Bureau of Planning

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UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

560th meeting

PRESS RELEASE

FOR RELEASE ON DELIVERY
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Press Release USUN 35-(88)(REV. 1)
April 26, 1988

Statement by Jeffrey J. Buczacki, United States Adviser before the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in the Subcommittee on Small Territories, on Guam, April 26, 1988

Mr. Chairman, I am pleased to appear today to discuss political, economic, and social developments that have taken place in the United States territory of Guam over the past 12 months.

The most important political development of the past year was the approval by Guam's voters of the draft Commonwealth Act. The voters approved 10 of 12 sections of the Act in a referendum held on August 8, 1987. The two sections not approved by the majority of voters, dealing with indigenous rights and immigration, were redrafted and approved by voters in a referendum held on November 7, 1987. The approval of the draft Commonwealth Act again demonstrates the wish of the people of Guam to exercise their right to self-determination through continued association with the United States. It also reconfirms the preference for commonwealth status expressed by 72 percent of the island's voters in 1982.

Guam's Congressional Delegate, Ben Blaz, introduced the Guam Commonwealth Act into the United States House of Representatives earlier this year. Subsequently, Senator J. Bennett Johnston introduced the act in the Senate. Hearings are expected to be scheduled during the current session of Congress.

Governor Ada, the leadership of the legislature, and Congressman Blaz strongly favor commonwealth status for Guam. The Governor and several members of the Guam Commission on Self-Determination met with members of Congress and Administration officials in February to seek support for the Guam Commonwealth Act. If enacted, the draft act would have far-reaching effects upon Guam. Guamanians would realize a full measure of internal self-government under a document of their own creation. Certain additional provisions of the United States Constitution, such as the 14th Amendment, that would guarantee that all persons born or naturalized in Guam are citizens of the United States, and the 10th Amendment, which would limit the intrusion of federal law into Guam's internal affairs, would be

applied. The act would also explicitly recognize the cultural identity of the indigenous Chamorro people.

The economic picture for Guam remains bright. The economy continues to grow, principally owing to an expanding tourist industry. There are now almost half a million visitors to Guam each year. New development proposals in the tourist industry include construction plans for hotels, condominiums, apartment complexes, shopping centers, and housing developments that will bring in almost a billion dollars in investment over the next few years. Planned construction of seven to nine new hotels will double the number of rooms available in Guam and create an additional 4,000 new jobs.

Governor Ada has created, by executive order, a task force on visitor industry development and educational relevance. The task force will bring the private and public sectors together to plan and implement ways to meet the needs of growing industry. Local participation and local benefit are keystones in this effort.

Federal Government expenditures in Guam continue to be an important stimulus to the economy. The Federal Government spent $681 million in Guam during FY 1987. Guam ranks third among U.S states and territories in Federal Government spending per capita.

The growing economy places greater demands on the Guam Government to improve the economic infrastructure of the island, particularly such areas as water systems, highways, hospital care, and schools. Sewer improvement projects are about to begin in various areas which will eliminate potential health hazards and allow economic development to continue. These water projects, whose cost totals about $13.7 million, are being funded mainly through capital improvement funds from the United States Department of the Interior. Some funding also has come from the United States Environmental Protection Agency. In addition, there are about $26.7 million in sewer and waste water projects either recently completed or in progress. In another step toward a healthy and prosperous future for the people of Guam, the Governor has received authorization to float a special revenue bond in excess of $53 million to fund more water and sewer projects.

Several major highway construction projects have been completed in Guam over the past year. In the area of health, $2 million from the Department of the Interior are being used to construct a new mental health facility. In education, Guam's Department of Education has an annual budget of $80 million, the largest budget of any territorial government department.

To address these and other needs, Governor Ada continues to seek to reduce the cost of government and to improve the territorial government's revenue position. In fiscal year 1988, the Governor presented a budget in which total expenditures did not exceed the estimate for revenues, in other words a balanced budget. To set an example, the Governor slashed $200,000 from the budget for his own office. He also submitted to the territorial legislature last July legislation calling for the reorganization of the Government of Guam

in order to increase efficiency and reduce the size and cost of government.

My delegation is aware of the interest of some members of this Committee in the question of the disposal of federal land no longer needed and compensation to Guam landowners for land appropriated by the United States Government between 1944 and 1963. The Federal Government continues work to release land in Guam no longer necessary for military purposes. Guam's Congressional Delegate, Ben Blaz, introduced draft legislation (H.R. 2601) in the House of Representatives on June 4, 1987 which would turn over to the Government of Guam, at no cost, 3,546 acres no longer required by the Department of Defense. Hearings on this legislation are expected later this year. On the question of compensation for the 1200 former owners of land appropriated by the Federal Government, the vast majority have accepted the settlement package of $39.5 million negotiated in 1983 and upheld by a federal district court in 1985. Some 350 of the owners continue to seek through legal channels to increase their individual assigned portion of the $39.5 million compensation package. The cases of a small group of former owners who refused to accept either the compensation package or their individual assigned portions are still in litigation.

Mr. Chairman, my delegation is disappointed that the Committee has again this year seen fit to issue a separate working paper on Guam entitled "Military Activities and Arrangements by Colonial Powers in Territories under Their Administration which might be Impeding the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." Dissemination of a separate working paper under this title raises again the groundless insinuation that the presence of military facilities in Guam in some manner hampers the people of Guam in exercising their right to self-determination.

No one has ever produced a shred of evidence showing that such is the case. My delegation would like to point out that the people of Guam, through their support of the draft Commonwealth Act, have demonstrated unequivocally their desire to maintain a close relationship with the United States. Guamanians welcome the presence of the United States military and volunteer in large numbers to serve their country. There are now more than 10,000 Guamanian military veterans resident in the territory. My delegation again urges the Committee to refrain from lending credibility to efforts to cloak in the language of self-determination political attacks on the freely expressed wishes of the people of Guam and the legitimate security interests of the United States and Guam.

An objective observer can only conclude that the people of Guam want a close, continuing relationship with the United States. It would be unfortunate indeed were this Committee to appear to challenge the popular will of the people of Guam.

I would be happy to answer your questions now. Thank you, Mr. Chairman.

* * * * *

UNITED STATES DEPARTMENT OF THE INTERIOR
TERRITORIAL AND INTERNATIONAL AFFAIRS
238 O'HARA STREET
PDN BLDG., SUITE 908
AGANA, GUAM 96910



June 1, 1989

Please pass on attached copy of U.N. press release on status of Guam to Governor and Leland Bettis.

Thanks,

Tom

(6)

United Nations

Press Release

Department of Public Information • Press Section • New York

olonization Sub Committee
n Small Territories
)th Meeting (AM)

GA/COL/2684
30 May 1989

SUB-COMMITTEE ON SMALL TERRITORIES BEGINS CONSIDERATION OF UNITED STATES-ADMINISTERED TERRITORY OF GUAM

The Sub Committee on Small Territories, a subsidiary body of the Special mittee on Decolonization, this morning began consideration of the ation in the United States-administered Territory of Guam.

A statement was made by the United States, outlining the economic, ical and social events in Guam over the past year. Czechoslovakia and made comments and posed questions regarding the United States statement.

When the Committee meets again at 3 p.m. tomorrow, 31 May, it will ntinue its consideration of the Territory with a representative of the lministering Power expected to respond to the questions.

Statement by United States

CYNTHIA RUNTON (United States) said Guam was going through a period of olitical change following approval of the draft Commonwealth Act in two forendums held in 1987. The approval of the Act by the people reaffirmed eir 1982 referendum expressing preference for Commonwealth status by 73 per ent of the Island's voters. Legislation had been introduced in the United ates Congress to give effect to the peoples' wishes.

She said her Government would expedite that legislative process. Once l the internal United States procedures to modify Guam's status to a mmonwealth were in place, the Territory would have completed an act of lf-determination.

United States Federal Government expenditures in Guam totalled 65 million during fiscal year 1988, she continued. The Territory ranked ird among United States States and Territories in Federal Government ending per capita. The territorial government was building a new road and proving telephone, electricity and medical services.

She said the economy of the Island was at its highest level, fueled in rge measure by a growth in tourism. Unemployment, at 7 per cent, was at its west recorded level. The government of Guam had made improvements in school

(more)

acilities a high priority, with $10.5 million being spent in fiscal year 1989 on increasing professional staff, curriculum enrichment, repairs and enovations.

Her Government was dismayed that the Sub-Committee had again issued a eparate working paper on Guam dealing with military activities on the Island hich might impede the implementation of the General Assembly Declaration on he Granting of Independence to Colonial Countries and Peoples. She said the 'ineamination of the working paper raised again the "groundless insinuation" hat the presence of military facilities on the island in some manner hampered he people of Guam in exercising their legitimate rights, including the right o self-determination. The United States military had "consistently protected he ability of all American citizens, including the people of Guam, to exercise their rights".

Comments and Questions

LUBOMIR DOLEJS (Czechoslovakia) said military activities on the island must be discussed, as they were contrary to the Declaration and decisions of the Special Committee on decolonization. His delegation would like to know the has participated in the referendums on the island's future status and whether they included the indigenous people of Guam.

JUAN HERNANDEZ MACHADO (Cuba) agreed that the Sub-Committee should discuss the presence of military activities on the Island. He asked why it would take the United States Congress "several years" to act on legislation regarding commonwealth status, as quoted in the Secretariat working paper A/AC.109/992, since the United States Government itself supported the people.

Ms. DUNTON (United States) said she would reserve her response until the next meeting of the Sub-Committee.

Working Paper on Guam

According to the working paper prepared by the Secretariat, Guam, lying n the Western Pacific Ocean about 7,400 kilometres east of Manila, is an unincorporated Territory of the United States under the supervision of the Secretary of the Interior. Its people are American citizens, but are not eligible to vote for President of the United States while resident in the Territory. Since 1972, Guam has had a non-voting delegate in the United States House of Representatives.

Ten of 17 articles of a draft Commonwealth Act were approved in 1986. Its major provisions included a fully self-governing Commonwealth status for he island with a locally adopted constitution. It would recognize the sovereignty of the United States over Guam and the supremacy of the provisions of the United States Constitution, as well as the treaties and laws of the United States applicable to the Territory.

No federal laws passed after adoption of the act would apply to Guam without its consent, and a joint commission of the United States and Guam

uld regularly consult on all matters affecting the relationship between em. The United States would be required to consult with Guam with respect any plan to increase or decrease activities of the Department of Defense in e Territory and would pay rent on land used by the military.

The draft Commonwealth Act also provides that the Congress of the United tates recognize the inalienable right to self-determination of the Chamorro eople.

It would establish a 200-mile, exclusive economic zone, restrain the ited States from utilizing the waters surrounding Guam for the dumping or orage of nuclear waste and also oblige it to clean up all chemical waste ites used by the military. In March 1988, the draft Commonwealth Act was troduced in the United States House of Representatives and Senate, where it s referred to committees for consideration. According to press reports, it ight be several years before those committees completed consideration of the xt.

In recent years, the Secretariat paper continues, attempts have been made o reduce the central economic role played by the United States military in and to develop a more diversified economy. The private sector has been going a period of rapid expansion, stimulated by a boom in tourism and a ...sting construction boom and prosperity in the commercial sector.

Guam has relatively poor natural conditions for commercial agriculture. he local fishing sector remains relatively undeveloped, while the anufacturing in the Territory is involved with production of textiles, rniture, concrete, watches and clothing, mostly for the local market.

Background Paper on Military Activities

According to another Secretariat working paper (document A/AC.109/993), he Armed Forces of the United States continue to maintain military facilities n Guam with about 30 per cent of the island's total area being reserved for t.

It quoted United States Air Force officials as announcing on 12 May 1988 hat Anderson Air Force Base on the Island was now nuclear-free. The onversion to non-nuclear capabilities, however, would not affect the number f B-52s stationed there which would be involved solely in maritime urveillance and would be armed with non-nuclear Harpoon anti-shipping issiles and sea-mines.

The working paper also said the number of active-duty personnel would be educed by 10 per cent and the Third Air Division Headquarters moved to awaii. It quoted the Washington-based Institute for Policy Studies as saying hat 140 nuclear bombs, as well as anti-submarine depth charges were stored in uam. The working paper also quoted the 1987 Guam Annual Economic Review as tating that the United States military was an important factor in the erritory's economy and was the second largest single employer of Guamanians fter the Government of Guam. Military spending provided a major source of overnment revenue and constituted a significant component of business revenue.

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April 18, 1988

The Honorable Thomas Pickering
United States Ambassador to the United Nations
United States Mission to the United Nations
799 United Nations Plaza
New York, NY 10017

Dear Mr. Ambassador:

I am in receipt of a copy of a resolution apparently adopted earlier this year by the General Assembly with respect to Guam. I've enclosed a copy of this resolution for your reference.

As Chairman of the Senate Committee on Energy and Natural Resources which has jurisdiction over territorial status matters, including the draft Guam Commonwealth Act, I am keenly interested in this matter. I would appreciate your sending me a copy of the statement made by the United States Representative in the General Assembly referred to in footnote 79, as well as any other relevant background materials on the Fourth Committee's hearings and its examination of the draft Act.

For your information and [illegible] action, I am enclosing a copy of the draft act (S. 317) which I introduced by request along with my leading minority member of the Committee on Energy and Natural Resources, Senator McClure. As you review the language of the legislation introduced, [illegible] introductory remarks (copy enclosed), I would [illegible] of our concerns about the [illegible] rating submitted to the press. For example, section 302(a) appears to limit the right to [illegible] U.S. Guamanian citizens. Such a provision obviously fails to pass muster under the Constitution. I mention this matter specifically because the materials I have been furnished on the General Assembly resolution (See e.g., section 10) indicate approval of this provision by the U.N. Representative, or could, and certainly will be construed, unless there is a clarification of the U.S. view.

Section 302 of the Act contains similar troublesome provisions which are of concern not only to the Congress but also to the Executive Branch. As drafted, for example, the provisions of this section appear to constrain the Executive from unilateral actions required in an emergency. I need not remind you of the long and difficult debates between the Congress over analogous constraints contained in the War Powers Act, or of the Executive Branch's continuing concern about such Congressional limits. The wording of sections (b) and (c) of this resolution appear to me particularly mischievous in this respect.

There are a number of other provisions in the draft text (e.g., Article 10(a) and 10(b) [illegible] which also are troublesome, ambiguous, and which in my view clearly will not be approved. I would suggest that your staff contact the Interagency working group headed by Nancy Boone, Chief for Territorial Liaison in the Office of Territorial and International Affairs at the Department of the Interior, for a briefing on executive branch concerns. There are clearly a number of legitimate concerns and applications of the people of Guam which we must address, but it is not helpful to the process for one part of our government to [illegible] an issue on which no clear consensus has been reached and on which there are in fact very serious concerns shared by many in both the executive and legislative branches.

I look forward to receiving the materials I have requested and hope that you will personally review this matter while taking the appropriate steps to clarify any ambiguities about the U.S. position on the draft act.

With all best wishes, I remain

Sincerely yours,

J. Edward Johnston
Solicitor

JEJ:lal

United States Senate
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, D.C. 20510

April 18, 1989

The Honorable James Baker
Secretary of State
Department of State
7th Floor
2001 C Street, N.W.
Washington, D.C. 20520

Dear Mr. Secretary:

I am writing to bring to your attention the pattern the Energy and Natural Resources Committee will be considering in this Congress and in which I expect the Department of State to be interested. I hope we can coordinate to avoid mischievous problems in the future.

[illegible] January I introduced by request, along with the [illegible] ranking member of the Energy and Natural Resources [illegible] legislation proposed by the Congress by the [illegible] which would establish a [illegible] which, among [illegible] a moratorium of the United States. In the introductory remarks I made on this legislation, I outlined the need to give [illegible] serious consideration to the legitimate aspirations of the people of [illegible] expressed in this draft act, but I also [illegible] the equally serious and legitimate concerns that the United States --both the Executive and Legislative Branches -- has about some sections of the draft. To consider these issues, the Congress requested, and the Executive Branch established, an interagency working group on the legislation chaired by the Office of Territorial and International Affairs, Department of the Interior. The working group is to coordinate the position of the Administration on this complex measure, and provide the Congress with clarification of some of the more ambiguous provisions prior to the scheduling of hearings.

[illegible] surprised and disappointed to receive a copy of a [illegible] approved by the U.N. General Assembly earlier this month [illegible] this matter. The resolution contains wording suggesting that the U.S. Representative to the United Nations endorsed, or appeared to endorse, several troublesome provisions of the draft. I have outlined some of my specific concerns in a letter to our Ambassador to the United Nations (copy attached), and hope that these mischievous and ambiguous remarks will be clarified. On the basis of the information I now have, it is my

view that this resolution will be incorrectly construed by some in Guam and in the Congress as an endorsement of provisions of the draft Act by the United States. Many of these provisions are, in fact, problematic, may be unconstitutional, and in my view will neither be approved by the Congress, nor in the end, by the Executive Branch.

I urge you to review this matter, and clarify the U.S. position on the Act which, I understand, is still under review by the interagency group. Otherwise, in hearings before our Committee on Energy and Natural Resources and in other committees, we will face uncoordinated and ambiguous positions by the Executive Branch. Moreover, since this matter is likely to be debated annually by the United Nations, a review by you prior to further consideration in New York, and the development of a coordinated administration position, certainly appears to be in order. There are also serious implications contained in this General Assembly resolution, and the United States position on it, regarding other U.S. territories and affiliated areas, that will no doubt also need to consider these in your review.

The second matter I wanted to bring to your attention is legislation which I introduced along with Jim McClure on April 5 to authorize a referendum on the political status of Puerto Rico, and a letter which we sent to the President requesting that a Task Force on Puerto Rico be established to coordinate Executive Branch comments on this legislation.

The three bills introduced all authorize a referendum in 1991 on the three options for Puerto Rico: commonwealth, statehood, or independence. Under the first bill (S. 710), the people of Puerto Rico would choose among the three options as described by a few words. Representatives of the status receiving a majority vote would then negotiate implementing legislation with the Congress to determine the specific details of the option selected. After such legislation is enacted, a second referendum would be held for the people of Puerto Rico to approve, or reject, the final product. Under the second bill (S. 711), the three options will be more specifically defined than in the first bill, so that the people will be able to make a more informed choice in the first referendum. Similar to the first bill, there would be subsequent negotiations to develop implementing legislation for the option selected by a majority of the people of Puerto Rico, followed by a second referendum on the final product. In the third bill (S. 712), each option would be fully defined and the status obtaining a majority vote in the referendum would be self-implementing in accordance with the definition in that legislation. Thus, a second referendum would be unnecessary.

There are many complex issues in these bills in which I expect the Department of State will be both interested and involved. For example, I expect the "whereas" clauses in S. 711 and S. 712, as well as the inclusion of the option "commonwealth" in the referendum in all three bills, will be addressed in the annual Puerto Rican debate in the United Nations this fall. Since the passage of legislation in the 1950's and the subsequent ratification of the Compact by the people of Puerto Rico, it has consistently been the position of the United States that Puerto Rico is no longer subject to the jurisdiction of the United Nations in accordance with a resolution passed by the General Assembly so affirming. This position, I hope, will be maintained. The legislation under consideration reaffirms and strengthens that position. It does not, and should not, be construed to endorse the position held by some that there must be a transfer of sovereignty to Puerto Rico prior to a referendum in Puerto Rico or that status options should be limited to those proposed by certain United Nations resolutions.

With respect to the commonwealth options in S. 711 and S. 712, I expect that the amendments which will be submitted in May by representatives of the Commonwealth party will authorize a larger role for Puerto Rico in international agreements and regional organizations, perhaps structured along the lines of language contained in the Compact of Permanent Guam legislation considered but not finally adopted in the 99th Congress. I expect to develop legislation addressing this and other issues which must be considered in this regard. We have a range of options to consider, including a consultative role for Puerto Rico in limited areas, or authority to negotiate in certain areas, which must also be defined, and possibly subject to Executive veto. It is also likely that the question of maritime jurisdiction, similar to the provisions of the draft Guam Commonwealth Act, will be considered.

Finally, the question of who votes and the applicability of federal election laws, will no doubt be debated. It will be important for the Committee to have information on provisions, if any, on these issues contained in past U.S. territorial referenda, as well as any analogous referenda in other areas of the world, when these issues are debated.

In any case, we will need to decide these and other issues in the context of a comprehensive assessment of the foreign policy implications of the three options.

We expect to request the Department to testify on these and other issues in legislative hearings in July. I urge you to begin your assessment soon so that we can receive your input in a timely manner. It is important that the Senate act quickly on this legislation so that a referendum can be held in 1991, and before the local elections scheduled for 1992. Otherwise, we risk confusing the national issue of status with local political issues.

To assist you in starting your assessment, I am enclosing copies of the three bills, the floor statements which Jim McClure and I submitted, and our letter to President Bush.

I look forward to your comments and to working with you on this important matter.

With all best wishes, I remain

Sincerely yours,

J. Bennett Johnston
Chairman

JBJ:lhd

May 24,89 10:11 (TIA, WASH, D.C.)

THE SECRETARY OF THE INTERIOR
WASHINGTON

May 23, 1989

Honorable James A. Baker III
Secretary of State
Washington, D.C. 20520

Dear Jim:

I want to bring to your personal attention an issue that is causing much confusion and embarrassment and to seek your assistance in its resolution.

For decades, the United States, through the State Department, has been reporting to the United Nations Committee of 24 on the U.S. territories of American Samoa, Guam and the Virgin Islands. We do not report on either Puerto Rico or the Northern Mariana Islands.

We would like to cease reporting on all of the territories. The territories are self-governing, and the act of providing information to a UN committee that deals with non-self-governing territories is demeaning to these entities which are integral parts of the United States. It also leads to embarrassments such as the recent instance concerning the proposed Guam Commonwealth Act. I am aware Senator J. Bennett Johnston has written to you and Ambassador Pickering about the problems created by passage of a United Nations General Assembly resolution on that subject.

The majority of the leaders of the territories, concerned officials of the Department of the Interior, and members of the congressional committees having jurisdiction over territorial status matters oppose reporting to the UN Committee of 24 for the reasons stated above.

