



ODUMUNC 2018 Issue Brief
Fourth Committee (Special Political and Decolonization)



The Political Status of Non-Self-Governing Territories
Old Dominion University Model United Nations Society

Introduction

Today, the United Nations is home to 193 Member States. However, there still exist several non-self-governing territories. Their status is one of the most controversial issues facing the international community. For every one, there are advocates of continued territorial status, full membership in the colonial or occupying country, or outright independence.

Ever heard of the Falkland Islands also known as Isla Malvinas, or Gibraltar and Western Sahara? According to the United Nations, each territory is defined as having a non-self-governing political status. Moreover, “a territory whose people have not yet attained a full measure of self-government can be classified as non-self-governing territories.”¹

In each case, a ruling UN Member State, often with important allies, has reasons to keep their status as they are. But with a lack of full political autonomy, the peoples of these territories are prone to political instability, the rival claims of neighboring states, and in some cases denial of their own search of self-rule.

Functions of a “state” or nation-state can persist in non-self-governing territories but the roles for implementation are blurred. Generally, these territories have minimal populations due to small, island land areas and concentrated resources. One issue to keep in mind when discussing the Falkland Islands, Gibraltar, and Western Sahara is ownership and claims. The idea of authority is vital to understanding the functions of non-self-governing territories. In

the United Nations Fourth committee, decolonization is a concept that corresponds appropriately with non-self-governing territories. Many of these territories function under the premise of colonization, minimal political autonomy.

¹ *United Nations*. (2017) “International Week of Solidarity with the Peoples of Non-Self-Governing Territories.”

<http://www.un.org/en/events/nonselfgoverning/>



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Introduction to Non-Self-Governing Territories
recognized by the member States of the UN
with links to basic facts

TERRITORY	LISTING AS NSGT	ADMINISTERING POWER	LAND AREA (sq.km.) ¹	POPULATION ¹
AFRICA				
Western Sahara	Since 1963	²	266,000	584,000
ATLANTIC AND CARIBBEAN				
Anguilla	Since 1946	United Kingdom	96	15,700
Bermuda	Since 1946	United Kingdom	53.35	61,695
British Virgin Islands	Since 1946	United Kingdom	153	28,200
Cayman Islands	Since 1946	United Kingdom	264	60,413
Falkland Islands (Malvinas) ³	Since 1946	United Kingdom	12,173	2,500
Montserrat	Since 1946	United Kingdom	103	5,000
Saint Helena	Since 1946	United Kingdom	310	5,691
Turks and Caicos Islands	Since 1946	United Kingdom	948.2	37,910
United States Virgin Islands	Since 1946	United States	352	103,700
EUROPE				
Gibraltar	Since 1946	United Kingdom	5.8	33,140
PACIFIC				
American Samoa	Since 1946	United States	200	60,200



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French Polynesia	1946-1947 and since 2013	France	3,600	271,800
Guam	Since 1946	United States	540	159,358
New Caledonia	1946-1947 and since 1986	France	18,575	268,767
Pitcairn	Since 1946	United Kingdom	35.5	39
Tokelau	Since 1946	New Zealand	12.2	1,499

1. All data is from United Nations Secretariat 2017 Working Papers on Non-Self-Governing Territories (NSGTs), and for Western Sahara, from UNdata (data.un.org), a database by the United Nations Statistics Division of the Department of Economic and Social Affairs, United Nations.

2. On 26 February 1976, Spain informed the Secretary-General that as of that date it had terminated its presence in the Territory of the Sahara and deemed it necessary to place on record that Spain considered itself thenceforth exempt from any responsibility of any international nature in connection with the administration of the Territory, in view of the cessation of its participation in the temporary administration established for the Territory. In 1990, the General Assembly reaffirmed that the question of Western Sahara was a question of decolonization which remained to be completed by the people of Western Sahara.

3. A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas) (see [ST/CS/SER.A/42](#)).

Current Situation

Contention surrounding politically non-self-governing territories is amplified due to internal differences. Referendums are often the result of potential changes in the status quo. For instance, “In March 2013, the autonomous government of the Falkland Islands organized a referendum as to whether the territory should remain a British Overseas Territory. With a 92% turnout, 99.8% of Falkland Islanders voted to maintain that status; only three islanders favored changing it.”²

Complications arise when a non-self-governing territory become too dependent or have two or

more different states going back in forth for authority. Like with the Falkland Islands located south of Argentina, not only the United Kingdom but Argentina claims authoritative responsibility to the territory.

This dispute is historic, “to challenge Britain for control of the Falklands, which Argentina invaded then lost during the 1982 war.”³ Analyzing the status of the Falkland Islands/Malvinas, it’s crucial to address the costs of both Argentina and Great Britain as the administrative powers. Particularly, how that fits into the mold of Falkland islanders; no matter

² UK. (2013) *BBC News*. “Falklands referendum: Voters choose to remain UK territory.” <http://www.bbc.com/news/uk-21750909>

³ Beckhusen, Robert. (2017). *The National Interest*. “Argentina Has Just 3 Years to Invade the Falklands.” <http://nationalinterest.org/blog/the-buzz/argentina-has-just-3-years-invade-the-falklands-18964>



the population their rights are protected and a priority of the United Nations.

The narrative of Western Sahara is different, located at the northwest tip to the African continent, surrounded predominantly by Muslim N. Africa faces internal issues as a non-self-governing territory. Morocco, Western Sahara's neighbor to the east has recently been very active in conversation surrounded the stability of the territory.

With much of resource extraction located in various parts of Africa, the progression of self-determination needs to be expedited in accordance to many for Western Sahara. Influence in the region of N. Africa is another faces Western Sahara and a change status as politically non-self-governing territory. For example, UNGA SPECPOL committee seventy-first session was built around a tone of "*Despite Diminished Violence, Peace Still Does Not Prevail in Western Sahara: While the people of Western Sahara no longer went to bed with the sound of bombs and gunfire in their ears every night, they still did not live in peace.*"⁴ Sovereignty, and autonomy are two concepts that shape identity even for non-self-governing territories seeking self-determination.

Gibraltar located in the south of the Iberian Peninsula, geography and contention like the Falkland Islands, makes this territory a priority for many. In the case of Gibraltar, Spain and the UK (authority power) have a dynamic relationship over this pivotal location. Gibraltar along the Strait of Gibraltar, connecting the Mediterranean Sea to the Atlantic Ocean. Due to such implications, the UNGA at its third meeting of the seventy-first session highlighted Gibraltar as a hot ticket item for the agenda. For

instance, "As the Committee took up the question of Gibraltar, Fabian Picardo, Chief Minister of that Territory, said it was no closer to being removed from the list of Non-Self-Governing Territories, painting that as a cause for huge disappointment. Recalling Brexit — the United Kingdom's decision to leave the European Union — he decried Spain's "opportunism" in seeking to advance its territorial claim by raising the issue in relation to Gibraltar.

Yet Gibraltarians had voted by 96 per cent to remain in the bloc and were not prepared to give up their sovereignty. Therefore, the answer to whether the Territory would ever become Spanish would always remain "no", he stressed, expressing regret that after a century of needless confrontation, nothing had changed in the Spanish Government's attitude."⁵ Gibraltar, Western Sahara, and the Falkland Islands/Malvinas are three of the most pertinent non-self-governing territories as the world approaches 2020. The year 2020, indicating the last year of the third decade to eradicate to colonialism. These three territories do not stand alone. However, in order to minimize or eliminate the United Nations list of non-self-governing territories inclusivity and priority should be placed on those three pieces of land.

United Nations Actions, Roles, & Resolutions

As the United Nations ensued around the mid-20th century, decolonization particularly in Africa but also in island territories became a pressing agenda item. Colonies and territories alike so independence; political autonomy began to matter and in many ways defines sovereignty for some.

