Islands and invites both Governments to negotiate a peaceful solution, taking into consideration the objectives of the Charter, Resolution 1514 (XV) and the interests of the inhabitants of the Islands. In this sense it is adequate to recall that the recovery of the full exercise of sovereignty over the Malvinas Islands including the respect to the way of life of their inhabitants, is enshrined in the Argentine National Constitution which states: "The Argentine Nation ratifies its legitimate and imprescriptible sovereignty over the Malvinas, South Georgias and South Sandwich Islands and the corresponding maritime and insular areas, since they are an integral part of the national territory. The recovery of those territories and the full exercise of sovereignty over them, while respecting the way of life of their inhabitants in accordance with international law, constitute permanent objectives of the Argentine people which are not to be resigned".

Mr. Chairman,

We are faced with a sovereignty dispute that has to be solved between the Governments of the Argentine Republic and the United Kingdom, taking due account of the relevant resolutions of the United Nations. Unfortunately, the Argentine Government's efforts towards reestablishing negotiations according to the mandate of the General Assembly and the Special Committee, have not yet found a positive reply from the United Kingdom. Nevertheless, on this occasion, my Government reiterates its disposition to resume negotiations with the United Kingdom in relation to the sovereignty dispute in order to reach a peaceful just and lasting solution to the Question of the Malvinas Islands".

Thank you very much, Mr. Chairman.