I realize it may be too late this year to implement such a decision, but I would hope it could be announced this year. My staff would be pleased to work with your staff on the text and timing of the announcement.

Sincerely,

Manuel

Commission On Self-Determination

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Senator
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20th Guam Legislature
Vice-Chairman

Alberto C. Lamorena, III
Presiding Judge
Superior Court of Guam

Senator
Marilyn D.A. Manibusan
20th Guam Legislature

Senator
[illegible]
20th Guam Legislature

Commissioner
Francisco N. Lizama
Commissioners' Council
Representative

Mr. Rufo Taitano
Public Member

Attorney David Lujan
Public Member

Leland R. Bettis
Executive Director

NEWS RELEASE

Contact: Leland Bettis
472-2829/2804

"LET'S BE HONEST, TRUTHFUL ABOUT GUAM'S STATUS"
Governor Ada, Self-Determination Chair says.

June 10, 1989 Agana, Guam -- "Guam's very status as unincorporated territory under U.S. law, means we are not a self-governing people" Governor Joseph F. Ada said today in response to learning of a recent Department of Interior position that Guam is self-governing.

"Let's be honest, truthful about our status. It hurts to be taken for granted, but it is worse to treated as though we are ignorant or don't understand. All we are asking is the dignity and respect we deserve as a people. This is what our Commonwealth quest is all about!" Ada said.

"Of course we want self-government, and that is why we are pushing the Commonwealth Act so hard. We want a relationship which fulfills the principles upon which the American nation was founded. This is why we are so strong on promoting the Commonwealth in Washington, or the U.N. or anywhere else -- to bring attention to our quest for self-government" the Commission Chairman added.

Ada noted that aside from international law -- under which Guam's status is reviewed by the United Nation's Decolonization Committee -- U.S. case law very clearly said that Guam does not have self-government. "When you look at our history as an American possession -- from the first Supreme Court Cases in 1901 that created "unincorporated territories" -- it is very clear that the federal government exercises ultimate control over Guam."

The Self-Determination Chairman pointed to recent court cases in the Ninth Circuit Court of Appeals which reiterate Guam's non-self-governing status. "In the case of Sakamoto v. Duty Free (1985), the court compared Guam to the city of Boulder in Colorado. In comparison, the court said:

> 'Except as Congress may determine, Guam has no inherent right to govern itself. (and)...the government of

> Guam is an instrumentality of the federal government over which the federal government exercises..control. Congress has granted it (Guam) far fewer powers of self-government that the state of Colorado has granted to the city of Boulder.'"

Ada also noted the case of Ngiraingas v. Sanchez (1988) in which the court said:

> "Guam marches squarely to the beat of the federal drummer; the federal government bestows upon Guam its powers and, unlike the states, which retain their sovereignty by virtue of the Constitution, **Guam's sovereignty is entirely a creation of the federal government."**

"Frankly, I am shocked by the Interior position, because the very position that agency has in overseeing Guam is proof in itself that we are not self-governing in Guam" Ada reiterated. "And it is not just the Department of Interior. What about the Department of State which controls our air rights, and claims ownership of our Exclusive Economic Zone? What about Defense which controls one-third of our land and access to land? Or the Department of Commerce which restricts trade opportunities and thereby our economic growth?"

On the issue of appearing before the United Nations, Ada stressed that Guam would be foolish to ignore any available resource in the Commonwealth quest. "The United Nations by resolution has already supported our Commonwealth, as written -- they are supporting us, not detracting from our efforts! Our interest in meeting with the U.N. is to relay factual information for their understanding of our status and not to embarrass the federal government" Ada said.

The Self-Determination Chairman also noted that the U.S. Virgin Islands, has appeared before the U.N. Decolonization Committee for over 12 years.

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Attachment: Legal brief on Guam's non-self-governing status under U.S. law.

June 9, 1989

MEMORANDUM

To: Executive Director, Commission on Self Determination

From: Charles H. Troutman

Subject: Why Guam is not now "self governing".

In recent times, the courts have used "micro-analysis" to interpret the nature of Guam's government. Compare the majority in People v. Olsen, 97 S.Ct. 1774. The majority decided the fate of the Guam Supreme Court on the basis of the difference between the word "transfer" and "determine", the latter meaning that we could not "determine" that the District Court should have no appellate jurisdiction. This unfortunate result came from reasoning that Congress possessed the sole power to determine the nature of the governmental structure of Guam.

This idea of federal power was followed in People v. Okada, 694 F.2d 565, 568 (1982). Here the court stated:

> Congress has the power to legislate directly for Guam, or to establish a government for Guam subject to congressional control. Except as Congress may determine, Guam has no inherent right to govern itself.

While ruling in a manner favorable to Guam, the 9th Circuit again made plain the limitation of Guam's self government. In Sakamoto v. Duty Free Shoppers, 764 F.2d 1285, 1289, that court stated:

> As we have seen, the government of Guam is an instrumentality of the federal government over which the federal government exercises plenary control. Congress has granted it far fewer powers of self government than the state of Colorado has granted the City of Boulder. There is no reason why Guam should enjoy less immunity than the federal government itself.

In Ngiraingas v. Sanchez, No. 86-2840, slip opinion at p. 12199 (1988), the Ninth Circuit puts the matter more bluntly:

> Guam marches squarely to the beat of the federal drummer; the federal government bestows upon Guam its powers and, unlike the states, which retain their

sovereignty by virtue of the Constitution, Guam's sovereignty is entirely a creation of federal statute.

Congress thought, or perhaps through that it could fool Guam into thinking, that its 1976 authorization for Guam to create its own constitution would make Guam "self-governing". You should remember that one of the major reasons for the crushing defeat of the constitution by the people after Congress had approved it was that, but the terms of the enabling act, no true change of status would ensue. That Act requires that the local constitution must remain within the existing territorial-federal relationship. [This Act is reproduced on p. 75 of *The Organic Act & Related Federal Laws*, published by the Compiler of Laws]

Does this mean that Congress could then amend a local constitution at will? In any event, Congress intended to grant, vis-a-vis itself, any greater degree of autonomy than Guam has already, which is little.

So, it is inaccurate to say that Guam has any inherent self government. Even had we adopted a constitution pursuant to the existing law, there would be no change to our status. Congress still would have an unfettered final say, even over our constitution. We will not have an inherent right to self government until Congress agrees that we have a status that cannot be changed unilaterally by Congress. This is what we have asked for in the Commonwealth Act.

Charles H. Troutman

CHARLES H. TROUTMAN

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COMMITTEE ON FEDERAL, FOREIGN AND LEGAL AFFAIRS
TWENTIETH GUAM LEGISLATURE
163 Chalan Santo Papa
Agana, Guam 96910

Senator Francisco R. Santos
Chairman

Tel: 472-3414/3415

June 9, 1989

The Honorable Manuel Lujan
Secretary of the Interior
Department of the Interior
18th and C Streets
Washington, D.C.

Dear Mr. Secretary,

This morning, I received your May 23, 1989 letter to Secretary of State James Baker and to remain diplomatic and civil about it, I must state that I am disappointed and taken aback by several statements. Allow me to be specific:

1. In your second paragraph, you state: **"For decades the United States, through the State Department, has been reporting to the United Nations' Committee of 24 on the U.S. territories of American Samoa, Guam and the Virgin Island. We do not report on either Puerto Rico or the Northern Marianas Island."** If my memory serves me correctly, reports on the Northern Marianas were, in fact, being submitted to the U.N. as those island were under the Trusteeship Agreement. Whether those reports were made directly to the Committee of 24 begs the question as that Committee, just as the Trusteeship Council, is part and parcel to the U.N. If reports have stopped it is only because and since the CNMI were granted their new status. However, I point out that apparently this arrangement is not working out too well as the voice of dissension and dissatisfaction is ringing loud and clear from the CNMI.

2. In your third paragraph you state: **"We would like to cease reporting on all of the territories as the territories are self-governing. . ."** Quite possibly the term "self-governing" has different meanings but what Guam has would fall far short of any of them if an attempt were made to describe the present situation. Guam is not self-governing in the sense applied to independent nations, though we are not striving for total independence. Guam is not self-governing even in the sense applied to the 50 States of the U.S. To be frank and factual, Guam is self-governing only in those areas and to that

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extent that the Congress of the U.S. and the various Executive Branch agencies, particularly, the Department of the Interior, sees fit to extend. Guam is self-governing perhaps in the perception of the officials of the Department of the Interior whose axioms have always said you can do what you want but ask me first. The reality of the situation is that the words Guam is self-governing makes for good P.R. but extends no further than that. In this sense there is deception and we only seek to clarify that deception in an international forum.

3. In that same third paragraph, Mr. Secretary, you state that **". . .the act of providing information to a UN committee that deals with non-self-governing territories is demeaning to these entities which are integral parts of the U.S."** Again a parallel can be drawn. In the past, it hs been shown that abused children and spouses are many times hesitant to report or speak of their plight simply because they are told that it would be embarassing and **DEMEANING** to them, as well as, to the family, particularly if the abuser is the father. The children are told **"DON'T SAY ANYTHING BECAUSE PEOPLE WILL THINK YOU ARE BAD."** I ask that you understand why we want to go to the U.N. and permit us to decide whether it would be demeaning for Guam to take its case to a forum willing to listen. Do not tell us what would be demeaning to us, we are mature enough to know and understand our own feelings.

4. In that same paragraph, your use of the words **". . .are integral parts of the U.S."** can be classified as nothing but condenscending, paternalistic and a a definition that is but begging the question. Guam, from the time that it was purchased from Spain after the Spanish-American War has never been an integral part of the U.S. Even through the signing of the Organic Act of Guam, the island has never been and never will be an integral part of the U.S. Guam is an unincorporated possession of the U.S. Nowhere in the Constitution is there an identification, admission or recognition that there is such a status as unincorporated territory. Constitutional scholars to this day struggle with the definition simply because it alludes to mere acquisition and possession as if one were acquiring or possessing a piece of property or real estate and this defies reasoning as the people

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of Guam are real and Guam, as their home, is real, not as vassals or the possessions and property of anyone else but rather as a people deserving of every ounce of their inalienable human rights, no different than the inalienable rights demanded by the very founders of the American Nation.
I am reminded of your statement, when asked about Guam, to the effect that **"We know where are possessions are at."**

5. I must inform you that your fourth paragraph: **"The majority of the leaders of the territories, concerned officials of the Department of the Interior, and members of the congressional committees having jurisdiction over territorial status matters oppose reporting to the UN Committee of 24 for the reasons stated above"** where the **"majority of the leaders of the territories"** may be accurate only to those who have little real knowledge of what is happening on Guam. A point in fact, is that the Governor, who chairs the Commission on Self-Determination, has already made inquiry as to the possibility of appearances before the Committee of 24. Additionally, I should point out that this statement is highly presumptuous. I have never seen or heard of any survey to determine the consensus of the leaders of Guam. I cannot and do not speak for the leaders of the other territories, but when referencing the leaders of Guam, I would appreciate it if statements be qualified or prefaced to the effect that the statement is being offered as nothing but a presumption.

I ask that the decision to implement any decision reflecting the general body and leaning of your letter be made cautiously if it has to be made at all. I ask that the Department of the Interior and the Department of State determine, be it by conscience alone, whether such a decision would be made in truth or just as a reflection of what Washington bureaucrats would like to assume and imagine is the truth.

Sincerely yours,

F.R. Santos

cc: The Honorable James Baker
Secretary of State
Department of State

Commission On Self-Determination

Government of Guam
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Chairman

Senator
Francisco R. Santos
20th Guam Legislature
Vice-Chairman

Alberto C. Lamorena, III
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Superior Court of Guam

Senator
Marilyn D.A. Manibusan
20th Guam Legislature

Senator
Madeleine Z. Bordallo
20th Guam Legislature

Commissioner
Francisco N. Lizama
Commissioners' Council
Representative

Mr. Rufo Taitano
Public Member

Attorney David Lujan
Public Member

Leland R. Bettis
Executive Director

The Honorable James Baker, III
Secretary of State
Department of State
2201 C St. NW 20520

Dear Sir:

As you are aware, the United States testifies annually before the United Nations Committee on De-Colonization with respect to the progress of Self-Determination and self government for Guam, as well as other U.S. Territories.

We would like to request that Guam be given an opportunity to provide input into this year's testimony, which will be taking place in the next few months. In review of previous years' testimonies, on several occassions references to Guam, and indeed attributive statements concerning Guam and our people have been made which I am certain we could be of assistance in drafting -- reflecting as they are intended to do the feelings and aspirations of our people.

The Commission on Self-Determination stands ready to provide whatever assistance is required, especially in light of our current efforts to alter and improve our political status through the Commonwealth legislation currently pending in both the Senate and the House of Representatives.

Thank you for your time and belated congratulations on your appointment and confirmation, as well as the outstanding job you are doing for the Nation.

Sincerely,

Joseph F. Ada

JOSEPH F. ADA
Governor of Guam

cc Secretary, Committee of Twenty-Four

United States Department of State

Washington, D.C. 20520

May 23, 1989

Dear Governor Ada:

Secretary Baker has asked me to repond to your letter concerning United States reporting to the United Nations Committee on De-Colonization.

Thank you for the kind offer on behalf of the Government of Guam to assist in the preparation of statements made before United Nations committees which study the status of Guam. The United States Mission to the United Nations expects to be making this year's statement on Guam during the week of May 22.

In drafting the statements on Guam made by the United States before the United Nations, the Department of State coordinates closely with the Department of Interior, the lead federal agency dealing with territorial matters. We believe that it would be most useful if the Government of Guam would forward any suggestions it may have to the Department of Interior's Office of Territorial and International Affairs (OTIA). Your suggestions could then be included when OTIA provides information to the Department of State for preparation of the statements. We note that in preparing United States statements on Guam and other territories, great weight is placed on the State of the Territory addresses made by the Governors of each respective territory.

We look forward to receiving any documentation you may send to the Department of the Interior.

Sincerely,

Nick Longworth

Nick Longworth
Coordinator of Intergovernmental Affairs
Bureau of Public Affairs

The Honorable
Joseph F. Ada,
Governor of Guam.

[redacted]

AGENDA ITEM III.E. 6/27/89

Commission On Self-Determination

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Commissioner
Francisco N. Lizama
Commissioners' Council
Representative

Mr. Rufo Taitano
Public Member

Attorney David Lujan
Public Member

Leland R. Bettis
Executive Director

June 8, 1989

The Honorable James Baker III
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington D.C. 20520

Dear Mr. Secretary:

I am in receipt of a letter from Mr. Nick Longworth on your behalf in response to the Guam Commission on Self-Determination's request to provide input on the reports which your department makes to the United Nations relative to Guam's colonial status. For clarification of the letter sent earlier on this issue, the request was endorsed, and was at the recommendation of the Guam Commission on Self-Determination.

For your information, and that of the State Department, the Guam Commission on Self-Determination is by law mandated to "represent the manifest will of the people of Guam on the question of their relationship with the United States..." Given our legal responsibility, and the fact that the Guam Commonwealth Act has been approved in Guam plebiscites, we feel it is imperative that the Commission represent Guam's position on the decolonization issue. In past years, an informal process of review through the Governor's Washington Liasion Office was practiced. Additionally, in 1985 Guam's Congressional delegate appeared before the Decolonization Committee on behalf of the State Department.

As our Commonwealth quest continues, the Commission's input is appropriate, not only on the Administering Power's reports to the U.N., but also in appearing before the responsible U.N. Committee(s). It is our understanding that since 1975, the government of the U.S. Virgin Islands has appeared before the Decolonization Committee through the hospitality of the U.S. Mission. If our input into the U.S. presentation is to be channelled through the Department of Interior (as Mr. Longworth recommends in his letter), then it is probably best that the Commission join the U.S. Mission at such times that statements to the United Nations on Guam are made.

Mr. Secretary, the United States reports to the United Nations on the subject of Guam because Guam is a non-self-governing territory -- an international status we have because the U.S. government voluntarily placed Guam in that category. The Guam Commonwealth Act provides the mechanism to usher in the creation of a self-governing Guam through the requested recognition of the right to Chamorro self-determination. Given the democratic expression of Guam's people in support of the Commonwealth Act, and the Commission's mandated responsibility on the question of political status, we feel it is vital that our views be heard by the U.N. first hand.

Sincerely,

FRANCISCO R. SANTOS
Chairman (Acting)

cc: Secretary of Interior
Chairman, U.N. Committee of 24

UNITED
NATIONS

A

General Assembly

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16 May 1989

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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

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

GUAM

Working paper prepared by the Secretariat

1. The armed forces of the United States of America continue to maintain military facilities on Guam. More than 16,188 hectares, or about 30 per cent of the island's total area, are reserved for the use of the Department of Defense. The Air Force and the Navy maintain major military installations; the Coast Guard and the United States Army Corps of Engineers also have facilities.

2. According to the 1987 Guam Annual Economic Review, in June 1987 a total of 11,768 active-duty personnel was stationed on Guam as follows: Navy, 7,277; Air Force, 3,957; Army, 6; Marines, 397; and Coast Guard, 131. Together with 11,887 dependants, United States personnel totalled 23,655 or 18.5 per cent of the Territory's total population.

3. Andersen Air Force Base, home of the 43rd Bombardment Wing of the Third Air Division, contained between 5 and 14 nuclear-capable B-52 bombers in 1987. The primary mission of the bombers was nuclear deterrence, as well as conventional missions of sea surveillance and interdiction, aerial minelaying and conventional weapons strikes. The Third Air Division at Andersen is deployed within the framework of Strategic Air Command (SAC) operations in the Pacific and Asia. According to a press report, 1/ in May 1988 the Air Force notified congressional leaders that it intended to close the nuclear storage depot at Andersen in fiscal year 1989, which had begun on 1 October 1988. According to the same report,

removal of nuclear weapons from Andersen would mean that the United States Air Force would no longer have long-range nuclear weapons in the Pacific region.

4. On 12 May 1988, Air Force officials on Guam announced that Andersen was now non-nuclear and that its 43rd Bombardment Wing had been designated as SAC's "Lead the Fleet" B-52 conventional unit. According to a SAC press release quoted by the same source, until then all B-52 units had had nuclear as well as conventional tasks. The conversion to non-nuclear capabilities, however, would not affect the number of B-52s stationed at Andersen, which would be involved solely in maritime surveillance and would be armed with non-nuclear Harpoon anti-shipping missiles and sea mines. 2/ The number of active-duty personnel would be reduced by 10 per cent and the Third Air Division Headquarters would be moved from Guam to Hawaii. 3/

5. According to the Institute for Policy Studies in Washington, 150 nuclear bombs, as well as anti-submarine depth charges, are stored in Guam. 1/

6. There are a number of naval facilities at Guam: the Santa Rita Naval Magazine; the Naval Air Stations at Brewer Field and Apra Harbour; the Naval communications station at Barrigada and the communications annex at Finegayan; the Naval processing station at Ritedian Point; the Nimitz Hill, headquarters for the Naval Forces (Marianas). Guam is also a base for the repair, maintenance and provisioning for the Seventh Fleet and for Polaris submarines, as well as the home port of five Navy vessels. Construction of an ammunition wharf for off-loading and re-supplying nine Maritime Propositioning Ships (MPS) was completed in February 1989. 4/ MPS freighters are designed to carry supplies and equipment for 16,500 marines for 30 days of operation. They are operated by civilian contractors.

7. In 1982, the United States Coast Guard closed its Marine Safety Office due to budget cuts. In July 1988, the Coast Guard announced that, owing to a growth in commercial vessel operations, it was reopening the Marine Safety Office with a staff of eight. 5/

8. According to data provided in the 1987 Guam Annual Economic Review, the military is an important factor in the Territory's economy and is the second largest single employer of Guamanians, after the Government of Guam. Military spending provides a major source of government revenue and constitutes a significant component of business revenue.

9. The Department of Defense employed 6,356 civilian personnel in 1987, compared with 6,662 in 1986, or some 16 per cent of the total labour force of the Territory. Total military expenditures for financial year 1987 amounted to approximately $US 420 million. 6/ Military pay accounted for $146 million; civilian pay, $144 million; military construction, $92 million; petroleum purchases, $145,000; other purchases, $34 million; and maintenance and contracts, $4 million. In addition, the Government of Guam collected about $33.5 million in income taxes from federal employees, including servicemen. Military commissaries and exchange retail stores accounted for approximately 19 per cent of wholesale/retail sales and services, or about $113 million. The 1986 Guam Annual Economic Review noted that total military expenditures in fiscal year 1985 were reduced by approximately 23 per cent over the previous year because the petroleum contract between the Department of Defense and the Guam Oil Refinery had not been renewed.

10. Military construction amounted to $58 million in 1985, $73 million in 1986 and $92 million in 1987. In 1988, military spending on construction totalled approximately $56 million, of which housing and other construction at Camp Covington amounted to $14.7 million; new construction at the Naval Ship Repair Facility, $8.4 million; and wharf improvement, $5.1 million.

11. The question of transfer of land under military control to the Government of Guam for economic development has been under continuous review by the military in recent years. In 1977, the Department of the Navy, in co-operation with the Department of the Air Force, prepared a study known as the Guam Land Use Plan, which recommended that some surplus land should be released for local use. According to the 1987 Guam Annual Economic Review, the Department of Defense had endorsed the release of 1,435 hectares of the total 2,024 hectares identified for return.

12. In May 1988, the Governor of Guam announced that the United States Navy had agreed to support his request for the transfer of military land for civilian use, i.e., 109 hectares of land at Barrigada (close to Andersen Air Force Base) for a new campus for the Guam Community College 7/ and 32 hectares in the Marbo area for the construction of a new high school. 8/

13. In January 1989, the Governor of Guam requested that operations of the Brewer Field Naval Air Station "be turned over fully to the Government of Guam" to meet the increasing need to expand Guam's airport to cope with the increase of tourism. 9/

14. In February 1989, the Congressional Representative for Guam asked the Sub-Committee on Military Installations and Facilities of the United States House of Representatives to study the status of Brewer Field; 10/ in March 1989, the Chairman of the Sub-Committee called on the Navy and the Air Force to review the request. 11/

Notes

1/ The New York Times, 16 May 1988; and The Australian, 18 May 1988.