⁴ United Nations. (2016) United Nations General Assembly: SPECPOL 4th Committee. "Despite Diminished Violence, Peace Still Does Not Prevail in Western Sahara, Fourth Committee Hears as It Continues Hearing of Petitioners." GA/SPD/610. <https://www.un.org/press/en/2016/gaspd610.doc.htm>

⁵ United Nations. (2016) United Nations General Assembly: SPECPOL 4th Committee. "Fourth Committee Hears Petitioners from Non-Self-Governing Territories, Including French Polynesia, New Caledonia, Gibraltar." GA/SPD/608. <https://www.un.org/press/en/2016/gaspd608.doc.htm>



The Political Status of Non-Self-Governing Territories



The Fourth Committee of the United Nations General Assembly is the Special Political and Decolonization committee. Since the start of the UN, Great Britain and France the victors of WWII were permanent members and very influential in the UNGA particularly because membership was minimal. Both states, were also

key stakeholders of colonialism in Africa, Asia and Atlantic and Pacific islands. However, the United Nations charter in chapter XI details the obligations of the United Nations to non-self-governing territories; somewhat still colonized entities.



General Assembly Fourth Committee

Fourth Committee Hears Petitioners from Non-Self-Governing Territories, Including French Polynesia, New Caledonia and Gibraltar, with special reference to the Falkland Islands (Malvinas)

A debate over the best interests of Non-Self-Governing Territories stimulated confrontational exchanges and elicited strong opinions from a broad range of representatives and petitioners today, as the Fourth Committee (Special Political and Decolonization) entered its second day of debate on decolonization issues.

As high-level representatives from the Territories of French Polynesia, Gibraltar and New Caledonia addressed the Committee, they faced opposition from petitioners on such topics as nuclear testing, financial and economic control, extension of municipal authority, and the increasing numbers of non-native settlers.

Édouard Fritch, President of French Polynesia said that since being re-inscribed on the list of Non-Self-Governing Territories list in 2013, the Territory had never officially addressed the General Assembly. Yet its ongoing dialogue with France had gradually yielded results, he said, while denying that the administering Power had confiscated French Polynesia's natural resources for its own benefit. Indeed, the Territory's autonomous status was clear since it exercised its right to explore and use its own natural resources. Furthermore, French Polynesia was a member of the Pacific Islands Forum, which demonstrated that the 16 States comprising that bloc welcomed the Territory as an equal.

In response, former President Oscar Manutahi Temaru said the administering Power remained in

a state of denial at the heart of the very institution it had helped to create. The Ma'ohi people had full sovereignty over their natural resources, he emphasized, expressing support for the recent draft resolution presented by the Special Committee on Decolonization. He also recalled a petition relating to the exploitation of natural resources, pointing out that 27 per cent of all registered voters, and 40 per cent of all actual voters in the 2013 territorial elections had signed it.

As the Committee took up the question of Gibraltar, Fabian Picardo, Chief Minister of that Territory, said it was no closer to being removed from the list of Non-Self-Governing Territories, painting that as a cause for huge disappointment. Recalling Brexit — the United Kingdom's decision to leave the European Union — he decried Spain's "opportunism" in seeking to advance its territorial claim by raising the issue in relation to Gibraltar. Yet Gibraltarians had voted by 96 per cent to remain in the bloc and were not prepared to give up their sovereignty. Therefore, the answer to whether the Territory would ever become Spanish would always remain "no", he stressed, expressing regret that after a century of needless confrontation, nothing had changed in the Spanish Government's attitude.

Richard Buttigieg of the Self-Determination for Gibraltar Group responded by saying that the Committee had done "very little" on the issue. "Your approach to delisting our nation is simply outdated," he added, emphasizing that its



silence and inaction had emboldened Spain to continue its “aggressive and oppressive attitude towards Gibraltar”.

Jean-Louis d’Anglebermes, Vice-president of the New Caledonia territorial government, recalled the Pacific Regional Seminar on Decolonization held in June 2015, where partners had supported an amendment on the Territory with the aim of simplifying mechanisms for its special electoral list. During the Seminar, it had been agreed that United Nations observers would take part in special administrative committees to determine the list, he noted.

In similar vein, Papua New Guinea’s representative said the referendum to be held in 2018 was crucial to New Caledonia’s quest for self-determination, describing the special electoral list of qualified people as imperative.

Also speaking today were petitioners from the Falkland Islands (Malvinas) [1], French Polynesia, Gibraltar, New Caledonia and the United States Virgin Islands.

Speaking in exercise of the right of reply were representatives of the United Kingdom and Spain.

Background

As the Fourth Committee continued its general debate on decolonization today, members had several relevant documents before them. (See Press Release [GA/SPD/607](#) of 3 October for more information.)

Statement

ROMÁN OYARZUN MARCHESI ([Spain](#)), drawing attention to Brexit — the United Kingdom’s vote to leave the European Union — said that country was responsible for its own action, which would affect the daily lives of the inhabitants of Gibraltar. With the United Kingdom’s impending exit from the European Union, Spain suggested joint sovereignty over Gibraltar in order to keep the Territory within the bloc. He invited the people of Gibraltar to study the offer carefully as it would have an impact on their lives. Emphasizing that they could have Spanish citizenship without giving up their British nationality, he said that, among other things,

applying a special tax regime compatible with the European Union’s rules would be critical. “Gibraltar must benefit from access to the European Union, including free circulation of workers and provision of services,” he stressed, saying that would ensure continued growth.

Petitioners on Question of French Polynesia

EDOUARD FRITICH, President of [French Polynesia](#), said that since being re-inscribed on the list of Non-Self-Governing Territories in 2013, French Polynesia had never before officially addressed the General Assembly, and it was time to deliver viewpoints reflecting the majority opinion of his people. The pro-autonomy side had never received the majority of votes, and the French Polynesian people had never expressed a desire to separate themselves in the past 40 years. On the matter of nuclear testing, he said several institutions agreed that its repercussions were alarming, but during a meeting held in October 2013, speakers had failed to note France’s acknowledgement of that issue and the fact that it had arranged compensation. President Francois Hollande of France had also acknowledged that nuclear testing had caused health and environmental damage, he said.

Questioning the need to add another paragraph to the resolution on the topic, he said the territorial government had already set up the relevant mechanisms and an ongoing dialogue with France had gradually yielded results. He also denied that France had confiscated French Polynesia’s natural resources for its own benefit, saying the Territory’s autonomous status was clear since it exercised its right to explore and use its own natural resources. French Polynesia was now also a member of the Pacific Islands Forum, which demonstrated that the 16 States comprising that body welcomed the Territory as their equal. France had not obstructed its membership, which was the opposite of a colonial approach, he said. Autonomy was not in line with the will of the people, who did not feel the need for external arbitration, he said, adding that his government’s approach and vision were realistic, given the interdependence of nations.

OSCAR MANUTAHU TEMARU, former president of [French Polynesia](#), said that since the



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Territory's re-inscription on the United Nations list of Non-Self-Governing Territories, the administering Power had been in a state of denial at the heart of the very institution it had helped to create. Citing "a huge display of diplomatic power" in the Pacific region and at the United Nations, he said that pressure had helped many of his people realize what was at stake for the Ma'ohi People. He recalled three important issues, as stated in the 132nd Synod communiqué of the Ma'ohi Protestant Church, the Territory's largest: support for the quest for freedom and full sovereignty; despair over the French State's mishandling of the consequences of nuclear testing; and appreciation of the recent draft resolution presented by the Special Committee on Decolonization, especially regarding the Ma'ohi people's full sovereignty over their natural resources. Regarding the third issue, he called attention to the launch of a petition to reaffirm his people's support for the notion of full sovereignty over their resources, and pointed out that 27 per cent of all registered voters, and 40 per cent of all actual voters in the last territorial elections, held in 2013, had signed the petition.

The representatives of Vanuatu and Venezuela requested further details about the political situation in French Polynesia.

The representative of Papua New Guinea, emphasizing that colonialism remained a scourge on humanity, called upon the parties concerned to engage in a meaningful dialogue. He asked about French Polynesia's plans to work with the administering Power in the context of the 2030 Agenda for Sustainable Development.