2/ Pacific Daily News, 12 May 1988; and The Australian, 18 May 1988.

3/ Pacific Daily News, 14 and 18 May 1988.

4/ Ibid., 5, 7 and 8 February 1989.

5/ Ibid., 7 July 1988.

6/ The local currency is the United States dollar ($US).

7/ Pacific Daily News, 18 July 1988.

8/ Ibid., 11 February 1989.

Notes (continued)

9/ Ibid., 14 January 1989.

10/ Ibid., 16 February 1989.

11/ Ibid., 6 March 1989.

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UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

PRESS RELEASE

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Press Release USUN 59-(89)
May 30, 1989

Statement by Cynthia Bunton, United States Representative to the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in the Subcommittee on Small Territories, on Guam, May 30, 1989

Mr. Chairman, I am appearing today to discuss the economic, political and social events that have occurred in the United States territory of Guam over the last year.

Guam is now going through a period of political change, the result of the approval of the draft Commonwealth Act in two referenda held in 1987, as was reported to the Committee last year. Approval of the Act by the people of Guam reaffirmed their 1982 referendum expressing preference for commonwealth status by 72 percent of the island's voters. In conformity with the people's desires, Guam's Congressional Delegate, Mr. Ben Blaz, introduced the Guam Commonwealth Act in the House of Representatives last year during the 100th Congress and has reintroduced the act, House Resolution 98, during the Current 101st Congress. Senator J. Bennett Johnston has introduced the legislation in the United States Senate.

Governor Ada, the leadership of Guam's legislature and Congressman Blaz strongly favor Commonwealth status for Guam. They are freely elected by the people of Guam. Governor Ada is currently serving a four-year term following his election in November 1986. Congressman Blaz, reelected last November, and the 21-member unicameral legislature in Guam, serve two-year terms.

The House Interior Committee and the Senate Energy Committee, which are responsible for consideration of the commonwealth legislation, have asked the Administration to provide comment on the draft legislation for Congressional consideration. A task force within the Administration led by the United States Department of the Interior is scheduled to provide such commentary by June 30.

The United States government supports the concept of a Commonwealth for the people of Guam as reflected by their desire

expressed in the 1982 and 1987 referenda. Commonwealth status reaffirms the right of the people of Guam to draft their own constitution and to govern themselves. The very technical implementing legislation to enact this new relationship and to define the practical application of such a change still requires detailed review in the Congress and the Administration.

The United States will expedite this process so that the people of Guam will be able to achieve the status they desire in accordance with their right to self-determination. In exercising their choice, the people of Guam have demonstrated unequivocally their desire to maintain a close relationship with the United States. Once all internal United States procedures to modify Guam's status to a Commonwealth are in place, Guam will have completed an act of self-determination.

In his State of the Territory address to the people of Guam in February, Governor Joseph Ada reported sustained economic progress for the Territory. Looking to the future, the Governor emphasized in particular Guam's need to continue to improve its infrastructure.

United States Federal government expenditures in Guam totalled 685 million dollars during Fiscal Year 1988. Guam ranks third among U.S. states and territories in federal government spending per capita.

The territorial government is in the process of building a major road that will benefit particularly the people in the southern part of Guam. The government plans to spend 12 million dollars on the Agat Umatac Highway to improve links between the south and the rest of Guam. In addition, major roads in the south are expected to receive repairs and renovation, particularly the areas in between Agat and Yona.

The government of Guam has steadily improved telephone and electricity services to the island's inhabitants. Power outages on the island are steadily decreasing. The government is also planning to increase fire services within the territory through the construction of two new fire stations to be located in Yigo and Talofofo.

To improve medical services in Guam, the government has bought new equipment for the island's principal hospital, including a CAT scanner, and pay for employment has been further improved. The Guam government is intent upon restoring accreditation for the hospital. In order to assist it in achieving this goal, the hospital is in the process of choosing long-term consultants in management and operations through funding provided by the United States Department of the Interior.

Guam's economy, fueled in large measure by a growth in tourism, is at the strongest level in its history and unemployment, at three percent, is at its lowest recorded level. Commercial air traffic to and from Guam is expected to continue to expand.

Governor Ada, desirous of balancing economic growth and assuring that this growth does not burden the island's infrastructure, has called for the rationalization of water resources in Guam and assurances that large water users pay appropriately for water costs. He has also proposed to the Guam legislature the establishment of a single impact fee on developers to insure that services and infrastructure are not adversely affected by growth. In tandem with the fee, Governor Ada believes that the creation of an Environmental Impact Assessment and Statement Law would insure that no individual project would be allowed to cause environmental damage in Guam.

The Governor is very interested in the preservation of the cultural heritage of the people of Guam. He has proposed to the Guam legislature that historic preservation laws in Guam be strengthened to insure that Guam's unique cultural identity is preserved.

The Government of Guam has made improving school facilities on the island a high priority. Ten and a half million dollars are being spent in Fiscal Year 1989 on increasing professional staff, curriculum enrichment, repairs and renovations. Standardized test scores, which had been dropping in Guam, have stabilized and improvements are being seen in some grades. The government is also working to establish a second Guam Community College campus to meet the increasing demand for higher education in Guam. A new Northern High School is also contemplated.

In 1988, hearings were held in the United States Congress on legislation introduced by Guam's Congressional Delegate, Mr. Ben Blaz, which would turn over to the Government of Guam, at no cost, 3,536 acres of land no longer required by the Department of Defense. The United States Congress was unable to complete work on the bill during its 100th Congress. Mr. Blaz has reintroduced the legislation, House Resolution 1338, in the 101st Congress.

My delegation commented last year on the question of compensation to former landowners of land appropriated by the Federal Government. Some litigation by a small group of landowners who do not accept the compensation package or their individually assigned portions continues in the courts.

Mr. Chairman, my delegation is dismayed that the Committee has once again issued a separate working paper on Guam entitled "Military Activities and Arrangements by Colonial Powers in Territories under Their Administration which might be Impeding the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples." Dissemination of a separate working paper under this title raises again the groundless insinuation that the presence of military facilities in Guam in some manner hampers the people of Guam in exercising their legitimate rights, including the right to self-determination. There has never been a shred of evidence produced that suggests that this is the case. In fact, quite the opposite is true: the United States

military has consistently protected the ability of all American citizens, including the people of Guam, to exercise their rights.

My delegation would like to point out that by supporting the adoption of commonwealth status, the people of Guam have demonstrated unequivocally their desire to maintain a close relationship with the United State sand remain United States citizens. The people of Guam volunte er in large numbers to serve their country. My delegation urges the Committee to refrain from lending credibility to political attacks on the freely expressed wishes of the people of Guam under the guise of self-determination. Th eUnited States continues to hold strongly that a true act of self-determination can legitimately result in political arrangements other than independence since the people of a territory should be free to choose the status they desire.

My delegation trusts that the popular will of the people of Guam, and their desire to remain part of the United States, will continue to be respected.

I would be happy to take your questions now. Thank you, Mr. Chairman.

* * * * *

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BEN BLAZ
GUAM
COMMITTEE ON ARMED SERVICES
SUBCOMMITTEES:
MILITARY INSTALLATIONS AND FACILITIES
PROCUREMENT AND MILITARY NUCLEAR SYSTEMS
DEFENSE POLICY PANEL
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
INSULAR AND INTERNATIONAL AFFAIRS
ENERGY AND THE ENVIRONMENT
NATIONAL PARKS AND PUBLIC LANDS
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SUBCOMMITTEES:
ASIAN AND PACIFIC AFFAIRS
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June 1, 1989 L-2

Ms. Cynthia Bunting
Advisor on Political Affairs
United States Mission to the United Nations
799 United Nations Plaza
New York, New York 10017

COPY

Dear Ms. Bunting:

I understand that the Subcommittee on Small Territories of the United Nations Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples will attempt tomorrow to comment once again on the status and conditions of Guam, whose people I have the honor and privilege to represent in the United States House of Representatives. I would deeply appreciate your courtesy in informing the members of the subcommittee that, as the Member of Congress from Guam, I feel that they need not review anything that has to do with Guam.

Since April 11, 1899, the people of Guam have voluntarily and without coercion lived under the sovereignty of the United States of America. In comfort and contentment we have thrived under the United States eagle. With much pride we have flown the "Stars and Stripes". The people of Guam are Americans. We think that the jurisdiction of the subcommittee should not include Guam. In our view the subcommittee has neither the authority nor the requirement to look into Guam's status, political or otherwise. In support of that position, I have attached a copy of a letter of May 23, 1989, from my former colleague in the United States House of Representatives, the Honorable Manuel Lujan Jr., presently the United States Secretary of the Interior, to the Honorable James A. Baker III, the United States Secretary of State.

By taking up Guam's relationship with the United States, the members of the subcommittee question the intelligence and demean the integrity of Guam's voters and elected officials. No one in any branch of the Government of Guam has asked that the members of the subcommittee involve themselves in Guam's political affairs. The subcommittee makes it sound as if the United States is forcing itself unwelcome upon the people of Guam.

REPRODUCED AT GOVERNMENT EXPENSE

Unwilling to accept the truth of the United States' administration of its territories, members of the subcommittee wonder whether the people of Guam know what is going on politically in their territory. I assure you that the people of Guam constantly argue and debate local and national politics. Again and again the people of Guam have discussed the various options available for our political status. We may depend on the United States, but, as the Member of Congress from Guam, I give you my word that the people of Guam have never felt that the federal government has tried to impinge on our right to opt for a different status. Proof of this independence of thought is the action which the voters of Guam have taken in initiating our quest for commonwealth status.

In a much publicized referendum on political self-determination in September 1982, the voters of Guam voted resoundingly by seventy-two (72) per centum for commonwealth status, which would provide a closer relationship with the United States. Therefore, anyone to suggest or insinuate that the people of Guam are being compelled to be under the United States' jurisdiction is blatantly oblivious to the facts or deliberately acting mischievously for whatever political purposes such antics would serve among those who delight in making a mockery of democracy.

I complement the excellent work that you and the members of the United States Mission have consistently provided the people of Guam at the United Nations. I regret that I will not be able to join you for the session on Friday, June 2, when the subcommittee will take up Guam. At that time I will be with my colleagues from the United States House of Representatives attending the funeral in Miami, Florida, of the Honorable Claude Pepper (Dem.-Fla.), with whom I had the honor to serve on the House Committee on Aging. However, I urge you to tell the members of the subcommittee, "Thank you for your interest in Guam's affairs. The people of Guam enjoy the privilege of being Americans. As such, we have the freedom to move more and more towards greater self-rule within the American family of states and territories. We appreciate your concern, but we are fine as citizens of the United States and wish to remain so."

Sincerely yours,

BEN BLAZ
Member of Congress

Enclosure

ıe day after the initial flight from
to Narita is completed, he said.
more flights are scheduled for Friday.
have been in contact with our offices
ston for the last 48 hours," he said.
ctual request to launch the aircraft
in late yesterday (Wednesday)

During the night, we were
ding with the State Department
our Houston office to get clearances
ing into Chinese airspace and for
e visas for the crew members who
be going in and out of Beijing."

information that we have," he said,
t there are anywhere from 1,500 to
people in the Beijing airport. We
formed that it was orderly and secure,
t there were some confusion because

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Ada offers to help local Chinese

By TOM BRYAN

Gov. Joseph F. Ada yesterday called the massacres of protestors in China an unfortunate reversal of recent trends and said that his administration is willing to assist the Chinese community on Guam.

"It is very unfortunate what is happening, people being killed and injured," Ada said. "I hope the situation stops and gets back to an orderly process, a democratic process for these people who want to be heard.

"It is only fair that these people be allowed to go through that process without fear of being hurt or killed," he said, calling free speech "a human right that ought to be protected....a universal right."

Ada said that he supports President Bush's action, cracking down on military aid to China as a "step in the right direction" with the possibility of further sanctions, if the violence against civilians continues in China.

The crackdown against students and other pro-democracy demonstrators is sad because China had been opening up and talking to the rest of the world, the governor said.

This meant a shift from military to domestic spending, a trend which might

Turn to Page 4



la signs the Infrastructure Bond.

structure bill signed
11 years of waiting

EE

ture Bond Bill
ed over 10 years
ng land in the
division be sold to
g there was signed
Joseph F. Ada
s about time the

years. Now that the bond bill is going to be enacted, I hope that the government will finally move on implementing this 10 year old law, he said.

Some of the other projects called for in this bond are: the Tumon Bay Sewage Reversal Project, the San Vitores Road

Blaz, Lujan oppose going to U.N. panel

By J.B. GUERRERO

Congressman Ben Blaz last Thursday, said that the decolonization sub committee on small territories U.N. Committee of 24, has neither the authority nor the requirement to look into Guam's status, political or otherwise.

In a letter dated June 1, Blaz asked Cynthia Bunting to inform the sub committee that as the member of congress from Guam, he feels that they need not review anything that has to do with Guam.

Bunting is the advisor on political affairs, United States Mission to the United Nations.

Blaz said that "by taking up Guam's relationship with the United States, the members of the sub committee question the intelligence and demean the integrity of Guam's voters and elected officials.

No one in any branch of the government of Guam has asked that the members of the sub committee involve themselves in Guam's political affairs.

"The sub committee makes it sound as if the United States is forcing itself unwelcome upon the people of Guam," Blaz said.

It was noticed that this is a sharp contrast to chairman of the Commission on Self-Determination Governor Joseph F. Ada's view of the U.N. Committee of 24.

On June 2 Ada wrote to William de Souza, Secretary, U.N. Committee of 24, that he was "very interested in presenting our views directly to the full committee, or to members of the comittee prior to the August hearing."

Blaz's view was supported by Secretary of the Interior Manuel Lujan who, in a May 23 letter to Secretary of State James Baker said, "We would like to cease reporting to the U.N. Committee of 24 on all of the territories. The territories are self governing, and the act of providing information to the U.N. committee that deals with non-self governing territories is demeaning to these entities which are intergral parts of the United States.

"It also leads to embarrassments such as the recent instance concerning the proposed Guam Commonwealth Act," Lujan said.

Village commissoners want title of 'mayor'

P.R. ADELBAI

Guam village commissioners may be referred to as mayors in the future, if the Legislature grants their

"We are at a local level government similar to those of mayors in the United States so we should have uniform titles. It would give

STATEMENT OF THE HONORABLE JOSEPH F. ADA
GOVERNOR OF GUAM
CHAIRMAN, GUAM COMMISSION ON SELF-DETERMINATION

Mr. Chairman, and esteemed members of the Bureau on Political Affairs, Trusteeship, and Decolonization. Hafa Adai and thank you for providing us this opportunity to speak before you today. My name is Joseph F. Ada. I am the Governor of Guam, as well as Chairman of Guam's Commission on Self Determination. With me today are other members of the Commission, including our Vice-Chairman, Senator Francisco R. Santos, Senator Madeliene Z. Bordallo, Commissioner Francisco Lizama and public member David Lujan.

More than 400 years ago, the island and the people of Guam were occupied by what was at that time the premier colonial power, the Spanish Empire. Almost 100 years ago, control of the island and people of Guam passed from Spanish hands to those of the United States of America, as a spoil of the Spanish-American war. As the Bureau is aware, Guam has remained affiliated with America ever since, and the United States reports to the full committee annually in this regard, in accordance with the United Nations charter.

Let me say at the onset, that Guam is indeed pleased to be affiliated with the United States of America. We have over the years developed a deep affinity for the American people and the American nation, as well as for the principles of democracy, liberty and free expression which are the foundations of this Nation. We have no problem with being affiliated with America. We do have problems with the nature of this affiliation.

We are very pleased today with the presence of representatives of the U.S. State Department, as this department has long recognized the shortcomings of our current political status and the importance of our efforts to change it.

Allow me briefly to characterize the nature of our current status, from our own perspective.

Recently, a federal official, not associated with the State Department, characterized Guam as "self-governing". We do not and cannot agree. Indeed, the United States Courts do not agree. In recent court cases, such as Sakamoto vs. Duty Free Shoppers, the courts have reiterated that the government of Guam is but an instrumentality of the federal government. In the true sense of the term, there is no government of Guam per se. Guam, as an unincorporated territory, is -- as the term indicates -- is neither incorporated in the political body of America nor self-governing. We are, according to the current interpretation of the United States Constitution -- to be disposed of by the U.S. Congress as Congress sees fit. I hasten to remind everyone, that we do not vote in National elections at any level nor do we have any voting representation in the federal government.

I will not belabor this point, except to say that this is an unacceptable status to the people of Guam, and indeed we suspect, would be an unacceptable state of affairs to most Americans, were they aware of this situation.

This is why we are actively engaged in an effort to establish a new political relationship with the United States, one that is worthy of both the people of Guam and the great principles which have established the American Nation.

The people of Guam have on separate occassions, voted in free pletiscite on the general nature -- and indeed -- the specifics of what that relationship should entail. The desires of our people are quite clear, and as representatives of the State Department have stated in these halls, the "popular will of the people of Guam ".. should be respected.

Specifcally, the people of Guam have called for a new status ... an end to our current non-status as an unincorporated territory. We have called for a recognition of our right to self-determination. We have called for greater autonomy, self-government and a measure of political sovereignty. We have called for mutual consent over any future changes in status, including the specifics of that status, thus ending forever the unilateral control that currently exists over the affairs of our island and the future of our people.

We have called for the consistent application of an equitable relationship that will be of mutual benefit to America and Guam, for the opportunity to use our own natural and human resources for the benefit and prosperity of our own people. We have called for economic freedoms and the removal of constraints which currently keep our people from developing our homeland to its full economic potential.

We are pleased as well that representatives of the U.S.Mission have stated they support the concept of Commonwealth for us as reflected by our desires expressed in referenda in 1962 and 1987, and that in their view this process will be expedited so that we can achieve the status we desire in accordance with our right to self-determination.

The occassional comment by officials not affiliated with the State Department has at times caused us to wonder whether our right to self-determination is universally recognized. That is why we have directly articulated this right in Commonwealth, so that in the future, when we finally do exercise our full right of self-determination, our right will not be questioned.

The commonwealth legislation approved -- word for word -- by the people of Guam is currently before the United States Congress. It has been reviewed by an interagency panel -- comprised in the main of non-policy

makers at a bureaucratic level. The review has been unsatisfactory to the people of Guam. It is clear that those reviewing the document have missed the fact that we are moving towards a new political status -- not a continuation of our current status. The review attempts to fit our desires into the framework of current policies -- which is not only unacceptable -- it is impossible. You cannot reconcile the desires of our people for self-government with a framework that at its most fundamental level denies us the ability to control our own lives.

Still, we remain hopeful that Congress and the policy makers in the administration will see the justice of what we seek and give our people the status that we deserve and is ultimately in the best interests of America. As I stated earlier, the people of Guam believe in America — the people of America and the principles which guide her conduct. Under those principles, and under the founding principles of the United Nations, our quest for dignity cannot be denied.

Our current status is demeaning. We have a right to something better, and with the grace of God, we shall achieve it.

Over the past twenty years, the people of Guam have made tremendous strides. We have overcome so many obstacles that history and geography have placed in our path. Guam has developed from a sleepy, agricultural island into a part of the twenty-first century world. We have achieved for the fist time in our history a modern, private and more self-sufficient economy, despite the constraints imposed by our current political relationship. We are proud of this. We are feeling the pride that comes to all people who overcome challenges, who succeed in building a better future for themselves and their community. If there has ever been a question about our ability to be responsible for our own lives, that question has been answered.

It is in this spirit that we seek to advance ourselves, economically, socially and politically. We do it, as do all people, because there is something in the human heart that resists limits artificially imposed ..and because there is something in the human spirit that requires freedom to grow.

Thank you.

STATEMENT OF SENATOR MADELEINE BORDALLO

As a natural born American Citizen,born in the state of Minnesota, non-chamorro, I have a very unique membership position in this commission. I came to Guam at fourteen years of age. I completed my last three years in high school on Guam when I graduated from George Washington High School in 1951. Except for the two years I spent in college here in the States, I made Guam my home and resided continuously since 1948.

I'm sure that without the preceding statement, some of you will be wondering how can a white skin Caucasian, blendcwith blue eyes be sitting or a member of the Guam Commission on Political Self Determination.

As the other members have capably presented the people of Guam's case to self determination, I am here to add my own voice in support of this just cause my voice is unique because I am here to fight for the rights of a people whom I do not share a birth rights. My political rights had been settled 213 years ago in the American Revolution. My forefathers learned that for me as an American.

The Chamorro nation possessed their own rights to Liberty, Equality and Fraternity for at least a period of 5,00 years. My country the United States of America is only a little over 200 years old.

By comparison, the nation of Chamorros have a great history of full self-government.

I'm here because, unfortunately, the rights of the Chamorro nation were confiscated by external powers. First, by the Spanish Empire with Guam's discovery in 1521. Second, by the United States in 1898 as an aftermath of the Spanish-American War. Third, by the Japanese Empire in 1941 two days after the attack on Pearl Harbor and forth by the Americans again in 1944 when it reoccupied Guam as a vital springboard for the obliteration of the Japanese Empire.

Throughout all these political and physical upheavals how did the human rights and political rights of the Chamorro nation fit into the equation? I say with deep sadness and sorrow-----NOWHERE as a proud American who believes in Freedom and Liberty, not just for Americans but for all people and nations of the world, I am saddened and embarrassed that a small nation of people has not been recognized as possessing a God given rights to political self-determination up to this time, almost one hundred years since the American flag has flown over this small Island nation.

I appear, therefore, before this committee to solicit the good offices of the United Nations to join in bringing an awareness to all nations of the World that it is not only the responsibility of the United States but the collective responsibility of the United Nations to correct this injustice.

There can never be universal justice unless all people of the world share equally in human and political rights.

THANK YOU

Madeline Z. Bardacke
Senator, 20th Guam Legislature
Member, Self Determination
Commission

UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

PRESS RELEASE

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Press Relea se USUN 113-(89)
October 23, 1989

Statement by Ambassador M. James Wilkinson, United States Alternate Representative to the 44th Session of the United Nations General Assembly, in the Fourth Committee, on Item 18, Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, October 23, 1989

Mr. Chairman, before beginning my remarks I would like to express, on behalf of the President, the Governor of California, and the American people, our heartfelt appreciation to the many delegations who voiced their sympathy and condolences to the victims of the recent earthquake in California. In addition, my delegation is also appreciative of the expressions of concern for the victims of Hurricane Hugo. If I may borrow the eloquent words of my colleague, Mrs. Pearl Bailey, "There is not a man or woman in this hall that has not had in his or her country some disaster: hunger, disease, typhoon, cyclone, or earthquake. I want to thank you all for caring about us, and -- regardless of any differences in this hall -- I want to remind you that we and our country care about you."