Mr. FRITCH said that while French Polynesia had sufficient jurisdiction to manage its people, there were some gaps with respect to financial means. On foreign relations, he said the Territory had full ability to discuss policies at the regional level. "We should focus our efforts on the implementation of the jurisdiction," he added.

Mr. TEMARU said the petition on natural resources had received more than 10 million signatures. Expressing gratitude for that support, he said the petition represented an historical movement.

ANTONY GÉROS, Council Member for the City of Paea, said the creation of the "municipality" in Ma'ohi Nui-French Polynesia under Article 72 of the French Constitution was merely an extension of control by the administering Power over its Territories. The municipalities created a divide within the so-called "autonomous" local government. Governance of Ma'ohi Nui's 48 municipalities clearly interfered with that of the elected government, he said, noting that, the the administering Power manipulated decisions through those municipalities, thereby causing financial, institutional and political tensions.

JUSTINE TEURA, Council Member for the City of Tumaraa, said that France's colonial policy hindered French Polynesia's economic development. "We have to face the issues of the entire European Union on our small islands," she added, noting that, not only French citizens, but any other Europeans could enter the Territory freely and resettle easily. Furthermore, after only six months of residence, any European citizen was allowed to vote, she said, emphasizing that the right to vote was earned through knowing the land and people. Among other things, employment issues were linked directly to immigration, she said. In fact, the official 2012 census showed that 30,400 non-native settlers — representing 85 per cent of all immigration — had arrived in French Polynesia since 2007, she added.

PUARAI TAEREA, President, BlueDJEUNS Association Punaauia, said that whether referring to the French Constitution or the Organic Law of 2004 governing the autonomous Territory — the system established to protect local employment in Ma'ohi Nui-French Polynesia existed only on paper. It had not been implemented because local legislation was stuck with criteria that only served the interests of the administering Power while neither protecting nor preserving the labour rights of the Ma'ohi people. Thwarting local legislation that prioritized the employment of the Territory's local inhabitants over that of European or mainland French citizens demonstrated that the administering Power was not interested in helping to promote local sustainable development.

STEVE CHAILLOUX, Professor of Tahitian Language, University of Hawai'i—Manoa, said



that over the past 30 decades, the status of the Tahitian language had enjoyed official equality alongside the French language. He went on to denounce the French Republic's 1992 revision of article 2 of the constitution, which in turn had robbed his language of its legitimate official status and the benefits associated with it. Consequently, the Tahitian people had fallen hostage to a narrow republican point of view that endured today as an instrument with a "steamroller effect" that made official recognition of their language impossible, he said, emphasizing that the distinction was crucial.

MINARII CHANTAL GALENON, Vahine Piri Rava, said that French Polynesia's education system was controlled by the administering Power, which, wielding the hidden threat of cutting funding, intruded on every aspect of teaching. Only France was allowed to deliver national diplomas, which was catastrophic for "de-schooled" Ma'ohi youth, she said, pointing out that French Polynesia's education level was the lowest among French Overseas Territories. It had also been placed among last in the Human Development Index.

VALENTINA CROSS, Council Member for the City of Teva-i-Uta, said the administering Power maintained financial and economic control of the Territory through multinational corporations. A jointly licensed company, Electricité de Tahiti, a subsidiary of a French company, had a monopoly on the production and distribution of electrical energy, and large corporations dictated regulations and rules through their strong lobby. Their colonial policies and violations of obligations left local officials powerless, she said.

STANLEY CROSS, Honorary Lawyer, Bar of Papeete (Tahiti), said the justice system in Ma'ohi Nui-French Polynesia remained under the full control of France. New Ma'ohi judges must practise for 10 to 15 years in French courts before they could become judges in the Territory. The administering Power had opposed attempts by the local Assembly to provide translation in all Polynesian languages, and free translation services were not available in any territorial court. While the Land Tribunal had been legally established under the 2004 Organic Law, it would only start

operating in 2017, he said, adding that the administering Power's continued control of the justice system violated the 1960 decolonization Declaration and resolution 25/2625.

SÉBASTIEN QUENOT, Director of Cabinet, Assemblée de Corse, Corsica Libera, said that after Algeria's independence in 1962, France had looked for new territories outside the hexagon for its nuclear experiments, and had thought of Corsica. Only after the Corsicans had denounced that violation of their land had France moved to the South Pacific where it had caused damage that had been invisible to the metropolitans, yet irreversible for the Polynesians.

YVES CONROY, "Here ai'a", a Polynesian political party, said the first nuclear test on the Territory had been carried out in 1966, and testing had continued for several years. France had organized several awareness-raising campaigns to demonstrate that it was carrying out "safe nuclear activities", but it had poisoned the Territory with radiation.

ELAINE TEVAHITUA, President of the NGO "Te Vahine Maohi No Manotahi", said the administering Power had perpetrated "an insidious nuclear genocide" in Ma'ohi Nui-French Polynesia. More cancer cases were reported every year, as were medical evacuations. To date, however, only seven Polynesian patients had received compensation, while the number of new cases of nuclear-based disease had grown exponentially every year. Noting the Special Committee on Decolonization's request that the Secretary-General report on the impact of 30 years of nuclear testing in French Polynesia, she urged him to broaden the scope of such a report to include independent and comprehensive analysis of the tests from a historical and technical standpoint.

PATRICK LAURENT GALENON, Economic, Social and Cultural Council, said that according to a 2006 report, the French State must acknowledge its responsibility in the nuclear matter. In 2011, the French representative had proposed a contingency fund for expenditure on radiation disease, yet more than two thirds of the victims had died, and only three files had led to reimbursement by the administering Power to



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date. The criteria established for eligibility were unrealistic, he said, noting that indigenous victims were unable to set up files in order to seek compensation. Conceding those issues did not exempt the administering Power from responsibility, he stressed.

JERRY GOODING, a pearl farmer on Rikitea Island, said the report on nuclear tests in the Gambier Archipelago in 1966 was filled with lies, and had led to the birth of the so-called “clean testing theory”. It falsified figures relating to the effects in Mangereva, where entire families were still gravely ill. He called for truth and justice, in the tragic case of nuclear activity in French Polynesia, for allowing the people to speak through a referendum, and for epidemiological studies to be conducted.

MAXIME CHAN, Association Te Rau Atiati, urged the payment of reparations for environmental damage caused by nuclear testing. Declassified documents had revealed that 3,200 tons of radioactive waste had been dumped into the ocean and the Moruroa coral reef, in violation of international rules. The northern part of that region was at risk of collapsing because of the tests, and two atolls were unsuitable for human habitation owing to radioactive activity, he said.

AUGUSTE UEBE-CARLSON, President, of the Association 193, said that in the past 30 years, Polynesians had witnessed 193 tests 800 times more powerful than the atomic bomb dropped on Hiroshima. The French Polynesia had become a nuclear waste bin, he said, emphasizing that the administering Power had poisoned the Territory. As a result, 7,000 people had fallen ill, and most of the children involved had developed various cancers, he said.

RICHARD TUHEIAVA, Member, House of Assembly of French Polynesia, said that in order for the Territory to develop economically, it must recover permanent sovereignty over its own natural resources. The people had no sovereignty over raw materials within the Territory’s exclusive economic zone, and they were also powerless in the face of emerging threats to their strategic resources posed by colonial interests.

The representative of Vanuatu, noting the recent designation of Ma’ohi Nui as a managed marine area, questioned the consequences of that step, asking whether other resources were not available to advance the Territory’s sustainable development.

The representative of Palau made reference to the resolution approved by the Special Committee on Decolonization regarding the Secretary-General’s report, and asked whether there would be an update.

The representative of Venezuela said the Special Committee had approved an article introducing a change. The Secretary-General must provide it with reports on the situation regarding nuclear testing in French Polynesia because the 2013 report had been the last one adopted. He said the views expressed by petitioners reflected the reality on the ground and should be included in the Secretary-General’s report.

The representative of Algeria asked for more information on the exploitation of natural resources.