Mr. Chairman: Self-determination has been a central tenet of U.S. policy ever since my country achieved independence more than two centuries ago. Our declaration of Independence contains principles that have inspired the people of the world to seek self-determination.

Since its inception, the United Nations has rightfully been concerned with the right of non-self-governing territories to self-determination. During the first 15 years of the United Nations, many of those represented here today exercised this right. In 1960, the United Nations approved two landmark resolutions within a day of each other. General Assembly Resolutions 1514 and 1541 deserve to be read as a single document. Between them, they make clear that the process to self-determination can result in different forms of political status, including independence, free association, and integration into another independent state. The key element in both these resolutions is that the citizens of a non-self-governing territory must have the right to exercise their judgment about their future, free from coercion of any kind.

Mr. Chairman, my government believes that these three territories -- Guam, the U.S. Virgin Islands and American Samoa -- have become virtually self governing. Each territory is represented in the U.S. House of Representatives by an elected delegate who may vote in any committee and who may chair subcommittees. Congressional committees are the fundamental legislative structures on which the entire Federal law-making process rests.

Competitive, free elections occur on a regular basis in each of the three U.S. administered territories. The people of American Samoa, Guam, and U.S. Virgin Islands, while desiring to maintain their unique cultural identities, have affirmed and reaffirmed in election after election their strong desire to maintain a close relationship with the United States. The United States Government stands ready to respond to the wishes of the people of all three territories regarding their future political status whenever the peoples of the territories indicate the direction in which they wish to proceed.

This past year has seen the election of a new governor of American Samoa, the Honorable Peter Tali Coleman. Governor Coleman has conveyed the will of the people of American Samoa to maintain their close relationship with the United States. He has made clear in the first year of his tenure that this relationship can continue to coexist in harmony with the territory's traditional land tenure system, with the cultivation of Samoa's common cultural heritage with its Pacific Island neighbors, and in a manner which will foster the development of future leaders of its society.

As this Committee knows, the United States has no military bases or troops permanently stationed in American Samoa or the Virgin Islands. The presence of military facilities and personnel in Guam is a direct manifestation of cooperative and negotiated arrangements achieved with Guam's leadership. Guamanian leaders such as Congressman Ben Blaz have told the Committee of 24 that Guamanians welcome the Armed Forces and consider it an honor to serve in the U.S. military. A very high percentage of military personnel in Guam are Guamanians, including many indigenous Chamorros.

The United States continues to abide by its commitment to the rights and cultural identity of the Chamorro people, in the same manner that the United States seeks to protect the rights of all its citizens under the United States Constitution and its Bill of Rights. The Federal Interagency Task Force, in its report submitted to the United States Congress by the Honorable Manuel Lujan, United States Secretary of the Interior, supports provisions in any eventual commonwealth legislation which would provide for U.S. Federal programs aimed at preserving the culture and the social and economic advancement of the Chamorro people.

In the Virgin Islands, we are aware of the devastation caused by Hurricane Hugo. Before this tragedy, the economy of the Virgin Islands were expanding rapidly. Long-range capital improvements were planned. A wide array of social, medical and educational programs and services were available to the citizens of the Virgin Islands. Sadly, much of the territory has sustained damage. American Red Cross damage assessments estimate that St. Thomas had 3000 homes destroyed or with major damage, St. Croix had up to 10,000 homes destroyed, and St. John had 300 homes destroyed.

The United States has been quick to respond to this tragedy. President Bush officially declared the Virgin Islands a disaster area. This action has entitled hurricane victims to reconstruction loans and other forms of long-term federal relief. Additionally, President Bush ordered 1,100 military police and six Coast Guard cutters to the region for the protection of citizens and to aid in the evacuation of those people affected by the disaster.

The Federal Emergency Management Agency has allocated over $14 million dollars for immediate and long-term hurricane relief. These funds have been designated for emergency medical supplies, communication, energy needs, water purification, food supplies, transportation, and housing.

With all recovery programs in place and moving forward, we are gradually shifting from an emergency response to long range recovery. Progress in this area includes the following:

Food stamps in the amount of $942,128 have been issued to 3,390 households. Additionally, container ships have transported 87,000 pounds of foodstuffs to meet immediate food shortages.

The United States Department of State has airlifted cots, blankets, comfort kits, plastic sheeting and other supplies to the Red Cross.

The National Guard and United States Navy have worked jointly to insure that desalinization and purification capabilities remain operational, thus providing a reliable source of drinking water to inhabitants.

After ninety percent of all power poles were snapped during the hurricane, United States Army Corps of Engineers Teams were transported, along with repair vehicles, to begin the process of power restoration. Complete restoration of electric power on all of the islands should be finished by the end of November. The United States stands ready to bring in additional crews to ensure the completion of this task.

Efforts to improve medical assistance continue to be a top priority. Additional health care professionals and temporary medical facilities are being provided until permanent repairs to the St. Croix Hospital are complete.

Additionally, the U.S. has launched an "Island-Wide Clean-up Campaign" in which community leaders, volunteers and officials from various agencies are uniting in a massive community and island-wide project in which everyone can participate. Representatives from various U.S. disaster-relief programs will help coordinate a plan of action to clear up the community.

I am proud to bring to the Committee's attention these facts which demonstrate that the U.S. has acted compassionately and responsibly in fulfilling its obligation to the Virgin Islands.

Mr. Chairman, my delegation would like to associate itself with the remarks of the distinguished representative of France who spoke in his capacity as Chairman of the European Economic Community, as well as with individual member delegations of the EC who have advocated moves to rationalize the work of this Committee. My delegation agrees that there are duplications of procedures, agenda items, and other redundancies which consume the time and resources of the United Nations and its members. I join my colleagues in recommending that steps be taken to streamline the work of the Fourth Committee to make it more effective and efficient in promoting its designated tasks.

The United States has strong reservations about the themes contained in the three resolutions on Guam, the U.S. Virgin Islands and American Samoa. There is a suggestion in all the resolutions that United States Administration of its dependent territories is inadequate. This does not accord with reality. Nonetheless, my government wishes to maintain a constructive approach in anticipation of further consideration of these issues. We will work very actively next year to resolve our concerns in the same spirit that we have always taken on these issues.

Mr. Chairman, I would also note that other resolutions before this Committee are substantially improved over previous years. We hope that this reflects the positive trend towards a constructive and cooperative approach to issues throughout the 44th General Assembly, and that this trend will continue. Thank you Mr. Chairman.

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General Assembly

Distr.
GENERAL

A/RES/44/98
29 January 1990

Forty-fourth session
Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/44/738)]

44/98. Question of Guam

The General Assembly,

Having considered the question of Guam,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolution 43/42 of 22 November 1988,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power, 2/

1/ A/44/23 (Part II), chap. IV; A/44/23 (Part III), chap. VI; and A/44/23 (Part VI) and Corr.1, chap. X.

2/ See A/C.4/44/SR.15, paras. 31-40.

Recalling the approval, in referendums held in Guam in 1987, of a draft Commonwealth Act, which, upon its enactment by the United States Congress, would reaffirm the right of the people of Guam to draft their own Constitution and to govern themselves,

Noting that the draft Commonwealth Act provides that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provisions would be made in the Guam Constitution,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Taking note of the statement of the representative of the administering Power that legislation had been introduced in the United States Congress to release 1,431 hectares of land no longer required by the Department of Defense and that the 100th Congress of the United States had considered the issue, and noting that a decision has yet to be taken on the matter,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power concerning the growth in tourism and the desire of the Government of Guam for balanced economic growth,

Taking note also of the statement of the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and reiterating that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Guam; 3/

2. Reaffirms the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3/ A/44/23 (Part VI) and Corr.1, chap. X.

3. Reaffirms its conviction that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Guam;

4. Reaffirms the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination and calls upon the United States of America, as the administering Power, in co-operation with the territorial Government, to expedite the process of decolonization strictly in accordance with the expressed wishes of the people of the Territory;

5. Reaffirms its strong conviction that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

6. Urges the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

7. Reaffirms the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam and, in that connection, calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

8. Reiterates that one of the obstacles to economic growth in Guam is the holding of large tracts of land by the United States federal authorities, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

9. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, as well as to support measures by the territorial Government aimed at removing constraints to growth in commercial fishing and agriculture;

10. Reaffirms the importance of continued efforts by the territorial Government, with the support of the administering Power, to promote and develop Guam's unique cultural identity;

11. Urges the administering Power to give full recognition to the status and rights of the Chamorro people;

12. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-fifth session.

80th plenary meeting
11 December 1989

1990 Index

1. C-24 Working Paper on Military Activities

2. U.N. Regional Decolonization Seminar (Vanuatu)
   a.) Report to the Governor
   b.) Statement of the Government of Guam
   c.) Summary of Discussions

3. Norway proposal of July 30 on Guam resolution.

4. On the "Norway" proposal for an omnibus resolution.
   a.) C-24 discussion of August 2 at C-24.
   b.) Letter of Governor ADA to C-24 Chairman of 10 August.
   NOTE: Together with a similar letter from the Gov of the USVI, the Norway proposal did not get approved in 1989.
   c.) Norway proposal of 10 August on omnibus resolution.
   d.) C-24 Draft decision on omnibus resolution.
   e.) USUN letter to Gov. ADA in support of Norway proposal.

5. USUN Statement to Fourth Committee of 9 October.

6. CSD Ex. Dir. and WoG communication on USUN call for removing sections of Resolution on military activities.

7. USUN Statement to Fourth Committee and proposed amendment on military activities. NOTE: Did not pass.

8. U.N. General Assembly Resolution on Guam.
   a.) Recorded vote on the Resolution

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.109/1018
5 February 1990

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

MILITARY ACTIVITIES AND ARRANGEMENTS BY COLONIAL POWERS IN TERRITORIES UNDER THEIR ADMINISTRATION WHICH MIGHT BE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

GUAM

Working paper prepared by the Secretariat

1. The armed forces of the United States of America continue to maintain military facilities on Guam. More than 16,188 hectares, or about 30 per cent of the island's total area, are reserved for the use of the Department of Defense. The Air Force and the Navy maintain major military installations; the Coast Guard and the United States Army Corps of Engineers also have facilities.

2. According to a Navy Public Affairs Officer who was interviewed by the Pacific Daily News in September 1989, the following are the main branches of active duty military personnel stationed on Guam: Navy: 7,573; Air Force: 3,311; Marines: 360; Coast Guard: 142; Guam Army National Guard: 115; and the Guam Air National Guard: 13. According to the same source, that figure does not reflect temporary personnel travelling to and from Guam. 1/

3. There is also the United States Coast Guard, which falls under the jurisdiction of the Department of Transportation. In addition, a number of military reserve units employ full-time active duty personnel for recruiting, training and other staffing positions. 1/

4. Andersen Air Force Base, home of the 43rd Bombardment Wing of the Third Air Division, contained between 5 and 14 nuclear-capable B-52 bombers in 1987. The primary mission of the bombers was nuclear deterrence, as well as conventional

missions of sea surveillance and interdiction, aerial minelaying and conventional weapons strikes. The Third Air Division at Andersen is deployed within the framework of Strategic Air Command (SAC) operations in the Pacific and Asia. According to a press report, 2/ in May 1988, the Air Force notified congressional leaders that it intended to close the nuclear storage depot at Andersen in fiscal year 1989, which began on 1 October 1988. According to the same report, removal of nuclear weapons from Andersen would mean that the United States Air Force would no longer have long-range nuclear weapons in the Pacific region.

5. On 12 May 1988, Air Force officials on Guam announced that Andersen had become non-nuclear and that its 43rd Bombardment Wing had been designated as "Lead the Fleet" B-52 conventional unit of SAC. In November 1989, press reports indicated that the United States Government had decided to withdraw all B-52s from Guam before 30 September 1990. 3/ (For further details, see A/AC.109/993, para. 4.)

6. In a press release issued in November 1989, 4/ the Commander of the 43rd Bombardment Wing stated that Andersen Air Force Base would lose more than $US 54 million 5/ a year and 11 civilian jobs, when the B-52s pulled out of Guam. The figure included $45 million for salaries and wages of the 1,402 military and 11 civilians in the bomb wing, $3 million for local construction and services contracts and $6 million for material, equipment and supplies. Guam would also lose income from other sources such as taxation of military personnel and aid money to public schools for military dependants.

7. There are a number of naval facilities at Guam: the Santa Rita Naval Magazine; the Naval Air Stations at Brewer Field and Apra Harbour; the naval communications station at Barrigada and the communications annex at Finegayan; the naval processing station at Ritedian Point; the Nimitz Hill, headquarters for the Naval Forces (Marianas). Guam is also a base for the repair and maintenance of, and provisioning for, the Seventh Fleet and Polaris submarines, as well as the home port of five Navy vessels. Construction of an ammunition wharf for off-loading and re-supplying nine Maritime Propositioning Ships (MPS) was completed in February 1989. 6/

8. According to data provided in the 1987 Guam Annual Economic Review, the military is an important factor in the Territory's economy and is the second largest single employer of Guamanians, after the Government of Guam. Military spending provides a major source of government revenue and constitutes a significant component of business revenue.

9. The Department of Defense employed 6,356 civilian personnel in 1987, compared with 6,662 in 1986, or some 16 per cent of the total labour force of the Territory. Total military expenditures for financial year 1987 amounted to approximately $420 million. Military pay accounted for $146 million; civilian pay, $144 million; military construction, $92 million; petroleum purchases, $145,000; other purchases, $34 million; and maintenance and contracts, $4 million. In addition, the Government of Guam collected about $33.5 million in income taxes from federal employees, including servicemen. Military commissaries and exchange retail stores accounted for approximately 19 per cent of wholesale/retail sales and services, or about $113 million.

10. According to an Economic Resource Impact Statement released by the 43rd Bombardment Wing in January 1990, Andersen Air Force Base had a $229.4 million-per-year impact on the economy of Guam. That resulted in the creation of 1,544 jobs on Guam during the fiscal year ending 30 September 1989. During that fiscal year, base expenditures amounted to $98.7 million, which reflected gross payroll, construction, and services bought off the base, and material, equipment and supplies received from off-base sources. After using a multiplier determined by data provided by the Secretary of the Air Force, the study stated that the total financial impact of Andersen increased to $229.4 million. 7/

11. The question of transfer of land under military control to the Government of Guam for economic development has been under continuous review by the military in recent years. In 1977, the Department of the Navy, in co-operation with the Department of the Air Force, prepared a study known as the Guam Land Use Plan, which recommended that some surplus land should be released for local use. According to the 1987 Guam Annual Economic Review, the Department of Defense had endorsed the release of 1,435 hectares of the total 2,024 hectares identified for return.

12. In May 1988, the Governor of Guam announced that the United States Navy had agreed to support his request for the transfer of military land for civilian use, i.e., 109 hectares of land at Barrigada (close to Andersen Air Force Base) for a new campus for the Guam Community College 8/ and 32 hectares in the Marbo area for the construction of a new high school. 9/ According to press reports of September 1989, discussions had been initiated to transfer 49 hectares of land from naval control to the Government of Guam. 10/

13. In January 1989, the Governor of Guam requested that operations of the Brewer Field Naval Air Station "be turned over fully to the Government of Guam" to meet the increasing need to expand Guam's airport to cope with the increase of tourism. 11/

14. In February 1989, the Congressional Representative for Guam asked the Sub-Committee on Military Installations and Facilities of the United States House of Representatives to study the status of Brewer Field; 12/ in March 1989, the Chairman of the Sub-Committee called on the Navy and the Air Force to review the request. 13/

Notes

1/ Pacific Daily News, 12 September 1989.

2/ The New York Times, 16 May 1988, and The Australian, 18 May 1988.

3/ Pacific Daily News, 17 November 1989.

4/ Ibid., 24 November 1989.

Notes (continued)

5/ The local currency is the United States dollar ($US).

6/ Pacific Daily News, 5, 7 and 8 February 1989.

7/ Ibid., 12 January 1990.

8/ Ibid., 18 July 1988.

9/ Ibid., 11 February 1989.

10/ Ibid., 21 September 1989.

11/ Ibid., 14 January 1989.

12/ Ibid., 16 February 1989.

13/ Ibid., 6 March 1989.

REPORT TO THE GOVERNOR OF GUAM
THE HONORABLE JOSEPH F. ADA

on the

U.N. DECOLONIZATION COMMITTEE'S PACIFIC REGIONAL SEMINAR
In Commemoration of the 30th Anniversary of the Declaration

Port Vila, Republic of Vanuatu
May 9-11, 1990

BACKGROUND

In commemoration of the 30th anniversary of the United Nation's 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, in U.N. General Assembly Resolution 44/100 (12.11.89) the Special Committee on Decolonization was directed to conduct seminars in the Pacific and Caribbean, with a view toward hastening the process of decolonization for remaining non-self-governing territories. These activities were also seen to tie into the U.N. International Decade for the Eradication of Colonialism (U.N.G.A. Resolution 43/47) which began in 1990.

As endorsed by the U.N. General Assembly, the seminars were to include representatives from the governments of the non-self-governing territories, and to "give pre-eminence to the views of peoples of the Territories" (U.N. SPECCOM24 A/AC.109/1022). On this basis the government of Guam was invited, through the Office of the Governor, to participate in the Pacific Regional Seminar held in Port Vila, Republic of Vanuatu, May 9-11.[1] The invitation was accepted by the Governor of Guam, and Mr. Leland Bettis, Executive Director of the Guam Commission on Self-Determination was designated to participate on behalf of the Governor.[2]

On May 3, 1990, the U.S. Mission to the U.N. contacted the Governor of Guam, informing him that the U.S. government would not be participating in the seminar as an administering Power. Ambassador Wilkinson noted, however, that the administering Power remained "committed to the decolonization process and to encouraging the

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[1]. Letter from the Chairman of the Special Committee to Governor Joseph F. Ada, April 17, 1990.

[2]. In a letter of April 20, 1990 the Governor of Guam indicated that Guam would participate and that the name of the representative would be forthcoming. On May 3, 1990 the Governor indicated to the Chairman of the Special Committee that Mr. Bettis would be the designated participant.

U.S. territories to take the road to self-determination most appropriate for each of them."

SEMINAR ACTIVITIES

Formal Proceedings

The Seminar provided a forum for statements from the peoples of the non-self-governing territories of New Caledonia (Kanaky); Guam (attached); American Samoa; and, Tokelau. Two administering Powers, New Zealand (Tokelau) and Portugal (East Timor) were present as participants. Additionally, numerous on Pacific decolonization statements were made by academics and non-governmental organizations (NGO's) during two days of discussions. The opening and closing addresses by the Host Government (H.E. The Honorable Father Walter Lini and The Honorable Donald Kalpokas), together with statements from U.N. Ambassadors from Papua New Guinea (H.E. Renagi Lohia) and the Republic of Vanuatu (H.E. Robert Van Leirop) throughout the conference were significant contributions to the discussions of the seminar. Observers from countries of the region, including Australia and the Solomon Islands, were also in attendance.

Members of the Special Committee who were present were representative of the countries of Chile, Ethiopia, Indonesia, Norway, Tunisia, United Republic of Tanzania, and Yugoslavia.

Discussions on political issues were conducted in three sessions; two on the 9th and one session on the 10th. The afternoon session of the 10th considered discussion on economic and social issues. A drafting Committee appointed by the Special Committee Chairman included the members of the Special Committee, U.N. representatives from New Guinea and Vanautu, government representatives from Guam and Kanaky, and the Pacific Islands Association of Non-Governmental Organizations. The drafting Committee met in five (5) meetings to prepare the Summary of Discussions for the Seminar which were adopted in the final session on the 11th (attached).

There was considerable interest amongst the participants and observers of Guam's status efforts. Copies of the Guam Commonwealth Act which were provided, quickly found their way into the hands of interested individuals, with additional requests coming from those who did not get a copy.

Many of the points adopted by the seminar on the 11th directly relate to Guam and will elaborated on in the "Observations" portion of this report.

Informal Proceedings

The Seminar provided enormous opportunities for networking with: diplomats and other governmental representatives; academicians; NGO's; peoples of other Pacific non-self-governing territories; and, U.N. Decolonization Committee staff. Since the focus of the Seminar was the status of the remaining non-self-governing territories, the opportunity to present Guam's position, and receive information about issues concerning Guam from other quarters was unique.

The Seminar was encouraging at the informal level in that interested groups and parties were exposed to new levels of awareness about Guam and the Commonwealth movement. Additionally heartening was the responsiveness and offers of support which were forthcoming.

Observations

The Committee

Although the Special Committee on Decolonization has a mandate to witness the eradication of colonialism by the year 2000, they are moving very cautiously. For example, a strongly endorsed suggestion that non-self-governing territories should be given official Observer status in the United Nations was not endorsed by the Committee because of its implications on the entire United Nations body.[3]

Many members of the Committee itself are not fully aware of status of Guam. Generally, there is a push on the part of the U.S., Great Britain, and France to disband the Committee, and it seems clear that the members are very careful in how they proceed and are clearly cognizant of the pressure being applied. Generally the Committee seems unwilling to go far beyond existing decolonization mandates and also appear to be more willing to embrace alternatives to independence in terminating a colonial situation (e.g. integration and free association).

The "thaw" in the East-West rivalries also seems certain to have an impact on the Committee's perspective. Many of the Eastern Bloc countries which had traditionally carried the Soviet line are now operating on an independent foreign policy base. Even the Soviet

[3]. U.N. Members were apparently concerned about the inclusion of a note on official Observor status, becuase it is new matter which would require the approval of the entire U.N. General Assembly.

Union, which is experiencing "problems" from its non-listed colonies, is likely to pursue a less rigid course than it has in years past. The Committee, which has for many years been viewed as being anti-western, appears to have suffered from this "stigma" and is carefully attempting to carry out its mission creating as few waves as possible.

Two strong signals of the "thaw" were evident at the Seminar. One is that the Seminar adopted language which would allow the peoples and governments of the non-self-governing territories direct access to the Committee to state their own case for decolonization. This appears to come from the assumption that international political rhetoric will be less strong in the future than it has been in the past (i.e. there are probably going to be less supporters of decolonization than there were in the past). The second instance in where indications of a "thaw" are apparent is in relation to military activities. Traditionally, the Special Committee has taken a strong exception to the presence of military activities in non-self-governing-territories, but no mention of this appeared in the final version of the Seminar's Summary of Discussions.

Committee staff are also cautious, but tend to be more candid in their perspective. Clearly, some members of the Committee's Secretariat are frustrated with what appears to be a dwindling international interest in the decolonization process. In the case of Guam there appears to be particular frustration because of the "mixed signals" of the U.S. Government based on in-fighting between the Departments of State and Interior.[4] One staff member informed me that there was a move within the U.S. Mission to the U.N. (State Department) to attend the Seminar,[5] but that the Department of Interior had objected vehemently. The absence of a responsive U.S. position with respect to its non-self-governing-territories obviously stymies the process of decolonization which the Committee is charged with overseeing, and is obviously disconcerting to U.N. staff.

Seminar "Summary of Discussions"

The Seminar's summary of discussions addressed generally the various aspects of the international decolonization vis-a-vis the

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[4]. The differences clearly developed following Secretary of Interior Lujan's letter to Secretary of State Baker of May 23, 1989 in which Lujan claimed that "U.S. territories are self-governing."

[5]. The apparent interest of the U.S. Mission to attend the Seminar as an administering Power was also rumored in late April from other sources in Washington and New York.

remaining non-self-governing territories. The summary rehashed traditional U.N. positions with respect to the process of decolonization, and included a few new approaches. The thrust of several of the points in the summary came from the powerful opening address of His Excellency The Honorable Father Walter Lini, Prime Minister of the Republic of Vanuatu. His suggestions included a visit by the U.N. Secretary-General (or designee) to the remaining Territories, as well as a comprehensive review of the Territories which would widely distributed throughout the world.

The summary of discussions took up other new areas, and in relation to Guam's position one point stands out in particular. Point 14, addressed the concern, and made the recommendation that the populations of the non-self-governing territories be granted the opportunity to "speak for themselves and to make known their views on the issues at stake by inviting them to address the Special Committee." This note is of great significance since the Special Committee has opened the door for non-self-governing territories to directly approach the decolonization process, rather than the traditional method of working through the Mission of the administering Power. Given discussions in Guam on this matter, this note may be of great interest to several parties.

Numerous other notes in the Summary of Discussions relate to Guam's political status endeavor as outlined in the Guam Commonwealth Act. In addition to the general statements with respect to self-determination, other notes mentioned specific international standards which relate to Guam's aspirations. It should be noted that most of these requirements are principles which the administering Power should be following while Guam remains a non-self-governing territory. Included in the Summary of Discussions were the following points:

* relative to the administering Powers responsibility to prevent the influx of settler and immigrant populations in the non-self-governing territories (point 18.: corresponds to Article 7 of the GCA);

* participation by non-self-governing territories in regional and sub-regional economic organizations (point 17: corresponds to §302(a)(ii) of the GCA);

* the initiation of special trading relationships with non-self-governing territories (point 31: corresponds to §302(a)&(b) and Article 5 of the GCA);

* the urging of "the administering Powers...to release to the peoples of their Territories land held by the administering Power and guarantee their right to retain their land their land and to own and dispose of the natural resources of the Territories..." (point 32: corresponds to Article 10 of the GCA);

* the "administering Powers should ensure and safeguard the permanent sovereignty over the natural resources for the peoples of those Territories" (point 25: corresponds to Article 10 of the GCA); and

* "It was stipulated that particular attention should be given to the creation of adequate economic infrastructure and upgrading of transportation and communication in the Territories in order to overcome adverse economic effects of their remoteness and isolation." (point 24; corresponds to §1105 and Article 9 of the GCA).

Informal Observations

Since the focus of the conference was decolonization, much of the informal networking around the conference also involved the decolonization subject. Besides the keen interest of many participants -- governmental and non-governmental alike -- others offered support and advice. One senior government representative directly offered "political support" for Guam's decolonization process upon the request of the Guam government. Other government representatives intimated the same support, although less directly: "it's up to you to make the move" two other government leaders advised.

U.N. members and staff asked a number of times if the Guam government would be represented at the full Decolonization Committee meeting in August, and then proceeded to encourage such activity. Very explicitly, the Committee is seeking more input into the process from those areas which remain affected by colonialism.

Many participants were astounded that given Guam's economic prosperity, that Guam had not adopted a more independent approach to political status. Given the absence of wealth in most of the central Pacific's independent island nations, Guam's relative wealth is seen as a sign of great potential for an independent political status. Many participants noted that an independent nation finds more friends amongst peers than can be found in a dependency relationship. The levels of foreign aid available to most independent Pacific island nations seems to be proof of this assertion.

Explaining Guam's historic links to the administering Power, and the request for its recognition of the right of the Chamorro people to self-determination was, however, warmly received. Also, in light of the naive view of status offered by Guam's American territorial counterpart (which none-the-less voiced support for the continued work of the Committee), Guam's movement was received as

quite sophisticated.

RECOMMENDATIONS

The following recommendations are made in view of Guam's political status movement and the indication that the administering Power seeks to minimize the role of decolonization as it applies to Guam.

1. governmental representatives from Guam should participate directly in all discussions involving the Territory at the United Nations;

2. the government of the Territory should continue to cultivate close links with other non-communist governments and non-governmental groups which have demonstrated an interest in Guam's proposed decolonization process (the qualifier "non-communist" is used due to the propaganda usefulness the administering Power may find in connections with helpful communist countries);

3. visits by Guam's executive to independent nations and visits by representatives of foreign governments to Guam should be utilized as a catalyst for enlisting support for Guam's status movement in the international arena; and,

4. economic relations between the Territory and nationals of foreign countries should be examined as a process of encouraging government to government relations.

Leland Bettis
Executive Director
Guam Commission on Self-Determination
May 16, 1990

Statement of the Government of Guam

Leland Bettis
Executive Director,
Guam Commission on Self-Determination
Representing The Honorable Joseph F. ADA
Governor of Guam

U.N. Special Committee on Decolonization
Regional Seminar
Port Vila, Vanuatu
May 9-11, 1990

Mr. Chairman, Members of the Special Committee, distinguished representatives, ladies and gentlemen; Hafa Adai. I extend you greetings on behalf of the Governor of Guam, the Honorable Joseph F. Ada. On behalf of the government of Guam, I would like to take this opportunity to thank the Special Committee for extending the invitation to contribute to these historic proceedings in commemoration of the 30th anniversary of the United Nation's Declaration on Decolonization.

I would also like to thank the administering Power for their support of our participation. In recent correspondence from the U.S. Mission to the United Nations, Governor Ada was informed that although the administering Power will not be participating in this seminar it remains "committed to the decolonization process and to encouraging the U.S. territories to take the road to self-determination most appropriate for each of them."

Mr. Chairman, as you are aware, Guam's government has taken an increasing interest in the activities of this committee and the U.N. actions with respect to Guam. Last August, your facilitation of a meeting between the Guam Commission on Self-Determination and the Bureau was greatly appreciated. Since that time we have continued to closely monitor U.N. actions with respect to Guam. Just last month, the Commission on Self-Determination transmitted its recommendations to the Chairman of the Subcommittee on Small Territories with respect to this year's working paper on Guam. We appreciate the Special Committee's work on the Question of Guam and look forward to the Committee's continued forthright review of the historical, current, and proposed relationship between Guam and the administering Power.

In this regard, I am pleased to note that possible subjects for discussion during this seminar include the Committee pragmatically examining the approaches to self-determination and the subject of direct access of non-self-governing territories to the Committee.

These matters are of great interest to Guam, and we look forward to participating in the seminar discussions.

With your indulgence, I would like to present the views of the Guam government in relation to the Special Committee's paper on major issues, ideas and suggestions for this seminar (A/AC.109/RS/CRP.2)

Political Issues

Guam's relationship to the administering Power predates international consideration of the decolonization issue. In 1898, as a spoil of the Spanish-American War, Guam came under the authority of the government of the United States. Through the Treaty of Peace between the Empire of Spain and the Government of the United States, "the civil rights and political status of the native inhabitants" of Guam were to be determined by the U.S. Congress. In 1901, the U.S. Supreme Court ruled that the terms of acquisition precluded any promise that islands such as Guam would be admitted into the American political union. A status of "unincorporated territory" was proclaimed, under which the U.S. Congress had complete plenary authority -- even above and beyond the Constitution of the United States -- to govern the affairs of our people. This status continues to be the basis of my government's relationship with the administering power.

As you are aware, Guam is seeking a new relationship with the administering Power. In fact, Mr. Chairman, throughout our 91-year history as a U.S. possession, Guam has at every step been the catalyst for an enhanced relationship. From requests for civil rights and citizenship which began in 1901, to boycotts and walk-outs of territorial legislatures in protest of the absence of civil rights, Guam has exhibited its interest in seeking more autonomy and home rule. Our requests have traditionally been responded to in a slow fashion, but nevertheless we have seen progress based on our requests for civil rights within the political system of the administering Power.

Guam's most recent petition to the administering Power involves something more fundamental than civil rights within the American territorial system. After rejecting a constitutional proposal offered by the administering Power in 1978 -- a rejection based on the fact that such proposed constitution would not address Guam's relationship with the administering Power -- Guam, in 1980, sought to pursue a new political relationship. In 1982 plebiscites, Guam elected to pursue a status of Commonwealth with the administering Power. In 1987, Guam voters approved a Commonwealth Act which deals with the relief from external factors we seek, as well as providing Guam the ability to be internally self-governing through a constitution of our own adoption.

The Commonwealth Act, which has been before the U.S. Congress now for two and one half years, importantly establishes a mechanism by which Guam's indigenous Chamorro inhabitants would exercise self-determination to which end an ultimate political status in compliance with U.N. resolution 1541 would be realized. The recognition of Guam's indigenous people to serve as the proponent for the determination of Guam's ultimate political status is necessary vis-a-vis settler and immigrant populations which have arrived in Guam with the blessing of the administering Power. Guam does not seek to disenfranchise any resident, but the people have spoken on the matter of those who should be eligible to resolve the definitive political status of the Chamorro homeland. Under the Commonwealth proposal, the Constitution of Guam would establish the mechanism for this right to exercised.

I should note, Mr. Chairman, that in the 1988 General Assembly resolution on the Question of Guam (A/RES/43/42), the body urged the "administering Power to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act." Similar language was included in the 1989 report of the Subcommittee (A/AC.109/L.1702), which was adopted by the Special Committee. Needless to say we were disappointed when this very simple statement of Guam's right to self-determination was not included in the General Assembly's 1989 resolution on Guam. Our despondency relates to the fact that this proposal for Guam to achieve self-determination is the only one which has ever been put forward in the long history of our relationship with the administering Power. Moreover, it reflects the will of the people of Guam on the question of self-determination, and is in concert with international principles on the issue. Irrespective of the interregnum relationship with the administering Power which we seek through Commonwealth status, we feel it is important that proper deference be given to the people of Guam's expressed aspiration to exercise self-determination.

It could be argued, Mr. Chairman, that our current status efforts are an internal matter between the government of Guam and the administering Power. To a certain extent, in that our Commonwealth establishes an interim partnership with the administering Power, so-called internal matters are relevant. However, the right to self-determination, the protection of our resources, prohibitions against demographic disruption, and the advancement of economic self-sufficiency are all matters which are of evidenced concern to the international community (e.g the Charter, the Declaration, the Implementation Plan of the Declaration). These issues are taken up in our proposal to the administering Power in the Commonwealth Act, which are in fact remedial measures that would satisfy compliance with long standing views of the United Nations on non-self-governing territories. Our Commonwealth proposal, then, in many areas simply seeks an internal statutory recognition by the administering Power of accepted international principles.

Mr. Chairman, Guam is in a very unique situation. We clearly seek to move beyond the colonial relationship with the administering Power which has existed for over 90 years. While our Commonwealth proposal sets the agenda for this movement, we in Guam remain interested in working constructively with the administering Power through an interim partnership. As long standing citizens of the United States, we seek to continue an affinity of interests so long as our rights are recognized.

The people of Guam have demonstrated that they are well suited to lay out the process by which self-determination will be exercised. Throughout this process we appreciate the many recommendations of the United Nations with respect to the special relationship which should exist between the metropolitan country and our small island.

Implementation of the noble objectives of the United Nations with respect to the decolonization process is obviously the point which is yet to be resolved for Guam. The fact that Guam remains one of the few non-self-governing territories under the purview of the Special Committee -- on the occasion of the 30th anniversary of the Declaration -- is testimony to the lethargy of the process we experience. We in Guam, in relation to our perceived needs for sufficiency, growth, and progress, have presented our objectives to the administering Power and we look forward to the favorable implementation of these basic goals. The continued strength of international values remains critical to the process we have undertaken.

Economic Issues

My government is pleased to note that in recent years our economic dependence on the goodwill of the administering Power has dramatically decreased. In the initial years following the possession of Guam property by the administering Power, the people of Guam were almost entirely dependent on the activities by the administering Power on said property. Today, however, our private sector outstrips the combined contribution which the activities of the administering Power and my government contribute to our economy.

During this period of unprecedented growth, the government of Guam has made major efforts at upgrading the island's physical infrastructure. Presently the government of Guam has floated almost $150 million in infrastructure bonds which include island-wide telephone and power upgrades, water and waste water improvements, and widespread road renovation. The source of these enhancements has come from our private sector development through foreign capital investments, as well as in-kind assistance from investors.

The results of our private sector economic growth has reduced our unemployment rate to approximately 2.3%. Similarly, our people's participation in subsistence welfare programs of the administering Power has dropped 58% from its level of three years ago, down to approximately five percent (5%) of households. In this period of reducing our dependency from the provisions of the administering Power, our aspirations for self-government have blossomed.

The attraction of Guam for foreign capital has been provided through programs offered by the government of Guam. In our efforts to reduce our dependency and promote self-sufficiency we have offered internationally competitive inducements, as well as marketing our economically strategic location. I might add, though, that the government has recently curtailed investment incentives for certain types of economic activity in an effort to further diversify our economic base.

As a part of our economic growth, we have found it necessary to request the return of under-utilized and unutilized properties held by the administering Power. Guam's continued prosperity depends on access to properties which are currently outside the control of my government. To assist in the transformation of our limited commercial airspace into a regional air transportation hub, the government has requested the closure of an under-utilized installation held by the administering Power. In the past the administering Power has been gracious enough to return properties which allowed for the expansion of our commercial port facilities, and we continue to pursue measures which will enhance our economic viability.

Guam would certainly like to participate more fully in the programs of the U.N. specialized agencies and international institutions. We currently have a limited status with programs such as ESCAP, but further involvement would be welcomed. However, due to the administering Power's restrictions in the funding of certain international programs Guam is ineligible to fully participate at this stage. We look forward to full involvement given the Special Committees encouragement to the administering Power to foster and facilitate our involvement.

I should note that our Commonwealth proposal to the administering Power would enhance our economic self-sufficiency. The administering Power's enactment of our proposal would:

- recognize our control of the island's Exclusive Economic Zone;
- establish a free trade relationship with the administering Power;
- grant my government the ability to structure its own air rights arrangements with other nations;

- allow us the option of removing our port as a destination of the administering Power's port system;
- provide us the capability to structure a tax code; as well as,
- accelerate the return of property held by the administering Power.

Social Issues

In the social realm, I am pleased to report that Guam's government has embarked on progressive measures to enhance the standard of education of our island. Significant investments in modern technology for instructional purposes, and widespread physical plant improvement of educational facilities have reached over $40 million in the past three (3) years. Guam's tertiary institution has also secured sources of funding for a $45 million plant expansion. Clearly, Guam has attempted to make a major investment in the area of education -- from primary to tertiary.

I would be remiss if I did not mention that the administering Power has provided a new source of assistance during this period. In 1988, the government of Guam entered into an agreement with the administering Power to reduce the subsidy Guam taxpayers are providing to educate of the children of transient federal employees. This agreement yields Guam approximately $10 million per annum.

I should also note that a cultural resurgence has griped our island. The Chamorro language, which for years was relegated to a second-class status, is undergoing revival. Chamorro is a mandated course for all elementary students in Guam, and is in the process of being required in high school. Additionally, last year, for the first time a Chamorro corporation acquired a broadcast media. The proof of the resurgence of the Chamorro language is clearly manifested through this medium, as English language stations have taken a backseat in their popularity. Chamorro plays and other theatrical productions have also made a serious impact on Guam's social environment in the past year as well.

Guam's Commonwealth proposal would further educational and employment opportunities for the Chamorro people through specially funded programs financed by the administering Power. Additionally, under our Commonwealth proposal, funding for cultural and historic preservation would also be guaranteed by the administering Power.

Summary

Mr. Chairman, our government would again like to express a sincere Dankulu Na Si Yu'os Ma'ase' for your leadership in Decolonization matters and for extending to Guam the opportunity to participate in this seminar. As one of the few remaining non-self-governing territories my government believes that we have and will continue to make a contribution to the decolonization process.

The people of Guam have proposed for implementation many of the same objectives in the decolonization process that the august body of the international legislature has proposed. Frankly, Mr. Chairman, we have not had a great deal of knowledge about the U.N. process, but I believe that our goals -- which were engendered from our awareness of our needs -- demonstrates a commonality of interests with the procedures which the Special Committee oversees. We look forward to working with you, so that together implementation of our needs and international standards will be attained.

Finally, Mr. Chairman, my government would like to extend our appreciation to the Republic of Vanuatu and the Ni-Vanuatu for their hospitality in hosting this historic seminar.

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GENERAL

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ENGLISH ONLY

SPECIAL COMMITTEE ON THE SITUATION
WITH REGARD TO THE IMPLEMENTATION
OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL
COUNTRIES AND PEOPLES

ASIA/PACIFIC REGIONAL SEMINAR

Port Vila, Vanuatu
9 to 11 May 1990

SUMMMARY OF DISCUSSIONS

(1) All the participants in the Seminar held to observe the thirtieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, strongly reaffirmed their commitment to the elimination of colonialism and the principles contained in General Assembly resolutions 1514 (XV) and 1541 (XV) and other resolutions concerning decolonization. They considered those principles remain as valid today as they were in 1960. They stressed that in order to achieve the elimination of colonialism by the year 2000, all States should adhere to the existing fundamental principles and guidelines contained in the United Nations Charter and all other relevant resolutions.

(2) Speakers overwhelmingly emphasized the vital role played by the United Nations in the decolonization process and stressed that that role should be actively pursued to hasten the completion of the process of decolonization.

(3) Representatives from Non-Self-Governing Territories, non-governmental organizations and other participants endorsed the continuation of the important work of the Special Committee on the Situation with regard to the

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and pledged full support in its efforts towards the complete eradication of colonialism in all its forms and manifestations and in ensuring the enjoyment by all peoples of their right to self-determination in its political, economic and social aspects.

(4) Participants stressed that all peoples have an inalienable right to self-determination and independence and that it was for the people of each remaining colonial Territory to exercise their right to self-determination through a free expression of their will with complete knowledge and awareness of all the options open to them. Any act of self-determination should be based on the genuine wishes of the peoples of the Non-Self-Governing Territories and should involve the offer of a full range of options, including that of independence, and must be preceded by adequate and unbiased political education and sensitization of the populations concerned.

(5) It was considered that particular decolonization situations should be guided by a full commitment to the principles contained in resolution 1514 (XV) combined with understanding and flexibility in the means of fulfilling the objective of the Declaration. A number of speakers noted that, in many instances, some Territories had fully exercised, under United Nations observation, their inalienable right to self-determination and had achieved independence. In other cases, in accordance with the wishes of the peoples concerned, the option of full independence had not been chosen. Instead, under United Nations observation and in accordance with the guidelines set forth in General Assembly resolution 1541 (XV), self-government in the form of integration or free association with the administering Power had provided an alternative solution for some territories.

Special Committee to the territories under their administration. They also urged the administering Powers to encourage the participation of peoples from the Territories in the work of the Committee.

(11) Referring to the suggestions made in his opening address by the Prime Minister of Vanuatu, speakers were of the opinion that a visit by the Secretary-General of the United Nations, or his designated representative, as early as possible in the decade, to the remaining Non-Self-Governing Territories would contribute to the successful eradication of colonialism during the decade.

(12) Representatives from Non-Self-Governing Territories, of non-governmental organizations and other participants endorsed a proposal made by the Prime Minister that an extensive study be undertaken of the Non-Self-Governing Territories on the Special Committee's list and the results widely distributed through the world along with relevant audio-visual materials. It was suggested that measures be taken to strengthen the stature and effectiveness of the United Nations bodies and specialized agencies dealing with decolonization to ensure increased dissemination of information with a view to hastening the process of decolonization in the Non-Self-Governing Territories.

(13) Some speakers underscored the importance of strengthening the information programmes to heighten the awareness of the peoples of the Non-Self-Governing Territories of their political, economic and social rights.

(14) Having heard the wishes expressed by the representatives from the Non-Self-Governing Territories, some participants considered that more opportunities should be provided for the populations of those Territories to speak for themselves and to make known their views on the issues at stake by inviting them to address the Special Committee.

(15) A number of participants emphasized that the international community bore responsibility for fostering greater awareness of the self-determination process in the Non-Self-Governing Territories and that world-wide information programmes should be launched to enhance the political education of the inhabitants of the remaining colonial territories and to familiarize them with activities undertaken by the United Nations, regional and non-governmental organizations. They also stressed the need to continue to send visiting missions to the Territories to disseminate information on the self-determination process, to hear the views of the populations and to obtain first-hand information on the conditions in the Territories.

(16) Speakers supported a proposal recommending that the Special Committee establish a machinery in the Pacific region enabling it to sustain the momentum for self-determination.