Mr. TUHEIAVA said in response that the Secretary-General’s latest report on the consequences of nuclear testing in French Polynesia had been released in 2015, a few weeks after the session so that most petitioners had not been able to make comments. Most of the information contained in the report was obsolete and incomplete, he added. In January 2010, the French Parliament had adopted legislation on the need to compensate victims of nuclear testing in Algeria and French Polynesia, but the implementation of that legislation had failed. The current report made no reference to the risk of the Moruroa Atoll’s collapse or the tsunami threat that it posed.

He said that between 1992 and 2016, French Polynesia’s health system had covered \$500 million in health expenses for inhabitants officially affected by nuclear-related diseases. However, he said he could not accept a report containing only two pages from two agencies out of the 21 consulted by the Office of the Secretary-General. On the question of resources, he said the Territory’s exclusive



economic zone covered maritime and territorial resources, while deep-sea resources were under the management of local government, unless the administering Power qualified some of them as strategic. All revenues earned through exploitation of the Territory's natural resources did not remain in the French Territory but only added to the French treasury.

MOETAI BROTHERSON, Deputy Mayor of Faa'a, said France wished to reaffirm its presence in the Pacific through the full membership in the Pacific Islands Forum for New Caledonia and French Polynesia. "They need Trojan horses in the Pacific," he noted. The Minister for Overseas France had said that admission to the Pacific Islands Forum had been, first and foremost, the result of French diplomacy, but Forum leaders had made it clear that full membership did not mean that New Caledonia and French Polynesia had suddenly become self-governing Territories, he said. Reinstating French Polynesia to the decolonization list in 2013 had given France bad reasons for membership in the Forum, as well as a noble motivation for its Pacific brothers to welcome it.

The representative of the Federated States of Micronesia sought clarity as to whether the French Polynesia's status had been upgraded since it had become a full member of the Pacific Islands Forum, and whether that related to any change in governance.

The representative of Cuba also asked about French Polynesia's membership of the Pacific Islands Forum, and whether such an upgrade had anything to do with a change in the Territory's status.

MOTHEI BROTHERSON, Deputy Mayor, City of Faa'a, asserted that there had been no upgrade to the set of competencies allowed the local government since 2004. However, the idea a Pacific passport allowing free movement, as in the European Union, had been raised in 2009.

CARLYLE G. CORBIN, Dependency Studies Project, conveyed the findings of an assessment of French Polynesia's political status, emphasizing that the term "autonomy" could not be applied to the Territory. Its governance had been modernized

incrementally in form and nomenclature, but not in substance, he said, pointing out that the administering Power retained a high degree of unilateral control. French Polynesia did not meet recognized international standards for self-government, he said, adding that what was required now was implementation of General Assembly resolutions 68/93, 69/103 and 70/100 in order to foster a genuine self-determination process. Recent announcements of a proposed accord between the administering Power and the territorial government were efforts at colonial modernization, rather than decolonization, he said, adding: "Colonialism by consent is colonialism nevertheless."

FABIAN PICARDO, Chief Minister of Gibraltar, said the fact that the Territory was still no closer to being removed from the list of Non-Self-Governing Territories was cause for huge disappointment. Reviewing Gibraltar's history, he said Spain had spent five decades insisting that bilateral negotiations with the United Kingdom — from which Gibraltarians were excluded — were the only means to determine the Territory's future. Spain had chosen to continue its policy of political defamation and economic sabotage instead of testing its case in the International Court of Justice, because it faced the insurmountable legal obstacle of having actually ceded sovereignty over Gibraltar more than 300 years ago, he said. Citing in that regard a recent case before the Court of Arbitration for Sport, he said it had found that Gibraltar was entitled to become a member of the Fédération Internationale de Football Association (FIFA) because "Gibraltar is clearly British and no actual dispute is presently pending". That seminal decision was a reminder that, as long as the international community continued to value the stability of internationally recognized boundaries, Spain's expansionist territorial claim was doomed to fail.

To counter that legal setback, he continued, Spain's caretaker Minister for Foreign Affairs had spotlighted the United Kingdom's recent vote to leave the European Union as a rare opportunity to advance the Spanish territorial claim. While Gibraltarians had voted by 96 per cent in favour to remain in the European Union, and would indeed like to retain some aspects of their relationship



with the bloc, they were not prepared to give up their sovereignty to do so, he said, stressing that the answer to whether the Territory would ever become Spanish would always remain “no”. He expressed regret that after a century of needless confrontation, it still seemed that nothing would change in the Spanish Government’s attitude. It was incredible that a modern European nation such as Spain would appear to relish the prospect of taking Gibraltar over against its will. Spain’s suggestion that the General Assembly should not approve visiting missions to Territories that were subject to sovereignty disputes was illogical and counter-productive, he said, adding that objective fact-finding was always valuable. The Special Committee should visit and see the truth for itself.

RICHARD BUTTGIEG, Chairman, Self-Determination for Gibraltar Group, said the Committee had done very little on the question of Gibraltar, adding: “Your approach to delisting our nation is simply outdated.” The Committee should follow the decision of the Court of Arbitration for Sport in concluding that there was no legitimate sovereignty claim over Gibraltar. It had repeatedly asked the United Kingdom and Spain to resolve the issue, but there could not be any progress if the right to self-determination was not respected, he said, adding that the Committee must realize that its silence and inaction had emboldened Spain to continue its “aggressive and oppressive attitude towards Gibraltar”.

Question of New Caledonia

JEAN-LOUIS D’ANGLEBERMES, Vice-President, government of New Caledonia, noted that during the Pacific Regional Seminar on Decolonization in June 2015, partners had supported an amendment on New Caledonia, broadening opportunities to dispense with formalities and simplify mechanisms for citizens on the basis of a special election list for congressional and provincial assembly elections. It was essential for the list to be indisputable. Constructive discussions had been held, and it had been agreed that United Nations observers would take part in special administrative committees to determine the election list.

He went on to say that 2016 had seen gradual decolonization, and it had been demonstrated that

New Caledonia had the institutional capacity to build its own international relations policy, he said. It had established bilateral relations with States on the basis of cooperation agreements, and the 16 member States of the Pacific Islands Forum — the only political organization in the region — had decided to accept it as a full member. The accession was an excellent opportunity for New Caledonia to have its voice heard in the region, he said, pointing out that the Territory possessed 30 per cent of the world’s “pristine reefs” and emphasizing the critical importance of preserving them.

The representative of Papua New Guinea said the referendum to be held in 2018 was crucial to New Caledonia’s quest for self-determination, and reiterated the importance of ensuring that key recommendations made by the United Nations visiting mission in 2014 were respected. The special electoral list of qualified candidates, as provided for by the Nouméa Accord, was imperative, he said, asking whether concerns about the list had been resolved. If not, why not, and when they were likely to be resolved? Describing New Caledonia as a rich mining Territory, he asked how the French Government would implement the 2030 Agenda for Sustainable Development since there was such a vast difference between the Territory’s urban and rural areas.

Mr. D’ANGLEBERMES responded by saying there was a risk that a majority of Kanaks would not be able to vote because they were not inscribed on the electoral list. While the Nouméa Accord provided for their right to vote, they needed to register, he emphasized, noting that many young people had not registered. Political leaders were seeking a solution to that problem. On the mining question, he said it was also true that there were three smelters in New Caledonia. Nickel prices were very low, but the mineral was still a source of development. The Nouméa Accord was based on the principle of rebalancing, and that was the responsibility of the New Caledonia government to ensure. The Government of France had also committed itself to assisting it in striking that balance and responsibility to particular ethnic groups, but much remained to be done. The territorial government would follow



recommendations in order to find balanced results for everyone, he said.

GÉRARD POADJA, Vice-Chair, External Relations Committee, New Caledonia Congress, said a vast majority of the Caledonian population wished to continue its singularity within the French Republic. To those people, France was an opportunity to be linked to a glorious country and old continent, Europe, while participating in the “concert of Pacific countries”. For Caledonians against independence, such a process would be a major mistake that would lead them to leave the French Republic, he cautioned. Dialogue was needed to strike a balance with the independence faction so that the world would not witness “one Caledonia beating the other”.