(17) Speakers also considered that participation of the [redacted] Non-Self-Governing Territories in regional and sub-regional economic organizations provided tangible benefits for their economies and that it was important to create all necessary conditions for those Territories to accede to membership in those organizations.

(18) Participants, including representatives of Non-Self-Governing Territories, considered that the administering Powers should adopt necessary measures to prevent immigration which would have an adverse effect on the existing demographic or ethnic balance in the Territory.

(19) Suggestions were made that the General Assembly should re-examine the list of Territories to which resolution 1514 (XV) is applicable with a view to ascertaining whether it includes all Territories to which the Declaration applies.

(20) While speakers noted with appreciation the important role played by non-governmental organizations in the decolonization process, they urged that programmes for the economic and social advancement of the people of Non-Self-Governing Territories should be continued and expanded as those Territories accede to independence, thereby enhancing the opportunity of the people of those Territories to determine freely their future without the threat of economic reprisals.

(21) Representatives of non-governmental organizations and Non-Self-Governing Territories and other participants also supported the proposal of the Prime Minister of Vanuatu that the Special Committee urge individual nations to consider the adoption of legislation discouraging commercial enterprises from initiating or continuing activities prejudicial to the exercise of the right to self-determination of the peoples of Non-Self-Governing Territories.

(22) Representatives from Non-Self-Governing Territories, non-governmental organizations and other participants also supported the proposal of the Prime Minister of Vanuatu in his opening address that legislation should be introduced to promote and safeguard the human rights of the peoples living under colonial domination, as well as to facilitate their recourse to judicial proceedings in order to gain economic and social restitution.

(23) Considering that economic advancement of the Non-Self-Governing Territories would continue to be among the leading concerns of the peoples of those territories, speakers deemed it essential that specific programmes be created to guide and assist economic development of the Territories through greater self-reliance and reduction of their dependence on external sources.

(24) It was stipulated that particular attention should be given to the creation of adequate economic infrastructures and upgrading of transport and communications in the Territories in order to overcome the adverse economic effect of their remoteness and isolation.

(25) Many participants noted the low level of economic development in the Non-Self-Governing Territories and suggested an increased transfer of resources to those Territories. They further suggested that the administering Powers should ensure that foreign economic activities in connection with those transfers did not constitute an obstacle to the process of self-determination; that the administering Powers should ensure and safeguard the permanent sovereignty over the natural resources for the peoples of those Territories; and should take steps to protect them from activities harmful to their natural resources and environment and or which could involve the Territories in illicit activities such as money laundering, drug trafficking or smuggling.

(26) Noting the devastation and the threat to fishing stocks posed by the use of drift-net fisning, participants considered that all United Nations Member States should adhere to the guidelines contained in General Assembly resolution 44/225 on drift-net fishing and that the continuation of this practice presented a grave threat to the fragile economies of small island Territories.

(27) Emphasizing the importance of ensuring that the populations of the Territories concerned were adequately compensated for the extraction of marine and other resources from their land and territorial waters, speakers stated that all United Nations Member States should ensure that their nationals respect the territorial waters and any licensing arrangements in effect within those maritime boundaries.

(28) The importance of satellite technology and its potential for economic and social advancement in the Non-Self-Governing Territories was discussed and it was suggested that their introduction into the Non-Self-Governing Territories should be encouraged and facilitated by the administering Powers.

(29) It was noted that the tourist industry continued to be the main economic activity of some island Territories given their attractive climatic and environmental conditions and that others were likely to engage in the same activity. While recognizing that tourism could be a major source of revenue for those Territories given their limited natural resources, the participants considered that such development activities should be undertaken only with extreme care to ensure that the scarce land resources were not alienated from the people of the Territory and that the development of a tourist industry was carefully monitored to avoid cultural disruption and to ensure that there was no marginalization of the local population.

(30) Noting the heavy dependency on food imports in most of the Non-Self-Governing Territories, speakers recommended that high priority should be given to programmes of agricultural advancement, and that geographical diversification of economic and trade relations should be encouraged.

(31) Many participants recognized that it was extremely difficult for the Non-Self-Governing Territories to achieve economies of scale similar to that of larger countries and suggested that Member States of the United Nations should initiate and facilitate special trading relationships with Non-Self-Governing Territories.

(32) Many participants also noted the economic and cultural significance of land in the Non-Self-Governing Island Territories in the Pacific and urged that the administering Powers should take steps to release to the peoples of their Territories land held by the administering Powers and guarantee their

right to retain their land and to own and dispose of the natural resources of the Territories, including marine resources, and to establish and maintain control over the future development of those resources.

(33) The overwhelming majority of participants expressed their conviction that a great deal remained to be accomplished in the fields of education, training and health services vital to the creation of optimum conditions required for an act of self-determination and asserted that the administering Powers and the international community should provide, as a matter of urgency, all necessary assistance in this regard.

(34) Representatives from Non-Self-Governing Territories, non-governmental organizations and other participants urged that the Special Committee take note of the concerns of indigenous peoples in its work and that the Special Committee consider sending an observer to the meetings of the Working Group on Indigenous Peoples.

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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

REPORT OF THE SUB-COMMITTEE ON SMALL TERRITORIES

Rapporteur: Mr. Dag MJAALAND (Norway)

GUAM

Corrigendum

Page 2, paragraph 6, subparagraph (5)

The first sentence should read

The Special Committee recalls that in referendums held in Guam in 1987, a draft Commonwealth Act was endorsed by the people of Guam which, upon expeditious enactment by the United States Congress, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves.

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39 Governments had replied to the Secretary-General's communications, which requested that they forward information on measures undertaken or intended to implement the Plan; it would urge the Secretary-General to again request States to reply speedily to those communications. And it would also request that he submit a report to the General Assembly at its forty-fifth session, to enable it to adopt a plan of action to usher in a world free of colonialism in the twenty-first century.

Statement on Guam

ELLEN BONEPARTH (United States) said she wanted to state several objections on behalf of the administering Power regarding the language of the Secretariat's report on Guam. She considered the language "inadequate, obsolete and unacceptable".

Referring to a paragraph saying that the Committee "urges the administering Power to give full recognition to the status and rights of the Chamorro people and, in this context, takes note of the statement by the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized", she said her Government did recognize the cultural identity, status and rights of the Chamorro people as stipulated by the United States law, which required that all people inhabiting the Territory were treated equally.

Referring to the paragraph reaffirming that "the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration", she said the United States regarded that language as obsolete and inadequate; the land given to military bases and installations was being transferred to the people of Guam.

Referring to the paragraph in which the Committee "urges the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other states and to comply fully with the purposes and principles of the Charter", she said that the phrase contradicted reality, as her Government fully complied with the purposes and principles of the Charter.

The report was adopted, taking into consideration the remarks expressed by the representative of the administering Power.

Statement by Chairman of Petitions Sub-Committee

ALEXANDER SLABY (Czechoslovakia), Chairman of the Sub-Committee on Petitions, Information and Assistance, introduced its reports.

He said that in the reports the Sub-Committee had reiterated the importance it attached to consultations with representatives: of DPI; of the Department for Special Political Questions, Regional Co-operation, Decolonization and Trusteeship; of the specialized agencies and of international institutions associated with the United Nations; non-governmental organizations; as well as with representatives of OAU and the national liberation movements.

Mr. Slaby recommended the reports for adoption with the reservations expressed by Czechoslovakia.

RICARDO ALARCON DE QUESADA (Cuba) said presentations of both petitioners served to remind the members of the Committee about the conditions in Non-Self-Governing Territories. Such factors as small size, small population or island position should not impede the implementation of the Declaration, he stressed. Some administering Powers, however, continued colonial attitudes towards such Territories.

CARLYLE CORBINE, Representative for External Affairs of the Territorial Government of the United States Virgin Islands, said that while international law held that the basis for the relationship between the Non-Self-Governing Territories and the administering Power was "a function of the Charter", the constitutional mechanisms often used to govern that relationship, as in the case of the United States Virgin Islands, "did not emanate from international law, but rather from the domestic law" of the administering Power -- "as if those Territories were integrated parts" of it.

He said that over time, that had led to unilateral application of certain laws and juridical decisions of the administering Power to the Territory, without consultation with the Territorial Government. The people of the Territory were not aware of how international law was supposed to apply to the process of decolonization and hesitated to institute measures to exert greater control over developments in the society.

The process of political education being implemented in the Territory, he continued, was being carried out without regard for international law, "because we don't know how or even whether it is supposed to apply to our political development process". In order to clarify those matters, his Government had made a request to the Committee in 1989 for a legal opinion to determine whether an international legal standard for residency requirements existed for participation in acts of self-determination in Non-Self-Governing Territories.

As his Government had not yet received a formal response to the request, it recommended that the Committee, in conjunction with the International Law Commission, the International Court of Justice and other relevant organs of the United Nations, together with the Governments of the Non-Self-Governing Territories, conduct a comprehensive study on the relationship of international law to the decolonization of the remaining Territories. Without knowing how international law was supposed to apply to their political status development, there could only be "a sort of territorial reform", not a true decolonization process in Non-Self-Governing Territories, he added.

Introduction of Reports

DAG MJAALAND (Norway), Rapporteur of the Sub-Committee on Small Territories, introduced the reports of the Sub-Committee concerning the Territories of Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands, Tokelau, American Samoa, Guam, the Trust Territory of the Pacific Islands and the United States Virgin Islands (documents A/AC.109/L.1726 to L.1738).

(more)

As conclusions and recommendations reflected the sentiments of the members of the Sub-Committee, he proposed that the Committee adopt those reports by consensus and endorse their conclusions and recommendations.

Comments Made

FERNANDO CISTERNAS (Chile) and BERGH JOHANSEN (Norway) said it was not within the competence of the Committee to consider Strategic Territories. Only the Security Council and the Trusteeship Council should consider the Trust Territory of the Pacific Islands.

Mr. JOHANSEN also objected to the inclusion of paragraph concerning Ascencion Island into the report on St. Helena. He said that Ascencion had not been mentioned in the General Assembly resolution as it had no population of its own. Its links with St. Helena were purely administrative in nature, he added.

ELLEN BONEPARTH (United States) asked to defer the report on Guam till the next meeting, as she wanted to make a comment, but had to consult with her Mission first.

JAMES LOUDON KEMBER (New Zealand) drew attention to the report on Tokelau and asked for correction of the number of copies of administering Powers reports of 29 May 1990, saying there were six of them.

GHAZI JOMAA (Tunisia), Chairman of the Sub-Committee, said its meetings had benefited from the participation of such administering Powers as the United States and New Zealand in its work. On the other hand, absence of the United Kingdom had impeded its work.

Mr. Jomaa urged the non-participating administering Powers to reconsider their decision and to participate in the Sub-Committee's work in the future. He also urged administering Powers to invite visiting missions to Non-Self-Governing Territories and to facilitate their work.

The Committee concluded consideration of all reports with the exception of Guam.

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Thirtieth Anniversary of Declaration on Decolonization

HOSSEIN ZEINEDDIN (Iran) said that despite positive developments of recent years, much work still remained to be done. The mandate of the Committee had not been ended. The designation by the General Assembly of the years 1990-2000 as the International Decade for the Eradication of Colonialism had put a "heavy burden on our shoulders". The active participation in the two regional seminars as well as the hard work of the two Sub-Committees of the Special Committee during the current year demonstrated the international community's determination to eradicate colonialism. In its commitment to eradicate colonialism it rejected the arguments of some administering Powers that colonialism was over.

Iran thought that the end of the cold war and the decrease of tension between East and West must play a positive role in expediting the decolonization process. The termination of the cold war should not be at the expense of colonial Territories, he stressed.

SVERRE BERGH JOHANSEN (Norway) said the General Assembly had endorsed the programme of action in observance of the thirtieth anniversary of the Declaration on decolonization. The two regional seminars, held in Vanuatu and Barbados in May and June, had highlighted the fundamental principles of decolonization as embodied in the Charter. A number of specific recommendations were presented by participants to be included later in the reports.

Norway had yesterday announced an initiative in the form of a new draft resolution, covering 10 of the Territories on the list of the Sub-Committee on Small Territories. The draft was basically a "compilation of well-known and generally recognized principles concerning decolonization". The intention of Norway would be to seek the support of members for the adoption of the draft resolution during the resumed session of the Committee in addition to the reports already adopted on individual Territories. Norway proposed that the Committee decide to transmit the consolidated resolution to the Assembly on the understanding that it should substitute or replace the resolutions on each of the 10 individual Territories. Provided that such procedure was accepted, the Special Committee would adopt 10 reports and one resolution, and the Assembly would confine itself to one resolution.

Recent international developments seemed to favour a new approach, he went on. He believed that now was the right time to embark on constructive rationalization efforts. "We think that the Committee should initiate change or else run the risk of becoming increasingly irrelevant and bypassed by events. We need rationalization instead of repetition, co-operation instead of confrontation and pragmatism instead of politicization", he added.

DMITRIY BYKOV (Soviet Union) said that overcoming consequences of the cold war, moving from confrontation towards dialogue and co-operation, the growing tendency to democratize international relations on the basis of the

Reaction to Norway's Proposal

SAMUEL MDEE (United Republic of Tanzania) said that as a representative of a country once colonized, he would not oppose any initiative aimed at providing better co-operation in the Committee's work.

Colonialism, he said, was not a direct product of the cold war and the end of the cold war did not mean the end of colonialism.

The existing procedure of presenting reports separately ensured that the individual conditions of each Territory were addressed separately. If procedure were changed as proposed by Norway, there was a strong possibility that concerns of small Territories would not be reflected adequately. He wished that the representative of Norway would explain what he considered was wrong with the way the reports had been presented during the past 30 years.

THOMASON LAWSON (Sierra Leone) said the Committee's work should be rationalized was dictated by logic itself. He would welcome formal submission of the proposal. The proposal by Norway was transparent and deserved consideration when formalized.

JORGE IVAN MORA GODOY (Cuba) said Norway's proposal was open to any discussion aimed at rationalization and raising efficiency of the Committee. The Committee should redouble its efforts to ensure that by the end of the century there were no colonial Territories left. Enhanced co-operation among all was required to reach that objective. The rights of people to independence and self-determination should be acknowledged. He was afraid, however, that if the procedure were changed, concerns of the inhabitants of Non-Self-Governing Territories would not be duly reflected. Cuba thus wanted to reserve its right for specific comments after the proposal had been formalized.

DEJAN SAHOVIC (Yugoslavia) thought it was necessary to do something to rationalize the Committee's work. However, he understood the concerns expressed by Tanzania and Cuba. He thought the idea was "very good" and open for further discussion.

FERNANDO CISTERNAS (Chile) said the proposal by Norway should be properly considered by the United Nations. He hoped it would be made an official document. He favoured the initiative.

MARGARET A. KING-ROUSSEAU (Trinidad and Tobago) said it was necessary to proceed cautiously on Norway's proposal because of its implications. There was only one small Pacific island developing country represented on the Special Committee and her country was the only small, English-speaking, Caribbean island country in the Committee. Norway's proposal would deprive the small Caribbean and Pacific countries of the opportunity to address the question of the Non-Self-Governing Territories. The Committee's foremost concern should be of looking after the interests of the peoples of such Territories. She suggested that a better approach to rationalizing the Committee's work might be developed through consultations.

(more)

United Nations specialized agencies, said the Council had stressed that the United Nations should continue to provide moral and material support to the colonial Territories. Those Territories should be enabled to receive maximum benefit from the activities of United Nations specialized agencies and international institutions.

ALEXANDER SLABY (Czechoslovakia), Chairman of the Sub-Committee on Petitions, Information and Assistance, introduced the report of the Sub-Committee on implementation of the Declaration on decolonization by the United Nations specialized agencies and institutions. He expressed the hope that the report would be approved by the Special Committee.

CARLYLE CORBIN, Chairman of the United Nations Caribbean Development and Co-operation Committee (CDCC), a petitioner, said CDCC was a permanent subsidiary body of the Economic Commission for Latin America and the Caribbean (ECLAC). The CDCC was interested in identifying areas within the United Nations system which could assist the economic and social development of the non-independent Caribbean countries (NICCs) and in promoting their increased access to the work of that system. Its activities in those areas were endorsed at the Special Committee's recent Caribbean Regional Seminar on Decolonization.

The CDCC believed that the unique characteristics and differing levels of political, constitutional and socio-economic development of the Non-Self-Governing Territories should be given paramount importance in the formulation of development strategies. The CDCC looked forward to working with the Special Committee in that area.

MOHAMMAD NAJDAT SHAHEED (Syria) said international détente had reduced the spectre of nuclear and cold war and had resolved various areas of regional tension. The people of the national liberation movements were interested in helping to promote international détente, which should not be carried out at the expense of their rights. The United Nations Charter enabled people to attain self-determination and to establish their national State and made it illegal to forcibly occupy the land of others. The Arab people of Palestine, which had shown it was determined to regain its rights, should not be prevented from practising self-determination. The people of the national liberation movements had always steadfastly defended freedom and opposed aggression and oppression, he said.

MIR MOHAMMADI (Afghanistan) said that, in recent years, the world had witnessed important and historical events. The international community had moved toward compromise and the political settlement of various problems around the world.

The Declaration marked the beginning of a new era, the era of decolonization. Since its adoption, scores of peoples and nations had gained their independence, joined the United Nations and made significant contributions to the realization of the principles and purposes of the Charter.

(more)

CHEICK SIDI AHMED TIDIANE DIARRA (Mali) said he appreciated the motivation of rationalizing the Committee's work which had led to Norway's proposal, but said it was important to preserve the identity of each Territory.

Mr. SLABY (Czechoslovakia), referring to his Government's reservations on the reports of the Sub-Committee on Petitions, Information and Assistance, said the views expressed in those reports did not reflect the current global climate and in many cases were extremely inadequate. He did not question the right of colonial peoples to struggle for self-determination and independence; however, he questioned, however, the need for the "monotone repetition" of certain sentences in each document. He welcomed the proposed omnibus resolution as an approach to rationalizing the Committee's work.

Mr. ANVIRE (Côte d'Ivoire) said he supported Norway's proposal in principle, although he had not yet seen the actual text.

The Chairman of the Committee, TESFAYE TADESSE (Ethiopia), said Norway's proposal would need to be examined carefully in informal consultations in which all its implications might be considered, not only for rationalization of work but also for the Committee's focus on various items and Territories.

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His Excellency Tasfaye TADESSE
Chairman,
Special Committee on Decolonization
Permanent Mission of Ethiopia to the U.N.
866 United Nations Plaza, Room 560
New York, N.Y. 10017

Dear Chairman TADESSE:

It has come to the attention of my government that the Special Committee is presently entertaining the amalgamation of the diverse conditions of the remaining listed Non-Self-Governing territories into an Omnibus resolution. We are concerned that such an action, if passed, would diminish the important role of the General Assembly in understanding the nature of existing conditions in the eighteen remaining entities on the Committee's list for review.

In light of the General Assembly's past actions on the decolonization issue, which stipulates no differentiation between colonial areas large or small, we are gravely concerned that the matter presently under consideration would only curtail efforts to meet the United Nations's stated goal of complete international decolonization by the year 2000.

We recognize that the international ideological framework has narrowed in recent months, but we have never believed that an issue as important as decolonization should be caught up in the tenets of adversarial relationships. The thaw in superpower relations should serve to enhance the process which the Committee has carried out for the past 30 years, not diminish it. Dependent peoples deserve their self-determination and the international community is committed by its own credo to support such independence.

As you are aware, Guam is presently seeking to establish an interim relationship with the administering Power. As a part of this movement we seek recognition by the administering Power of accepted international patterns of relations between the metropole and periphery. In our proposal to the administering Power, we have established a mechanism for Guam's ultimate self-determination to be exercised. Our proposal for a self-determination process is the first one offered in our 91 year history with the administering Power, and as the catalysts for the effectuation of this internationally accepted principle we believe that our efforts

should be properly noted by the United Nations. So long as there are dependent peoples, and so long as the self-determination struggle continues, the specific conditions of the affected peoples should be clearly detailed and be made available to the General Assembly for its consideration.

On behalf of my government I appreciate your time in reviewing our position. I trust that you will take the liberty of sharing our views with the Members of the Special Committee.

I am, Sir,

Most Sincerely Yours,

JOSEPH F. ADA
Governor

Signed by JFA & faxed out
8.10.90

UNITED
NATIONS

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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

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, THE BRITISH VIRGIN ISLANDS, THE CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, THE TURKS AND CAICOS ISLANDS AND THE UNITED STATES VIRGIN ISLANDS

Norway: draft resolution

The Special Committee,

Having considered the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands,

Having examined the relevant reports of the Sub-Committee on Small Territories,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1541 (XV) of 15 December 1960 and all resolutions and decisions of the United Nations relating to those Territories, in particular those resolutions adopted by the General Assembly at its forty-fourth session,

Conscious of the need to promote progress towards the full exercise of the right to self-determination in respect of the peoples of all Territories on the Special Committee's list of Non-Self-Governing Territories,

Having heard the statements of the representatives of the administering Powers, New Zealand and the United States of America,

Aware of the special circumstances of the geographical location and economic conditions of each Territory and bearing in mind the necessity of diversifying and

strengthening further the economies of the respective Territories as a matter of priority in order to promote economic stability,

Noting with appreciation the contribution to the development of the Territories by the specialized agencies and other organizations of the United Nations system,

Mindful that United Nations visiting missions provide a means of ascertaining the situation in the small Territories and considering that the possibility of sending further visiting missions to those Territories, at an appropriate time and in consultation with the administering Powers, should be kept under review,

1. Approves the relevant reports of the Sub-Committee on Small Territories;

2. Reaffirms the inalienable right of the people of those Territories to self-determination in conformity with the Charter of the United Nations, General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 1541 (XV);

3. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

4. Reaffirms that it is ultimately for the people of the Territories to determine themselves their future political status;

5. Reiterates that it is the responsibility of the administering Powers to create such conditions in the respective Territories under their administration as will enable the people to exercise freely and without interference their inalienable right to self-determination;

6. Reaffirms in this context the importance of fostering an awareness among the peoples of those Territories of the possibilities open to them in the exercise of their inalienable right to self-determination;

7. Calls, therefore, upon the administering Powers to continue to take all necessary steps, bearing in mind the rights of the peoples of those Territories, their wishes as expressed freely in any act of self-determination, and their interests, to expedite the process of decolonization of their respective Territories in accordance with the relevant provisions of the Charter, as well as General Assembly resolutions 1514 (XV) and 1541 (XV);

8. Reaffirms the responsibility of the administering Powers under the Charter, to promote the economic and social development of those Territories and recommends that priority should therefore continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

9. Urges the administering Powers, in co-operation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

10. Also urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions, and to promote co-operation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of further visiting missions to the Territories at appropriate times and in consultation with the administering Powers, and to report thereon to the General Assembly at its next session;

12. Recommends to the General Assembly that the present resolution should replace the previous procedure of submitting draft resolutions on the individual Territories herein considered.