Question of Falkland Islands (Malvinas)

PETER HAMILTON, petitioner, said that the United Kingdom’s continuing possession of the Territory was “an archaic form of colonialism and an historical justice”. The question was not the status of their inhabitants, but the sovereignty of the Territory. It was time for the Special Committee to seek an advisory opinion from the International Court of Justice, after which it could make a recommendation on the basis of that opinion, he emphasized. That in turn would break the deadlock and pressure the parties to return to the negotiating table.

Question of United States Virgin Islands

RUSSELL CHRISTOPHER, ancestral and native Virgin Islander, said his people were experiencing a declining and non-sustainable economy, deplorable education, failing health systems and continuous environmental pollutants that were responsible for thousands of severe health issues and deaths. In that context, he cited a corrupt governing body that did not serve the people, who were not allowed to create laws, and a constitution that was not truly in the best interests of indigenous and ancestral peoples. As a result, the process and remedies prescribed in General Assembly resolution 1514 would not be accomplished without full and immediate implementation by the United Nations.

MONIQUE MASON, descendent of indigenous YHWH people, said the world was waking up and would see that the United Nations paid mere lip service to decolonization. The Organization was destroying the same indigenous people that it claimed it wished to protect. It was unfortunate that, in 2016, there were countries that owned people as property, while the rest of the world stood by and pretended not to be aware of what was taking place, she said, adding that the United Nations seemed to refuse to enforce the very international law that it had created.

JOSEPH CALHOUN III, servant of YHWH, said that “the Tanakh” — the living word of “Ahayah” — informed that any gathering of nations, their kings or rulers solely for the purpose of opposing “the most High Yah”, and any mandate of peace proposed by the confederation of nations was deeply rooted in deception. He informed participants in the room that they had 10 days to repent and make atonement for their sins.

Right of Reply

The representative of the United Kingdom, speaking in exercise of the right of reply, said Gibraltar was included on the list of Non-Self-Governing Territories and its people enjoyed the right to self-determination, as enshrined in the Charter. The 2008 constitution had been endorsed in a referendum and the Government of the United Kingdom had a long-standing commitment that the people of Gibraltar would not pass under the sovereignty of another State against their wishes. The United Kingdom would not enter into sovereignty negotiations with which Gibraltar was not content, and remained firmly committed to trilateral dialogue to strengthen relations among the United Kingdom, Spain and Gibraltar. The Territory’s active participation in any dialogue process, in its own right, was non-negotiable, he said adding that the United Kingdom Government was committed to involving Gibraltar in the process to exit the European Union. The vote to leave did not change its commitment to respect Gibraltar’s sovereignty.

The representative of Spain, responded by saying the Arbitration Court was a private and non-governmental entity, and its decisions had no effect on the international status of Gibraltar, a



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non-autonomous territory that must be subjected to a process of decolonization--in other words, a colony. Moreover, Spain did not concede to the United Kingdom the territorial waters adjoining Gibraltar. The proposed sovereignty negotiation that Spain had made had been in good faith, and it would benefit Gibraltar because the market would

change radically when the United Kingdom left the European Union, he said.

[1] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas).



UNITED
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MEETINGS COVERAGE AND PRESS RELEASES

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General Assembly Fourth Committee

MAJORITY OF NON-SELF-GOVERNING TERRITORIES SHOULD BE REMOVED FROM SPECIAL DECOLONIZATION COMMITTEE LIST, FOURTH COMMITTEE TOLD

Committee Continues Discussion of Decolonization Issues, Hears Petitioners on Western Sahara

The term "Non-Self-Governing" was not wholly applicable to people who were prosperous, free to establish their own constitutions and to elect their own public officers, the representative of the United States told the Fourth Committee (Special Political and Decolonization) this morning as it continued its consideration of decolonization issues.

He said that words like "subjugation", "domination" and "exploitation" did not convey the true relationship between administering Powers and the peoples of Non-Self-Governing Territories under their jurisdiction. The United States continued to assert that the majority of Territories inscribed on the Special Committee's list should be removed. The time had come when the Fourth Committee no longer needed to operate through

the filter of a decolonization Committee established during different era.

Regarding the issue of immigration to Guam, he said that no one without family ties or sponsorship had been allowed to migrate to that Territory. However, United States residents were allowed to live in Guam, just as the peoples of Guam could freely live in the United States. Moreover, while the draft resolution relating to Guam stressed the role the Chamorro people, the United States supported all the groups on Guam, regardless of how long they had lived.

The representative of Cuba, responding to the United States statement, called for a spirit of cooperation rather than a spirit of conflict, and asked how the United States could say that the Special Committee's mandate was no longer



relevant. That claim was not only surprising, but also had many dangerous implications. The United States should allow a mission to visit Guam and ensure the existence of an effective and transparent dialogue based on good faith.

Also responding to the United States, the representative of Syria said that many countries were today Members of the United Nations as a result of the decolonization process. The problem faced by the Committee was that some countries did not allow it to play its proper role. Instead of trying to besmirch the Special Committee, those countries should cooperate with it and allow it to discharge its duties in accordance with the decolonization Declaration.

The representative of Iraq said that some administering Powers used Non-Self-Governing Territories as military bases, imposing through them, a policy of threats against neighbouring countries, as well as dumping nuclear waste and conducting other harmful activities. Statements by representatives of some Territories had highlighted the excesses of those administering Powers.

Statements were also made by the representatives of Fiji, Zimbabwe, Cuba, Australia, Kenya, Pakistan, New Zealand, Bahrain, India, Singapore, Tunisia, Iran, Nigeria and the United Republic of Tanzania. The Committee also heard two petitioners on matters relating to the situation in Western Sahara.

Committee Work Programme

The Fourth Committee (Special Political and Decolonization) met this morning to continue its discussions of decolonization issues and hear from petitioners on Western Sahara. (For details of documents before the Committee see Press Release GA/SPD/133 issued 5 October.)

Statements on Western Sahara

MICHAEL BHATIA, research assistant at Brown University's Thomas J. Watson Jr. Institute for International Studies, said the core weaknesses within the United Nations Mission for a Referendum in Western Sahara (MINURSO) mandate, force structure and timetable still remained. For an operation mandated to supervise the governance of a territory and the

demobilization and cantonment of approximately 200,000 troops, the mandated deployment of 2,800 civilian and military personnel was woefully inadequate. Moreover, neither the Military Observers nor the Civilian Police (CIVPOL) were in a position to directly ensure conditions of security. Rather, they had only provided a monitoring role.

He said that the renewed hopes following the Houston Agreements -- which had been concluded between the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO) and the Government of Morocco in September 1997, and allowed resumption of the identification process -- had proved futile and transparent. After a summer of dashed hopes and continued frustration, it had become clear that the resumption of high-level direct negotiations -- now slated for late October in Lisbon -- would be required to put the process back on track. Because a mechanism had not been created for the resolution of disagreements, problem solving was either separately addressed with the United Nations -- with limited success -- or allowed to intensify until high-level negotiations once again became an acute necessity. A joint-monitoring cell for Western Sahara must be created, which would directly involve the associated regional and international powers in order to monitor compliance and symbolize the continued attention of the international community.

Given the weaknesses of both the negotiation process and the peacekeeping force, it was necessary to evaluate their implications for the return of the Sahrawi refugees from the Tindouf camps to Western Sahara, he said. That would be the true test of whether peace would truly hold or whether conflict would acquire a darker character. The international community's role and responsibilities should not end with the holding of the referendum, yet the referendum had been viewed by the States as their sole exit strategy.

He said that the United Nations-monitored ceasefire allowed the Moroccan authorities to consolidate their presence and cohesively begin to alter the demographic character of the territory. That trend and the current conditions within the Moroccan-controlled western portion of the



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Territory necessitated a cautious response to the repatriation programme sponsored by the United Nations High Commissioner for Refugees (UNHCR). Neither MINURSO nor the UNHCR had freedom of movement within the Territory, which severely limited knowledge on the conditions. The repatriation of Sahrawi refugees could not be viewed as an independent component of the peace plan to be mechanically implemented at the directed time, without regard to the conditions in the territory.

EL HASSANE ZAHID (Morocco) referring to the petitioner's statement, said it was clear to those who had real knowledge of the situation in Western Sahara that the Committee had just heard an indictment, rather than a constructive statement on that situation. The petitioner had criticized the ceasefire, which the General Assembly, the Secretary-General and the international community had said from the beginning was the area that had shown the most improvement.

The petitioner had also criticized the settlement programme, he continued. Apparently MINURSO and the whole agreement must be reinvented. Had the petitioner read paragraph 1 of the report of the Identification Commission? he asked. True, it did say that the parties would not present the three contested tribes, other than those identified in the census. However, the paragraph went on to say that the parties would not prevent those individuals from presenting themselves. The parties had agreed that once individuals came forth, they would be identified. That was what had happened, as noted in the Secretary-General's reports.

The petitioner had questioned the matter of repatriation, he said. Morocco had been one of the first parties to ask for repatriation on the basis of free will. How could one now reasonably reproach a State for having an orderly public service and to criticize its law enforcement, which had been very useful? The petitioner's statement was evidence of his Government's contention that petitioners who had nothing to do with the issue had no place in the debate.

Mr. BHATIA, of Brown University, said that the key point was transparency, which meant that actors outside the Territory who had researched, visited and were interested in the area were

important in ensuring that all parties remained true to the Houston agreements. Besides, the Moroccan delegate's questions were largely rhetorical.

EL HASSANE ZAHID asked why the petitioner had limited himself to the first part of the Houston agreements. His questions had been specific and not rhetorical, but he would not press the matter if the petitioner had no answer.

Mr. BHATIA, of Brown University, said that the key question regarding identification was whether those presenting themselves were being sponsored by the Moroccan Government.

BOUKHARI AHMED, representative of the Frente Popular para la liberacion de Saguia el-Hamra y Rio d'Oro (Frente POLISARIO), said that in contrast to the paralysis of previous years, significant progress had been made towards the holding of a referendum of self-determination in Western Sahara. The Houston agreements -- negotiated between the POLISARIO and the Government of Morocco -- had solved the major problems that had been impeding progress in the implementation of the 1988 joint United Nations/Organization of African Unity (OAU) peace plan. Those agreements had resolved the problem of identification of the electoral body for the referendum.

He said that the original peace plan approved by the Security Council in 1990-91 had established that the electoral body for the referendum would be determined on the basis of an updated 1974 Spanish census. With the aim of attempting to falsify the referendum, Morocco had imposed on the United Nations, the adoption of a retroactive approach -- to go backwards in time -- to encompass Moroccan populations of alleged Sahrawi origin. That claim had been the main reason for unnecessary delays in the implementation of the peace process. Clearly Morocco's official demands were in violation of the Houston agreements.

Contrary to its promises of cooperation in the implementation, Morocco had been creating innumerable difficulties and obstructions in other essential areas, which were absolutely unrelated to the identification process, he said. The POLISARIO had complied with its obligations and



responsibilities under the Houston agreements. The obstructions to the process towards the referendum were a challenge to the authority of the United Nations and contradicted the promises of cooperation stated by the Moroccan delegate before the Fourth Committee last year.

He said that the many obstacles were designed to prevent the holding of a free and fair referendum through a "war of attrition" against the will and the resources of the international community. The Sahrawi people's faith in the determination of the United Nations remained intact and they looked to the Organization to help resolve the "anachronistic and unfair" conflict peacefully. The domestic pretexts so frequently resorted to by Morocco must not continue to overshadow international interest and challenge the consensus achieved by the Security Council and the General Assembly.

General Debate

POSECI BUNE (Fiji) said that his country's unwavering efforts to eradicate colonialism had not been fully successful, due principally to a lack of cooperation and full support on the part of the administering Powers. The Committee would continue to be hamstrung unless the administering Powers worked genuinely with it to find solutions to decolonization issues.

He said that Fiji had noted the willingness of the administering Powers to participate in informal dialogue with the Special Committee on decolonization. Such informal dialogue had been essentially an avenue to dilute or amend provisions contained in General Assembly resolutions. Such circumscribed informality did not, could not and would not assist, promote or accelerate the decolonization process nor contribute in any form or fashion to the eradication of colonialism. The Special Committee should formally invite the administering Powers to resume their membership in the Special Committee.

Furthermore, he continued, the administering Powers should take a leaf out of the book of New Zealand, which not only fully and actively participated with and in the work of the Special Committee, but genuinely continued to guide the people of Tokelau in deciding for themselves the form of government that best suited them. The

Special Committee should, with its mandate nearing an end, set priorities. The top priority should be to obtain the free and voluntary choice of the peoples of the Territories on the options for their political future. In order to achieve that, referendums should be held in each of the Non-Self-Governing Territories where such referendums were not already scheduled.

The decolonization process was not an isolated one, he said. Concomitant with the pursuit of the process, the administering Powers should address, with greater urgency, programmes to promote economic, social and human development in the Territories. Political independence or association would mean little if there was no economic development. More attention must be focused on infrastructure development, business and commercial development, transfer of technology and constant flows of investment capital.

Also, particular attention must be paid to the rights of the indigenous peoples in those territories, he said. Their special rights should be guaranteed, protected and enhanced. Traditions, customs and culture must be respected and facilitated. Finally, their ancestral lands and land tenure must be guaranteed and protected. He reiterated that the relationship between the administering Powers and the Territories should be equality rather than adversity, and respect rather than degradation.

MACHIVENYIKA T. MAPURANGA (Zimbabwe) said his country urged the administering Powers to cooperate with and participate in the work of the Special Committee on decolonization. He also urged the administering Powers to consult with the peoples of the Territories to facilitate programmes of political education, to foster an awareness of the possibilities open to them in the exercise of their right to self-determination.

Western Sahara remained one of the unfinished items on the agenda of decolonization, he said. Serious difficulties still had to be overcome before a referendum took place and innovative ways to break the impasse in the identification process must be found. The Settlement Plan remained the best option for achieving a long-lasting solution. He urged all parties to engage in direct talks in order to resolve all outstanding issues. Thus, the



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long-suffering people of Western Sahara would then have the opportunity to exercise their right to self-determination, as stipulated in the Settlement Plan.

RAFAEL DAUSA CESPEDES (Cuba) said that despite the repeated calls by the United Nations and the General Assembly, some administering Powers were still not transmitting in a timely manner, information on the Territories under their administration in accordance with article 73 e of the United Nations Charter. The transmission of information was an obligation, as long as the Assembly did not decide otherwise.

He said that the people of the Non-Self-Governing Territories had the legitimate right to benefit from, and use their natural resources as they deemed best. He called on the administering Powers that had not done so, to adopt legislative, administrative or other measures to end those enterprises under their jurisdiction that made irrational use of those natural resources.

The Committee had expressed its concern every year about the military activities carried out by some administering Powers in the Territories under their administrations, he said. Those activities constituted a clear impediment to the right to self-determination of the peoples of those Territories. His Government strongly opposed nuclear and other military activities.

He said that the texts on Tokelau and New Caledonia were role models for the spirit of cooperation that should prevail in leading all parties on the road to self-determination. Regarding the omnibus text, it was unfortunate that a consensual text had not been achieved. It was hoped that the spirit of cooperation would prevail on that matter.

On Western Sahara, he said that the holding of a fair and impartial referendum and strict adherence to the resolutions of the General Assembly and the Security Council was the only way in which the conflict in that Territory could be resolved.

JOHN CRIGHTON (Australia) welcomed the signing and implementation of the Noumea accord in New Caledonia, subject to its approval by the people of that Territory at a referendum in

November. Moreover, his Government had been a strong supporter of the Matignon accords which were agreed to by the parties in New Caledonia in 1988.