DRAFT DECISION

The Special Committee takes note of the draft resolution contained in document A/AC.109/L.1745 concerning the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, which, due to time constraints, was not considered.

The Special Committee decides to transmit document A/AC.109/L.1745 to its 1991 session for appropriate consideration and also decides to examine the modalities of consolidating, ~~[whenever deemed necessary]~~ the various resolutions on the situation in these small Non-Self-Governing Territories.

C-90-3448

THE DEPUTY REPRESENTATIVE OF THE UNITED STATES
OF THE UNITED NATIONS SECURITY COUNCIL



August 31, 1990

Dear Governor Ada:

Ambassador Tadesse, Chairman of the Special Committee on Decolonization, has circulated your letter of August 10 raising questions about the omnibus resolution introduced by Norway during the Special Committee's August session.

We have supported the concept of an omnibus resolution on two grounds: first, that such a resolution would rationalize the Committee's plethora of paper and give its substantive work more impact; and, second, that such a resolution would contribute to a framework more attuned to the times of today's UN. As explained below, we believe that such an approach not only takes into account the concerns you expressed, but also supports the achievement of objectives you advocate in your letter.

On the first point, a number of the UN's committees are taking a fresh look at how they do business in light of both continuing budget constraints and the information explosion. Many resolutions are carried forward year after year without significant change; many resolutions are duplicative; and much time is spent "reinventing the wheel". Hence, we and others support efforts to rationalize UN committee work to give it more focus and eliminate needless and costly duplication.

Regarding the omnibus resolution, we see a definite advantage in reiterating the general principles the Special Committee has elaborated for the political, economic and social development of the territories. Moreover, the new language refers not only to General Assembly resolution 1514, but also to 1541, in which the three end-results of the self-determination process (independence, integration and free association) are laid out, thus emphasizing the variety of options the territories may choose from in reaching full self-government.

An omnibus resolution would in no way dilute the work of the Subcommittee on Small Territories, which would, of course, continue to examine important questions in detail, including case-by-case debates and preparation of reports. There would thus be no diminution of the consideration of any given territory or specific issue.

The Subcommittee's reports would continue to be forwarded to the General Assembly as presently occurs. The proper role of a General Assembly resolution is, however, to pull together the core elements of discussion for further consideration rather than serve as yet another summary of a detailed report. Such a more focussed approach to committee work would complement the ability of the UN system to deal with issues on their merits rather than on ideological grounds.

More generally, regarding broad decolonization issues, we believe it is important for the UN to develop a more constructive framework and sort out the substance that merits attention. Outmoded language should be left behind, and new themes at work throughout the system should be reflected. Frankly, the Special Committee's resistance to change of this sort, if it persists, will make its work less and less relevant to the issues of the day.

I enclose a copy of the draft omnibus resolution and the decision taken by the Special Committee to consider the omnibus resolution next year.

Ambassador Shirin Tahir-Kheli has recently joined us at the U.S. Mission to the UN and is now responsible for decolonization matters. I know she would welcome a further exchange of views.

Sincerely,

M. James Wilkinson
Ambassador

The Honorable
Joseph F. Ada
Governor, Territory of Guam
Agana, Guam 96910

UNITED STATES MISSION TO THE UNITED NATIONS

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PRESS RELEASE

FOR IMMEDIATE RELEASE
CHECK TEST AGAINST DELIVERY

Press Release USUN 77-(90)
October 9, 1990

Statement by Ambassador Shirin Tahir-Kheli, United States Alternate Representative to the 45th United Nations General Assembly, in the Fourth Committee, on Item 112, Activities of Foreign Economic Interests, October 9, 1990

Mr. Chairman, first let me congratulate you on your election and wish you success in your task in leading this Committee. My government has every confidence that you will perform with great distinction and we wish to support you and our newly-elected Vice Chair, Mr. Al-Kindi, in every way possible.

The Fourth Committee has an important role to play in setting out guidelines for the remaining territories under its consideration and encouraging those territories on the road to self-determination. Unfortunately, the Fourth Committee has been given very little to work with.

The United States Government is frankly dismayed by the draft resolutions which have been forwarded this year by the Special Committee to the Fourth Committee. At a time when all the other organs of the United Nations have been working diligently and effectively to produce resolutions which reflect contemporary reality, provide pragmatic strategies instead of ideological rhetoric, and are capable of gaining consensus, the Special Committee has continued on its misguided course. These resolutions are essentially recycled from previous years - they are anachronistic, irrelevant for today's issues and will have the effect of producing polarization rather than consensus.

What is perhaps saddest about these resolutions is that they in no way serve the interests of territorial peoples. While the resolutions mention the concerns of territorial peoples in passing, they essentially focus on apartheid, name-calling, outmoded concepts regarding the international economic order, and other matters which have no relationship to the real problems of decolonization. Ironically, while the General Assembly in the past year has been able to produce consensus resolutions on apartheid and on international

development, the Special Committee remains mired to the past, both in style and substance. Most regrettably, the Special Committee pulls down with it the peoples of the territories whom the Committee is supposed to represent. While the matters discussed by the Special Committee are extremely important, we are deeply concerned by its inability to bring its work in line with thinking elsewhere in the United Nations. The serious issue of self-determination requires the Special Committee to make a special effort to accurately mirror changes in global political reality. We had been hopeful that over the course of this year, the Special Committee would reflect the growing consensus in the United Nations in its work. We are thus profoundly saddened by the language of the resolutions we are asked to consider here. In fact, we seriously question whether there is any utility in continued efforts to work with the Special Committee given the retrogressive nature of the draft resolutions at the August session.

The draft resolution before us on activities of foreign economic and other interests is an embarrassment. It is recycled language from 1989. It makes no attempt to integrate the new thinking and concepts on development approved by the General Assembly in a consensus resolution in this year's Special Session. Instead, it devotes a major portion of its text to South Africa and apartheid. But it has nothing to contribute on the subject as the text is from the past and has been surpassed by far superior consensus language in the General Assembly.

Where the Special Committee's resolution does discuss the role of foreign economic interests, it reiterates blanket condemnations of these interests which have never been accurate and which are even less appropriate today when the developing world is crying out for foreign investment.

Needed in this resolution are creative, forward-looking ideas, pragmatic guidelines and balanced language on the potential positives and negatives of foreign investment. While the United States Government joins in the condemnation of foreign interests that are exploitative in any way, my government insists that distinction must be made between the beneficial and the harmful. Moreover, we are convinced that the people of the territories would object to the blanket condemnations contained in this draft resolution as harmful to their own search for foreign investment leading to growth.

The draft decision on military activities before us lends itself to the very same objections. It is recycled language with nothing new. It employs name-calling, outmoded language on apartheid which runs counter to the General Assembly's consensus views, and focuses on these matters for at least half of the text. Where it does discuss military activities, it does so with blanket statements regarding the nature of military activities which are simply not supported by the facts.

My government will vote against this resolution and decision as it has in the past. But it is with special sorrow that we do so this year. These texts do not reflect in any way the United Nations of the 1990s. They do not do anything constructive for the peoples of the territories. They reveal an unwillingness to deal with contemporary reality.

We wonder whether other delegations which joined consensus on apartheid and the international development strategy in the General Assembly in the past year will accept these resolutions. We simply cannot. To do so would devalue the work of the Fourth Committee and return the United Nations to a past ideological and contentious phase. We would hope that, together with those delegations also opposing these resolutions, we are conveying to the Special Committee that it must move with the times or become totally irrelevant. Most importantly, we hope that we are conveying the message that the concerns of the territories deserve more serious treatment than has been offered in these texts.

Thank you, Mr. Chairman.

* * * * *

FACSIMILE TRANSMITTAL

WASHINGTON OFFICE OF THE GOVERNOR OF GUAM
1615 New Hampshire Avenue, NW
Washington, DC 20009
Telephone: (202) 234-4826
Facsimile: (202) 797-0420

October 12, 1990

TO: **Leland Bettis, Lou Pangelinan**
FAX: 671-477-4826

FROM: Ann DeBlasi

6 pages including cover

Subject: **UN . US Ambassador Tahir-Kheli and Pacific Island countries Summit meeting in HI**

Hafa Adai Leland, Lou:

1. I received a call today from US Ambassador Tahir-Kheli regarding our views on the deletion of the "military" provisions in the Guam Resolution. I informed her that to date, I had not received comment from Guam... The Ambassador requested that I call Ellen Bonaparte with a status report on Monday, October 15th. Per the Ambassador, next week will be the action week regarding the US move for deletion of the military sections. If appropriate, I would appreciate something to pass along to her.... Thanks.

Also, I requested copies of the US Statement, following is a copy sent by the US Mission to the UN Press Office. I originally requested a copy from the Ambassador, but after we didn't receive a follow up call got us this--per the Ambassador's secretary, "the Ambassador left instructions to send on Monday" -- I don't know why, since I requested them today... but maybe the substance might have something to do with it...

2. I spoke with a White House contact regarding the Pacific Island countries Summit. Following is a copy of the list of invitees, as well as Fitzwater's statement. The Grapevine has it that Fred R. was involved in getting Coleman invited as the "representative" for the Island government members of PBDC...

Esta.

fwd

October 15, 1990

MEMORANDUM

TO: Anne DeBlasi
Terrance Villaverde

FROM: Leland Bettis

VIA: Lou Pangelinan

Re: U.S. Mission U.N.

Since it is clear that the USUN will be proceeding with its own agenda irrespective of our input (i.e. their request for input is a matter of comity, not consultations); and, given the short period of notice for our views to be presented; and, noting that the incumbent Governor is very busy, there is no official view to share with the USUN on the subject. However, you might do the "staff thing" and define a position based on current proposals and sentiments in Guam.

1. Thanks for the request for our views, but given the hectic time in Guam with elections, and the appearances that a U.S. position has already been developed, the Government of Guam will not be officially transmitting its views. This position should not be construed to be one in concurrence with the position taken by the U.S., but rather a recognition that the request for our views was a matter of comity rather than consultations.

2. Reiterate the basic theory behind non-military operations in non-self-governing territories: Dependent peoples are not supposed to be caught up in offensive military posturing of the administrating Power.

3. Relate the reality of military in relation to Guam: Guam was under almost exclusive military control from 1898-1962, establishing a militaristic perspective amongst the population, particularly in relations to:

- U.S. strategic abandonment of Guam in 1941;
- Hostile occupation in 1941-44;
- U.S. reoccupation of Guam in 1944;
- Guam's exclusive economic dependence on the military until 1960's.

4. As expressed in the Commonwealth Act, Guam has serious grievances with the way the military conducts its business in Guam, particularly in relation to land use. Also, Guam is pursuing return of NAS. Guam has expressed its desire to change the "anachronistic" nature of military control of land which is not used, and which is held without reasonable justification.

5. The standard U.S. claim that military operations does not

interfere with progress toward self-determination should be avoided, since it is clear that the military is antagonistic toward the Commonwealth Act and Chamorro self-determination (DoD memo). Economically, U.S. retention of lands which are not being utilized, clearly disrupts self-sufficiency.

6. ON FOREIGN INVESTMENT: In Guam there is a growing sentiment with respect to the ability of foreign investors to acquire property as a result of the applicability of U.S. law.

I will give you a call on Tuesday at the office to follow up.

Regards.

Ann:

Have them refer all communication on U.N. matters directly to Gov's Office.

LRB.

UNITED STATES MISSION TO THE UNITED NATIONS

799 UNITED NATIONS PLAZA
NEW YORK, N. Y. 10017

Statement made in the Fourth Committee
by Amb. Shirin Tahir-Kheli on the
Draft Resolution on Guam, November 1, 1990

Mr. Chairman,

These amendments represent an effort to bring the language on the Territory of Guam into the 1990's. They uphold the principles that military bases 1) should not hinder the population of the territory of Guam from exercising their right to self-determination and 2) should comply fully with the purposes and principles of the Charter, Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by the administering powers in the territories.

The amendments do, however, eliminate objectionable language implying that the military presence in Guam could constitute a major obstacle to implementation of the Declaration or could involve the territory in offensive acts or interference with other states.

Several delegations have asked why the United States is seeking to amend language upon which there has been consensus in the past. The answer is quite simple. Consensus language from the past is very often overtaken by events as we have seen in the case of language on apartheid and many other issues recently before the UN. In the case of the language on the military bases, we have indicated for some time that the progress in the relationship between the Government of Guam and the U.S. military over the presence and activities of the U.S. base in

The Territory necessitates different language to describe the U.S. presence. That progress involves the diminution of the U.S. presence through the closing of one base and the turning over of military land to the territory for civilian purposes. Moreover, the Governor of Guam consistently notes in his State of the Territory address the productive contributions the military makes in the development of the Territory in terms of employment and revenues. This contribution is never noted in Special Committee resolutions on Guam.

The U.S. has also been asked why it is seeking to amend this language at this particular time. In fact, the U.S. has been seeking to discuss and negotiate this language since last

year. We made a statement to this effect in the Subcommittee on Small Territories this winter and another statement in the full session of the Special Committee this summer. We had no response. As many of you are aware, we have also sought to negotiate language in this setting, but a small number have kept compromise from going forward.

As the United States is not a member of the Special Committee, it is not possible for us to seek to amend resolutions in the Special Committee. However, as a member of the Fourth Committee, we are taking the first possible opportunity to present alternative language which we can support and which we believe most of the members of the Fourth Committee can also support. Therefore, Mr. Chairman, we thank you for this opportunity to have input into this resolution and to offer language which we feel is a vast improvement over the existing language.

Thank you, Mr. Chairman.

Official

A

UNITED NATIONS

General Assembly

Distr.
LIMITED

A/C.4/45/L.8
24 October 1990

ORIGINAL: ENGLISH

Forty-fifth session
FOURTH COMMITTEE
Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

United States of America: amendments to draft resolution X on the question of Guam, contained in document A/45/23 (Part VI), chapter IX, paragraph 114

1. Page 67, draft resolution X: operative paragraph 6 should read

6. Reaffirms its strong conviction that the presence of military bases and installations in the Territory should not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Page 67, draft resolution X: operative paragraph 7 should read

7. Urges the administering Power to continue to take all necessary measures to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

Not approved

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/RES/45/32
15 February 1991

'orty-fifth session
.genda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/45/685 and Corr.1)]

45/32. Question of Guam

The General Assembly,

Having considered the question of Guam,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolution 44/98 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power, 2/

1/ A/45/23 (Part III), chap. IV; A/45/23 (Part IV), chap. VI; and A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX.

2/ See A/C.4/45/SR.12.

Recalling that, in referendums held in Guam in 1987, the people of Guam endorsed a draft Commonwealth Act that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,

Noting that the draft Commonwealth Act provides that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provisions would be made in the Guam constitution,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Recalling that the 1977 Guam Land Use Plan recommended the release of 2,100 hectares of surplus federal land to the Government of Guam, and noting that, according to information transmitted to the Special Committee in April 1990 by the Guam Commission on Self-Determination, 190 hectares had been transferred by the Navy to the Government of Guam, a further 462 hectares of the identified land had been released and an additional 175 hectares are in the process of being returned to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Noting the statement of the representative of the administering Power concerning the growth in tourism and the desire of the Government of Guam for balanced economic growth, 3/

Noting also the statement of the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized, 4/

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and reiterating that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review,

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3/ See A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX, sect. B.15, para. 94 (9).

4/ Ibid., para. 94 (5).

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Guam 5/

2. Reaffirms the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Reiterates its conviction that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Guam;

4. Reiterates that it is the responsibility of the administering Power to create such conditions in the Territory as will enable the people of Guam to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination, and calls upon the United States of America, as the administering Power, in co-operation with the Territorial Government, to expedite the process of decolonization strictly in accordance with the expressed wishes of the people of the Territory;

6. Reaffirms its strong conviction that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

7. Urges the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

8. Reaffirms the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam, and in that connection calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

5/ Ibid., chap. IX, sect. B.15.

9. Reiterates that one of the obstacles to economic growth in Guam is the olding of large tracts of land by the United States federal authorities, and calls pon the administering Power, in co-operation with the territorial Government, to xpedite the transfer of land to the people of the Territory and to take the ecessary steps to safeguard their property rights;

10. Urges the administering Power, in co-operation with the territorial overnment, to take effective measures to safeguard and guarantee the inalienable ght of the people of Guam to own and dispose of the natural resources of the rritory, including marine resources, and to establish and maintain control over e future development of those resources, as well as to support measures by the rritorial Government aimed at removing constraints to growth in commercial shing and agriculture;

11. Also urges the administering Power to give full recognition to the status d rights of the Chamorro people;

12. Invites the specialized agencies and other organizations of the United tions system to continue to take all necessary measures to accelerate progress in e social and economic life of the Territory;

13. Requests the Special Committee to continue the examination of this estion at its next session, including the possible dispatch of a further visiting ssion to Guam at an appropriate time and in consultation with the administering wer, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

6. Reaffirms its strong conviction that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

7. Urges the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

8. Reaffirms the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam and, in that connection, calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

9. Reiterates that one of the obstacles to economic growth in Guam is the holding of large tracts of land by the United States federal authorities, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

10. Urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, as well as to support measures by the territorial Government aimed at removing constraints to growth in commercial fishing and agriculture;

11. Urges the administering Power to give full recognition to the status and rights of the Chamorro people;

12. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

13. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

RECORDED VOTE ON RESOLUTION 45/32:

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussia, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Cote d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, USSR, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Israel, United States, Vanuatu*.

* Later advised the Secretariat that it had intended to vote in favour.

Abstaining: Australia, Austria, Bahamas, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Finland, France, Gabon, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Poland, Portugal, Romania, Samoa, Spain, Sweden, Turkey, United Kingdom.

Absent: Cambodia, Cameroon, Comoros, Congo, Costa Rica, Dominica, Gambia, Kenya*, Saint Kitts and Nevis, Senegal, Swaziland.

* Later advised the Secretariat that it had intended to vote in favour.

1991 Index

1. Offshore Governor's Forum Declaration on Omnibus Resolution

   NOTE: UN organizes Special Working Group which recommends omnibus resolution with separate chapters for each NSGT.

2. USUN Statement to C-24 of 29 July.

3. OGF establishment of the Alliance of Dependent Territories (August)
   a.) Letters requesting support for ADT observer status.

4. Fourth Committee Considerations
   a.) USUN Statement of 4 October
   b.) USUN proposed amendments (& voting records) of 11 November.
   c.) Summary record of discussion, including USUN Rep. TAHIR-KHELI's misrepresentations and LOHIA's explanation for abstention.

5. Resolutions and Decisions adopted by the U.N. 46th General Assembly.

OFF-SHORE GOVERNORS' FORUM

The Heads of Government of:
American Samoa
Guam
Northern Mariana Islands
Puerto Rico
US Virgin Islands

DECLARATION

Relative to the position of the Offshore Governors' Forum on the consolidation of territorial resolutions and actions of the Security Council with respect to the Commonwealth of the Northern Marianas Islands.

THE ELECTED GOVERNORS OF AMERICAN SAMOA, GUAM, THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, THE COMMONWEALTH OF PUERTO RICO AND THE UNITED STATES VIRGIN ISLANDS:

1. Recognizing the United Nations Charter as a treaty entered into by sovereign nations,

2. Taking due account that Article VI, Clause 2 of the U.S. Constitution, known as the Supremacy Clause, makes provision for "all treaties" inclusive of the United Nations Charter, to be part of the supreme law of the United States,

3. Noting that Article 1, paragraph 2 and Article 55 of the United Nations Charter proclaim the principle of equal rights and self-determination of peoples,

4. Further noting Article 73 of the U.N. Charter which, inter alia, recognizes that "members of the United Nations which have or assume responsibilities for the administration of territories whose people have not attained a full measure of self-government..." shall promote "the well-being of the inhabitants of these territories," and shall assist these territories "to develop self-government (taking) into due account the political aspirations of the peoples, and assist them in the progressive development of the free political institutions",

5. Recalling that the United States placed American Samoa, Guam and the U.S. Virgin Islands as well as other territories under its administration on the United Nations list of Non-Self-Governing Territories by U.N. General Assembly 66-1 of 14 December 1946, consistent with the United Nations Charter,

6. Noting that a number of territories have removed from the U.N.

list since 1963 following the achievement of independence, integration or free association consistent with U.N. General Assembly Resolution 1541 (XV) of 15 December 1960, and that the 1990 list of Non-self-Governing territories includes American Samoa, Guam, the Trust Territory of the Pacific Islands and the United States Virgin Islands under United States Administration,

7. Recalling that the General Assembly in 1976 abandoned the practice of adopting resolutions for the Non-Self-Governing Territories administered by the United States and concurrently discontinued the approval of omnibus resolutions in recognition of the differing economic, social, educational and constitutional needs of the individual territories concerned, and in view of the differing levels of development and administrative arrangements of these territories,

8. Aware that the delegation of Norway formally introduced a proposal before the U.N. Special Committee on Decolonization on 10 August 1990 to re-introduce this abandoned practice, by consolidating into one resolution the ten (10) individual territory resolutions for American Samoa, Anguilla, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands, with the view of initiating a "compilation of well known and generally recognized principles concerning decolonization" as a substitute for the resolutions on each territory, and would "confine the General Assembly to one resolution" on the territories,

9. Also aware that a number of delegations to the Special Committee reacted to the Norway resolution by pointing out that "the existing procedure of presenting reports separately ensured that the individual conditions of each territory were addressed separately," and that if the procedure were changed by the method proposed by the delegation of Norway, "there was a strong possibility that concerns of small territories would not be reflected separately,

10. Also aware that other delegations of the Special Committee emphasized that it was necessary to "proceed cautiously" on the proposal to create an omnibus resolution since such action would deprive Caribbean and Pacific countries in the U.N. General the opportunity to address the question of Non-Self-Governing territories and that the approach to rationalizing the work of the Special Committee could be achieved by means not detrimental to addressing the individual conditions in the territories concerned,

11. Taking particular note of the positions articulated on the question of the resolution consolidation by the government of the Non-Self Governing Territories of Guam and the U.S.