The new statute provided a framework within which New Caledonia would gradually assume greater political and social powers over the next 15 to 20 years, he said. At the end of that time, New Caledonians would decide whether or not to assume the sovereign powers of currency, justice, defence, public order and external relations.

MARK MINTON (United States) said the United States fully supported the right of peoples in Non-Self-Governing Territories. However, given the vast variety of people, places and political circumstances that existed around the world, his country did not believe that a single standard of decolonization applied to every Territory. The 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples did not take into consideration the wide variety of situations facing those Territories.

He said the term "Non-Self-Governing" was not wholly applicable to residents of a land who were: prosperous and healthy in social and economic terms; free to travel and migrate and return without restriction; able to establish their own constitutions; elected their territory's public officers; and had a voice in the United States Congress. Words like "subjugation", "domination" and "exploitation" did not at all convey the true relationship between Member States that had responsibilities for the administration of Territories and the people of those Territories.

Self-determination, by definition, was not limited to a specific outcome, he said. The United States continued to assert that the majority of those Territories inscribed on the Committee's list of Non-Self-Governing Territories should be removed. What right did the Committee have to tell the residents of a Territory that they must choose one of three changes in their status determined by others, if they preferred the current arrangement and freely selected that status? he asked. Perhaps the time had come when this Committee no longer needed to operate through the filter of a Special Committee on decolonization established during a time that no longer existed.



His Government was especially disappointed that the Special Committee had decided to roll back a year-long effort at dialogue -- a compromise that produced the omnibus resolution, he said. The resolution on Guam represented a step backward. The Special committee had even reinstated language previously revised through negotiation. He further regretted that the Special Committee had accepted Guam as a separate issue. The United States supported the right of all peoples to become self governing. What about peoples who wanted to remain within the United States political family?

On the issue of immigration, he said that no one without family ties or sponsorship had been allowed to migrate to Guam. However, United States residents were allowed to travel and live in Guam, just as the peoples from Guam were allowed to freely travel and live in the United States. Moreover, the draft resolution did not reflect all the peoples of Guam and stressed the role the Chamorro people. The United States supported all the groups on Guam, regardless of their longevity on the island.

On the question of sending visiting missions to the Territories, he said the continuing usefulness of regional seminars and the modalities of visiting missions were still subject to discussion. Given New York city as a significant transportation hub, it cannot be logically argued that Port Moresby was more convenient or cost-effective to reach from Pago Pago or Pitcairn. Conference facilities and interpretation services were already located here.

NJUGUNA M. MAHUGU (Kenya) urged all the administering Powers to continue cooperating with the Special Committee with a view to successfully accomplishing the Secretary-General's plan of action. Inadequacy of political, economic, social and educational preparedness should not serve as a pretext for delaying the rights to self-determination and independence, he said. In this context, he commended the Government of New Zealand for its cooperation and commitment in assisting the people of Tokelau to attain a greater degree of self-government and economic self-sufficiency, in preparation for the determination of their future status.

Regarding the situation in Western Sahara, UNHCR had continued with its preparatory work for the repatriation of refugees as provided for under the Settlement Plan, he said. He welcomed the Moroccan Government's decision to formalize UNHCR's presence and to allow free access in the Territory. However, UNHCR still awaited the designation of technical counterparts to undertake a joint mission to the territory. In addition, demining of sites for the repatriation of refugees eligible to vote, and their immediate families had also begun, but could not be completed until arrangements for the implementation of the repatriation programmes had been finalized between MINURSO and the two parties.

AHMAD KAMAL (Pakistan) said there was no denying that every Non-Self-Governing Territory had its own peculiar conditions and circumstances which had to be taken into consideration while pursuing the case for freedom and self-rule. Unfortunately there was discrimination in upholding the principles of rights of self-determination. Despite concerted efforts by the United Nations, and the determination of Member States, the expression of self-determination continued to be curbed and throttled in many parts of the world.

He expressed Pakistan's deep concern at the failure of the international community in achieving the inalienable right to self-determination of the Kashmiri people, who had been under Indian occupation for more than half a century. The international community had recognized the Kashmiri people's right to self-determination enshrined in a series of Security Council resolutions. But, there was a lack of commitment in seeking implementation of those resolutions. All Security Council resolutions must be implemented without discrimination.

Over the past 10 years, India had used brute military force to suppress the indigenous struggle of the Kashmiri people for self-determination, he said. Today Kashmir was occupied by more than 650,000 Indian troops. Over 60,000 Kashmiris had been killed; women and girls were being systematically raped as a strategy of war; custodial deaths, arbitrary arrests, executions and disappearances were routine occurrences. In recent



months, India had intensified indiscriminate artillery and mortar firing across the Line of Control in Kashmir. The unabated Indian atrocities, and the denial of the Kashmiri people's right to self-determination was a challenge to the conscience of the world, particularly for those who took pride in upholding freedom and fundamental human rights.

He said that Jammu and Kashmir was a clear and simple case of neo-colonialism. The Indian claim that Jammu and Kashmir was an integral part of India was not legally or historically tenable. Jammu and Kashmir was an internationally recognized disputed territory and was so recognized by the United Nations. It remained on the agenda of the Organization as an unresolved dispute. The international community could not remain indifferent to the plight of the Kashmiri people and must respond to their cry for freedom. The denial of their rights was a violation of the United Nations Charter and of the principles outlined in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

MICHAEL POWLES (New Zealand) said this year had been an important one in New Zealand's relations with the Special Committee on the question of Tokelau. New Zealand had pledged its support and encouragement for Tokelau's constitutional, social and economic development and an agreement on reshaping New Zealand's Official Development Assistance Programme to better meet Tokelau's development needs had recently been recorded.

New Zealand recognized that putting in place the new constitutional and government systems and developing enterprises which could generate local revenue would take time, and might be affected by factors outside Tokelau's control, he said. In order to provide predictable and assured support, New Zealand was prepared to commit itself to allocating not less than NZ\$4.5 million annually for "Ongoing Support for Self-Government" for the five-year period beginning 1 July 1999.

New Zealand applauded the signing of the Noumea Accords in May this year, he said. The Accords contained a concept of "evolutionary sovereignty" and provided a crucial framework for the future. They also addressed the past

consequences of colonialism upon the identity of the Kanak people.

ROKAN HAMA AL-ANBUGE said many countries were unfortunately still chaffing under colonial domination, and that some administering Powers continued to say that those Territories either did not want independence, or that they did not matter because they were small and scattered. Also, some administering Powers used those Territories as military bases, imposing through them, a policy of threats to use force against neighbouring countries, as well as dumping nuclear waste and conducting other harmful activities. He added that statements made by members of the Non-Self-Governing Territories had highlighted the excesses of the administering Powers, and made it necessary to adopt a speedy series of measures in implementation of General Assembly mandates.

While humanity sought to rid itself of all forms of colonialism, it was important not to forget that there were new methods of hegemony which were no less brutal, he said. Such measures denied peoples their independent will and harnessed their resources to the service of the colonizers. Moreover, the administering Powers destroyed the environment of the developing countries and imposed foreign cultures on them. Colonial Powers did not hesitate to utilize their political, economical and military potential to repress peoples, he added. The comprehensive sanctions imposed, even when Iraq was effectively in compliance with the Organization's requirements, demonstrated such new measures of colonization.

AL ZAYANI (Bahrain) said that history would never forget the role played by the United Nations in the field of decolonization in different parts of the world. That role was derived from the declaration relating to foreign domination and the consideration that the suppression of peoples was a denial of fundamental human rights that could hamper relations among peoples.

He said that throughout the 38 years since the adoption of General Assembly resolution 1514 (XIV), the United Nations had continued its strenuous efforts to eradicate colonialism. In the course of those years, colonized people had become independent and had taken up their seats



in international organizations. Colonialism was a clear-cut violation of the United Nations Charter and of international law.

ASLAM SHER KHAN (India) said the complexities of the situation of the remaining Non-Self-Governing Territories were indeed diverse and clearly known to all States, and rendered the tasks ahead extremely delicate. India called on all States to approach the remaining tasks in the spirit of cooperation, understanding, political realism and flexibility.

The administering Powers must bear the obligation of protecting the economies and ecologies of the Territories, while providing the people with the opportunity to determine freely, from a well-informed standpoint, what they perceived to be in their best interests. The core of the endeavour should remain that the desires of the people of those remaining Non-Self-Governing Territories remained paramount, and that the people there chose the kind of political system that they wanted for their own governance.

Member States should not shirk, or even appear to shirk, their collective responsibility, residual though it may appear to some, he said. That responsibility should not be lost among the growing concerns, or the new scourges that demanded urgent attention, for the international community was dealing with the future of peoples, with the future of nations, and with the fundamental constructs of political freedom, equality and the right to decide one's own destiny. India hoped that the wave of human rights and dignity,

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political freedom and overwhelming desire for equal opportunity that had emerged as a global norm, would also assist in washing away the last vestiges of a by-gone era.

CHIN SIEW FEI (Singapore) said that as a country whose only resource was people, Singapore believed that human resource development was vital for economic and social progress. Since the 1960s, Singapore had provided technical assistance to other developing countries, including Non-Self-

Governing Territories. As Singapore progressed, it would expand its technical assistance programme. Through such programmes, it was hoped that Singapore would be able to share positive aspects of its development experience with other developing countries, including Non-Self-Governing Territories.

She said that in the past five years, 22 officials from seven Non-Self-Governing Territories had either attended short-term training courses in Singapore or made study visits under the Singapore Cooperation Programme. For the fiscal year 1997, eight officials from the British Virgin Islands, Cayman Islands, Montserrat, Tokelau and the Turks and Caicos Islands had participated in that Programme.

Under the framework of the Singapore Cooperation Programme, technical assistance programmes were formulated to match the training needs of the recipient economies with Singapore's capacity to assist. Singapore had provided training in several areas, including civil aviation, port management, environment management, telecommunications, community policing, information technology banking and finance and English language.

MOHAMED SALAH TEKAYA (Tunisia) said decolonization work still remained incomplete. Its completion was important as the Organization moved toward the end of the twentieth century. He noted that past achievements could only be strengthened by a consensus -- based on United Nations resolutions -- reached between the administering Powers, the peoples of the Territories and the Special Committee.

In view of their future political status, the dissemination of information would further help the needs of the people of the Territories and would help achieve a better awareness of their rights, he said. More information supplied by the Secretary-General, coordination by the administering Powers on economic and social conditions, and the continued holding of seminars and visiting missions would facilitate decolonization efforts.

MEHDI DANESH YAZDI (Iran) said that at the end of the International Decade for the Eradication



of Colonialism and on the eve of the new millennium, it was unfortunate that the decolonization process was yet to be concluded. Member States should redouble their efforts to fulfil the aim of a world free of colonial domination. The administering Powers were called upon to cooperate with the United Nations Special Committee in the discharge of its mandate and to participate actively in its work relating to the Territories under their respective administrations.

He said that the informal consultations held in recent years between the Special Committee and the administering Powers must be strengthened and transformed into formal cooperation and formal participation in the work of the Committee. It was imperative that the administering Powers consider a new approach vis-à-vis the work of the Special Committee in pursuing its vital tasks.

Iran emphasized the need to dispatch periodic visiting missions to the Territories in order to facilitate the full, speedy and effective implementation of the Declaration on decolonization. Iran also reiterated the necessity of transmitting information by the administering Powers under Article 73 e of the Charter.

HASSAN MOHAMMED HASSAN (Nigeria) said his delegation commended the innovative approach adopted by the Special Committee on decolonization. Nigeria welcomed the measures adopted for the dissemination of information in the Non-Self-Governing Territories. The involvement of United Nations agencies and of non-governmental organizations in that process was equally commendable.

He said that experience had taught all Member States, especially the formerly colonized countries, that for decolonization and self-government to be of any value to the colonial peoples, it must be pursued simultaneously with concrete social, economic and political development measures. Assistance should be given to the colonial Territories to help establish sound economic foundations and the good political education necessary to carry the responsibilities of self-government.

M.T. BANDORA (Tanzania) said progress towards the achievement of the fundamental right

to determine one's own political destiny had been slow. The responsibility for that indictment would be found, not with the United Nations, but with those who continued to exercise colonial control over the remaining Territories and whose hands moved slowly and sometimes reluctantly towards the granting of that right to self-determination. The onus of the task rested with the administering Powers.

Tanzania believed that the right to self-determination was inalienable and sacrosanct, he said. It was important to continue to hold the administering Powers to their responsibilities towards the Territories, as well as to their obligations to the rest of the international community. Their responsibilities included the obligation to put in place effective social and economic development programmes which would help improve the conditions of the inhabitants of the Territories. Responsibilities also included giving the inhabitants a greater say in the preservation, as well as exploitation, of their natural resources, and use of accruing earnings. Along with their economic responsibility, the Powers should initiate and expand political education programmes to foster greater awareness.

Tanzania welcomed the positive developments and was encouraged by the progress made so far in Western Sahara, he said. As the relevant parties would complete the preparatory phase and hopefully move on to the Settlement Plan, Member States must continue to be focused on the process, and give it maximum political and material support. The parties must be urged to push forward with greater fortitude and in full accord with the letter and spirit of the Houston Agreement and Settlement Plan.

Right of reply

FAYSSAL MEKDAD (Syria), speaking in exercise of the right of reply, said that the delegation of Syria, and others, took pride in the achievements of the Special Committee. Many countries were Members of the United Nations as a result of the decolonization process. The problem faced by the Committee was that some countries did not allow it to play its role in the necessary manner. While 17 Non-Self-Governing Territories continued to be ruled by certain forms of



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colonialism, reason for hope was given by the example of New Zealand and Tokelau, as well as that of France and New Caledonia. The Special Committee was more important today than ever before, especially in light of the fiftieth anniversary of the decolonization Declaration.

To whom would the fate of the 17 Non-Self-Governing Territories be left? he asked. Regarding the Special Committee's activities, there was a need to give it all possible opportunities to establish contact with the peoples of those Territories. By preventing the sending of visiting missions, some States were preventing those peoples from expressing their wishes. The seminars, held by the United Nations in various parts of the world, were the only means by which those peoples could express their wishes. The attempt by some to close that window would mean suffocating their wishes.

He said that instead of trying to besmirch the Special Committee, those countries should cooperate with it and allow it to discharge its duties in accordance with the Declaration.

JIMMY OVIA (Papua New Guinea), also speaking in right of reply, said the work of the Special Committee could move forward only with the total cooperation of the administering Powers, such as France in New Caledonia and New Zealand in Tokelau. The United States was called upon to work with the Special Committee. The call by the United States to do away with the Committee ran against the grain.

He said that the peoples of Guam had spoken and that that was a movement forward. Papua New Guinea supported the sending of visiting missions and called on administering Powers to allow them. It also supported United Nations seminars where the peoples of Non-Self-Governing Territories could be heard. He added that those seminars need not be held in Port Moresby or New York.

RODOLFO ELISEO BENITEZ VERNON (Cuba), exercising the right of reply, called for a spirit of cooperation rather than a spirit of conflict. How was it possible after dozens of resolutions that the United States could still say that the mandate of the Special Committee was no longer relevant? he

asked. That claim was not only surprising, but also had many dangerous implications.

He noted that the United States had called into question the need to hold seminars which the United Nations had emphasized were an instrument to permit the exchange of views between the peoples of Non-Self-Governing Territories, the administering Powers and experts. It had also been said that the Special Committee had taken a step backwards in considering the interests of the people of Guam.

Cuba deplored the lack of cooperation by the administering Power, he said. The reality was that the Special Committee had done all it could, and the United States should allow a mission to finally visit Guam and see that there was an effective and transparent dialogue based on good faith.