Virgin Islands on 10 August and 12, respectively, and circulated by the Chairman of the Special Committee on Decolonization to members of the Committee, in opposition to the consolidation approach,

12. Aware of the decision of the Special Committee, in light of the concerns expressed regarding the proposal, to "take note of the draft resolution" that would substitute the omnibus resolution for the individual resolutions, "which, due to time constraints was not considered;" and "to transmit the draft resolution to its 1990 session for appropriate consideration...and to examine the modalities of consolidating the various resolutions on the situation in these small non-self-governing territories," pending any further directives which might be given by the General Assembly,

15. Cognizant that the United Nations Security Council dissolved the U.N. Trusteeship on December 1990 as it relates to the Commonwealth of the Northern Mariana Islands (CNMI) over the objection of the CNMI government as expressed by its Governor,

16. Dismayed that the United States gave no official advance notice to the CNMI that it would move before the United Nations Security Council to terminate the Trust as to the Northern Marianas,

17. Realizing that the CNMI has not yet full resolved substantial federal/local sovereignty issues with the United States and therefore the political status of the CNMI does not meet the requirements of full self-determination consistent with international law,

NOW THE OFFSHORE GOVERNORS' FORUM DECLARES ITS:

1. Reaffirmation of the inalienable right of the people of the Non-Self-Governing Territories to self-determination in conformity with the Charter of the United Nations and relevant resolutions of the General Assembly, including Resolutions 1514 and 1541,

2. Request to the United States Government to recognize the right of the people of the Northern Mariana Islands to full internal self-government consistent with the United Nations Charter and relevant resolutions of the General Assembly,

3. Reaffirmation that it is ultimately for the people of the Non-Self-Governing Territories themselves to determine their future political status, and in this connection affirm the importance of fostering awareness among the people of the possibilities open to them in the exercise of their self-determination in accordance with principles of the Charter of the United Nations and the Decolonization Declaration,

4. Reaffirmation of the role of the United Nations to review the process of Decolonization in Non-Self-Governing Territories,

5. View that the proposal put forth by the delegation of Norway in the Special Committee on Decolonization to substitute an omnibus resolution of principles in place of the individual resolutions, if adopted, would constitute a down grading of emphasis on the political, constitutional and socio-economic needs of the individual territories which are at different levels of development,

6. Conclusion that an omnibus resolution of principles would also de-emphasize the work of the Special Committee at the time that representatives of the Non-Self-Governing Territories have expressed the importance of continued and enhanced work of the Special Committee during deliberations of the regional seminars held in 1990 in commemoration of the 30th Anniversary of the Decolonization Declaration conducted by the Special Committee held in Vanuatu and Barbados, respectively,

7. Further conclusion that an omnibus resolution would duplicate the already existing generic resolution on decolonization approved annually by the U.N. General Assembly under "Resolutions adopted without reference to the Main Committee," and is therefore inconsistent with a rationalization and simplification of the work of the Special Committee,

8. Conviction that the principles contained in the draft resolution presented by the Norway delegation to the Special Committee could be incorporated into the existing resolution of principles on decolonization,

9. Reaffirmation that the individual resolutions on the Non-Self-Governing Territories of the Caribbean and Pacific represent the most important and tangible work product of the United Nations, as these resolutions are utilized as guidelines for political, socio-economic and constitutional development in those territories, and that the replacement of these resolutions with an omnibus resolution would result in the intent of the United Nations role in the decolonization process becoming null and void,

10. Welcome to the lessening in international tensions between the superpowers, but strongly urge that this emerging new world order should not result in lessening the importance of the international community to consider the self-determination process of the territories under its purview, but rather should serve to enhance the decolonization process,

11. Welcome to the increased role being played by regional institutions in the Caribbean and Pacific, including the

Caribbean Community (CARICOM) and the South Pacific Forum, in the field of self-determination for remaining Non-Self-Governing Territories in consideration that the majority of the remaining territories are in these two regions,

12. Deep concern that the resolution consolidation proposal would limit the consideration of the status of Non-Self-Governing Territories by the Caribbean and Pacific member states of the General Assembly within their respective regions since only two Pacific and two Caribbean countries serve on the Special Committee and in light of the call on the part of the Non-Self-Governing Territories at the two U.N. Regional Decolonization Seminars for an increased regional approach to decolonization,

13. Grave concern that the consolidation proposal would only curtail efforts to meet the stated goal of the international community to complete decolonization by the year 2000 as set forth in U.N. General Assembly 43/47 of 22 November 1988 which declared the period 1990-2000 as the International Decade for the Eradication of Colonialism,

14. Support of the decision of the United Nations Special Committee to defer consideration of the consolidation proposal to its 1991 session of the Subcommittee on Small Territories, which was constituted for the purpose of examining in depth the conditions in small territories in order to make meaningful recommendations to the Special Committee,

15. Call upon the United Nations to continue a review of the individual conditions in the remaining Non-Self-Governing Territories and decline any future action on proposals to diminish the role of the Special Committee by placing the diverse conditions of the respective territories into an omnibus resolution,

16. Decision to transmit this declaration to the Secretary of the U.S. Department of State for the purpose of forwarding the views of the Offshore Governors' Forum to the Permanent Representative of the United States to the United Nations; to the Chairman, United Nations Special Committee on Decolonization; to the President, United Nations Security Council; and, to the Secretary-General of the United Nations.

DECLARED AND SIGNED at Washington, District of Columbia this 3rd day of February, 1991.

Peter Coleman

The Honorable Peter Tali COLEMAN
Governor, American Samoa

The Honorable Joseph F. ADA
Governor, Guam

The Honorable Lorenzo I. DE LEON GUERRERO
Governor, Commonwealth of the Northern Mariana Islands

The Honorable Rafael HERNANDEZ-COLON
Governor, Commonwealth of Puerto Rico

The Honorable Alexander FARRELLY
Governor, United States Virgin Islands

UNITED STATES MISSION TO THE UNITED NATIONS

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PRESS RELEASE

FOR IMMEDIATE RELEASE

Press Release USUN 34-(91)
July 29, 1991

Statement by Ambassador Shirin Tahir-Kheli, United States Alternate Representative for Special Political Affairs, before the Subcommittee on Small Territories of the Committee of 24, on Guam, July 29, 1991

Mr. Chairman, I am pleased to be here today to discuss the American territory of Guam. The United States takes pride in the fact that the United States Constitution provides for an exceptional level of freedom and political expression in the territory. At their own chosen pace, the people of Guam are pursuing their right to self-determination; they have repeatedly expressed the desire to retain a close relationship with the United States, a right confirmed by the principles set out in the annex to United Nations General Assembly resolution 1541. The United States remains firm in its long-standing support for the principle of self-determination.

I wish to stress from the outset that Guam is well on the way to self-determination, with a legislature, a governor and executive branch and a representative to the United States Congress. All of these are freely elected in open and competitive elections by the inhabitants of the territory. Reflecting the mandate they receive from their electorate, the territory's leadership does not hesitate to make their views known on issues affecting their constituencies.

My government wishes to take this opportunity to underline the importance which we accord to a rationalization of the work of this Subcommittee. We support the recommendation of the C-24 reform working group paper calling for the merger of this Subcommittee with the Subcommittee on Petitions, Information and Assistance. We again urge that the resolutions of this Subcommittee be updated and simplified, eliminating anachronistic and inappropriate language in regard to the United States' administration of its territories. We would like to see a single, integrated working paper for each territory prepared by the Secretariat for use by this

Subcommittee, to replace the separate papers on the territory in general and on military activities specifically. Moreover, we wish to reiterate our support for the concept of an omnibus resolution which would fairly cover ten of the non-self-governing territories, including Guam.

During 1990 and 1991, Guam's on-going self-determination effort continued to make significant progress. In 1982 the people of Guam overwhelmingly chose in public plebiscites to seek a close relationship with the United States, remaining in the U.S. family as a commonwealth. The Guam Commission on Self-Determination, which had a draft commonwealth bill introduced in the U.S. Congress in 1988 and again in subsequent Congresses, has met seven times in formal meetings with a federal interagency task force to work out the details of the island's freely chosen status.

Since January of 1990, agreements have been reached on several key elements of that new relationship, including self-government, immigration, judicial relationship, and Defense consultation and land access provisions. The Guam commission intends to complete its discussions with the U.S. executive branch in 1991 and begin its discussions with the U.S. Congress in 1992.

During these talks, Guam Governor Joseph Ada, who serves as Chairman of the Guam Commission on Self-Determination, has repeatedly expressed his belief that Guam is making significant progress in freely determining its political status. "We have stayed the course and it is beginning to pay off," Ada said at the conclusion of a July, 1990 round of discussions.

During 1990 and 1991, the federal government, responding to requests from the Governor of Guam, transferred cost free 370.5 acres of excess federal land for public use. The land is for the construction of a waste water treatment facility, a new high school, and a new campus for the Guam Community College.

Through the Department of the Interior, the Federal Government also transferred 19.4 acres of submerged lands off the southeast coast of Guam. The land is to be used for public recreation purposes as part of the Cocos Island public park.

The U.S. executive branch also has endorsed the cost-free return to Guam of an additional 3,000 acres of excess defense land on the island. The Administration's support was expressed in its comments on HR. 98 -- a bill introduced in Congress by Senator J. Bennett Johnson on behalf of Guam Delegate Ben Blaz.

In June of 1991, the Guam Public Utility Commission approved an agreement that would transfer remaining U.S. Navy power generating facilities to the Guam Power Authority (GPA). The agreement had been negotiated over the past several years.

Defense officials have also negotiated or are negotiating agreements to transfer remaining non-mission critical defense telephone and water systems to the local government's jurisdiction.

U.S. officials also maintained a continuing dialogue with Guam leaders during the past year and a half concerning military base consolidation and land return topics. Cabinet level officials who visited the island included Secretary of State James Baker, Defense Secretary Dick Cheney, and Veterans Affairs Director Edwin Derwinski.

U.S. Chief Philippine base negotiator, Richard Armitage, met with Guam leaders on five occasions before his negotiating rounds in Manila, briefing local officials on the status of the base talks and any possible impact there might be for Guam. Before an agreement was reached in July 1991, which would close Clark Air Force Base by September 1992 while retaining a ten-year lease on Subic Bay Naval Station, Armitage advised Guam leaders that there would be no significant impact on Guam as a result of the Philippine agreement.

A U.S. Congressional delegation from the House Armed Services Committee visited Guam in December of 1990, and again in July 1991, at the request of Guam Delegate Blaz, who characterized the purpose of the discussions: "to reexamine the base closure issue, and our proposal to consolidate Navy and Air Force units at Andersen Air Force Base." Blaz, a retired U.S. Marine Corps General, has been urging the Defense Department to close NAS as a cost-cutting measure, and the proposal appears to be gaining Congressional backing.

U.S. officials are working with Guam leaders on the feasibility of consolidating naval aviation missions on the island with Andersen's facilities. A consolidation at Andersen would free up additional land and facilities at Naval Air Station (NAS), Agana, that could then be transferred to Guam for expansion of its commercial airport operations. Guam's civilian airport currently shares facilities with the Naval Air Station. - Negotiations aimed at transferring the property were opened in July 1991 by Guam leaders and Defense Department officials.

Summing up his view of these developments, Guam Delegate Ben Blaz said in his June 4, 1991 Congressional Address: "We see the Navy becoming customers of GPA and GTA (Guam Telephone Authority) and possibly PUAG (Guam's water utility) in the course of time. We see the Immigration and Naturalization Service willing to work with us on our labor issues; we see the Chief U.S. negotiator for the Philippine base talks stopping on his way to and from the talks to brief island leaders; we see the Air Force and the Navy making concerted and sincere efforts to resolve land and access issues; we see our efforts to

consolidate military aviation units to permit civilian aviation to expand and prosper succeeding at the national level; and we see United States cabinet officers and members of Congress coming to Guam almost regularly to listen to us but, better yet, to see for themselves."

During 1990 and 1991 the people of Guam strongly supported the efforts of the United Nations and the United States in Operations Desert Shield and Desert Storm. More than 1,000 residents of Guam served with the multi-national contingent in the Gulf, including a Guam National Guard military police unit. Several Guam-based U.S. Navy supply ships also assisted in the international mobilization. Guam leaders consistently voiced full support for their community's participation in the vital United Nations peacekeeping effort, holding parades, and numerous welcome back fiestas for their servicemen and women.

With the removal of the last B-52 squadron from Andersen Air Force Base in early 1990, the base lost more than 1,000 airmen. In the summer of 1991, the installation served admirably, with the support of the Guam community, in the evacuation of more than 16,000 U.S. military dependents and civilian employees from the Philippines following the eruption of Mount Pinatubo. Local Guam government agencies, businesses, and community groups donated food, clothing, shelter, transportation and other goods and services to the evacuation effort. Local volunteers from the community assisted in the processing throughout the month-long project.

Echoing the sentiments of Guam's people regarding military service to the nation, Governor Ada, in his January 23, 1991 State of the Territory Address, said "Of the 1000 of our sons and daughters now caught up in that war, none were coerced. They went voluntarily, continuing with their courage a tradition of many, many years, a tradition under which the people of Guam have fought time and time again willingly to preserve freedom and liberty for others. In World War II, in Korea, in Vietnam our people distinguished themselves."

# # #

Mr. Chairman, the United States believes that it administers Guam, and indeed all three of its non self-governing territories, in full conformity with the democratic values to which all Americans subscribe. Guam continues to review its form of government and, following its introduction in the 100th United States Congress, the draft Commonwealth Bill has been reintroduced into the 101st and 102nd Congresses. The United States is proud of its record with respect to Guam, and hopes that this Subcommittee's reports will reflect this record accurately.

Thank you, Mr. Chairman.

* * * * *

OBSERVER STATUS FOR THE ALLIANCE OF DEPENDANT TERRITORIES (ADT) IN THE GENERAL ASSEMBLY

DRAFT RESOLUTION

The General Assembly,

Noting the desire of the Alliance of Dependant Territories (ADT) for cooperation between the United Nations and the Alliance,

1. Decides to invite the Alliance of dependent Territories (ADT) to participate in the sessions and work of the General Assembly in the capacity of observer;

2. Requests the Secretary-General to take necessary action to implement the present resolution.

EXPLANATORY MEMORANDUM

The Alliance of Dependant Territories (ADT) was established on 20 August 1991 by virtue of the signature of the Seattle Declaration by the Heads of government of American Samoa, Guam, and the U.S. Virgin Islands. Its present membership comprises these same three dependent territories currently inscribed on the United Nations list of non-self-governing Territories.

The Alliance of Dependent Territories has as its objectives:

(i) The promotion of friendly relations and economic and technical cooperation among its members.

(ii) The advancement of participation by member governments in various intergovernmental economic and technical organizations in their respective regions and sub-regions.

(iii) The strengthening of technical cooperation programs between the member governments in the fields of their respective expertise including, inter alia, the areas of disaster preparedness, health care, education, cultural affairs, and environmental protection.

(iv) The enhancement of educational exchange at all levels in promotion of Caribbean-Pacific interchange.

(v) The promotion of the right of the peoples of the member territories to self-determination pursuant to the Charter of the United Nations.

(vi) The coordination of policies in matters related to the sea and its resources.

(vii) The achievement of closer cooperation in the constitutional development of the respective member territories.

(viii) The encouragement of the balanced and progressive development of the economies of the respective member territories.

As an intergovernmental and inter-regional organization, the member governments of the Alliance of Dependent Territories are of the view that their Alliance could benefit greatly from an observer relationship with the United Nations, and also contribute to the activities of the Organization.

Accordingly, the Alliance of Dependent Territories requests that it be granted observer status to the General Assembly on terms similar to those that have been prescribed in respect of other intergovernmental organizations.

Territory of Guam
Territorian Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

SEP 26 1991

The Honorable Rabbie Namaliu
Prime Minister
Office of the Prime Minister
Port Morsby,
Papua New Guinea

Dear Prime Minister Namaliu:

Hafa Adai!

Allow me to extend my sincere appreciation to you, and the people of Papua New Guinea for the hospitality extended to myself, and the Guam delegation to the South Pacific Games, during our memorable stay in your nation. The competitive and social opportunities surrounding the SPG has brought us closer to a neighbor that we have regrettably only just began to get to know. I look forward to the continuing development of cordial relations between our countries.

On behalf of my government I would like to bring to your attention a decision of the governments of Guam, American Samoa and the U.S. Virgin Islands to form an Alliance of Dependant Territories which desires observer status as an intergovernmental organization. The Alliance of Dependant was formed August 20, 1991 by the Seattle declaration of the heads of governments of the same three (3) territories currently inscribed on the list of non-self-governing Territories. A draft resolution seeking observer status for the Alliance of Dependant Territories is attached.

We seek the support of your government in introducing the draft resolution on behalf of the Pacific group at the United Nations. Furthermore, any assistance which your government could provide in informing other members of the United Nations from our region about the thrust of our desire for observer status as an intergovernmental organization would be most appreciated.

Commonwealth Now!

Thank you for your consideration of this request. If I can be of assistance in providing you with additional information about the Alliance of Dependant Territories please do not hesitate to contact me.

Again, Dangkolu Na Si Yu'os Ma'ase' (a sincere thanks) for all the warmth and hospitality which you and your people extended to us during our recent visit to your nation.

I am, Sir,

Most Sincerely Yours,

JOSEPH F. ADA
Governor

Enclosure: As Noted

Territory of Guam
Territorium Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

SEP 20 1991

H.E. Renagi LOHIA, O.B.E.
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations
Permanent Mission of Papua New Guinea to the United Nations
100 East 42 St.,
New York, N.Y. 10017

Dear Sir:

On behalf of my government I would like to bring to your attention a decision of the governments of Guam, American Samoa and the U.S. Virgin Islands to form an Alliance of Dependant Territories which desires observer status as an intergovernmental organization. The Alliance of Dependant was formed August 20, 1991 by the Seattle declaration of the heads of governments of the same three (3) territories currently inscribed on the list of non-self-governing Territories. A draft resolution seeking observer status for the Alliance of Dependant Territories is attached.

I have forwarded a request to Prime Minister Namaliu seeking his assistance in this regard.

Thank you, Sir, for your continued interest in Guam's progress toward a self-governing status. If I can be of assistance in providing more information, please do not hesitate to contact me.

Please accept the assurances of my highest consideration.

JOSEPH F. ADA
Governor

Enclosure: As Noted

Commonwealth Now!

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PRESS RELEASE

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Press Release USUN 48-(91)
October 4, 1991

Statement by Ambassador Orlin Terhi Engel, United States Alternate Representative to the Forty-sixth United Nations General Assembly, in the Fourth Committee, on [illegible] October 4, 1991

Mr. Chairman, I would like to open my remarks by congratulating you on the assumption of your position as Chairman of the Fourth Committee. Your opening statement demonstrates your continuation of the commendable leadership and energy of outgoing Chairman Martin Adouki in taking a fresh look at the work of this Committee. As you know, my government welcomes all efforts aimed at improving the work of the Fourth Committee. We believe that the Fourth Committee has reached a critical point in its existence and that reform of the Committee's role and work is necessary if it is to be responsive to the unique needs of the people in the remaining non-self-governing territories and congruent with a strengthened, streamlined United Nations.

In our statements to this Committee in the past, we have reiterated what we consider to be the unsatisfactory elements of resolutions on decolonization. While I will not dwell on those criticisms now, I will state that the draft resolution on foreign economic interests and the draft decision on military activities this committee is now considering, still run directly counter to the new direction members of the Committee have said the Committee must take.

My Government calls on the Fourth Committee to move now to take a new look at the resolutions passed to it by the Special Committee. We were encouraged by the many new ideas discussed in the Special Committee. We must emphasize, however, that the resulting resolutions do not reflect either the positive spirit of the Fourth Committee and C-24 working group discussions or the realities of today.

We firmly believe that the Fourth Committee must take a long-overdue look at its original decolonization mandate to produce resolutions that give true validity to this mandate and to discussions and papers emerging from the Fourth Committee and C-24 working groups on reform. We reiterate that the work of the Committee must reflect the dramatic changes that have taken place in the United Nations system and in the international arena.

We maintain that in considering resolutions before it, the Fourth Committee should reexamine the provisions of Chapter XI of the United Nations Charter, particularly Article 73 Regarding Non-Self-Governing Territories, and to use these provisions as the basis for the Committee's work.

Chapter XI obligates all administering powers to accept as a binding obligation promotion of the well-being of the inhabitants of the territories. Perhaps the most central of these obligations is set forth in Article 73(b):

> to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement.

The United Nations, for its part, was originally intended to oversee the fulfillment of these obligations primarily by serving as a repository for information on the territories submitted regularly by the administering powers and other knowledgeable bodies. A series of resolutions adopted by the General Assembly, particularly 1514 [XV], 1541 [XV], 1654 [XVI] and 1810 [XVII], enumerated the means by which the organization could exercise this oversight function, including through the establishment of the Special Committee.

As originally envisaged, this Committee was to serve as a forum in which representatives of the administering powers would annually present their views on the degree to which their administering power was fulfilling its obligations. The Committee members, in turn, would ask questions, problems would be raised, differences of opinion would be aired, practical solutions would be sought, all with the specific interests of the peoples of the territories in mind. The administering powers agreed to submit to such international scrutiny because they recognized that their long-term interests would be furthered by participation in a constructive, public process designed to promote the discharge of their sacred trust.

For many years, the decolonization committees and the administering powers cooperated successfully in achieving the objectives of Chapter XI. Of the more than seventy former non-self-governing territories that existed prior to 1960, only a small number of territories are still working towards a greater measure of self-determination. Fourth Committee and C-24 meeting inside on [illegible]

In some sense, the decolonization committees became the victims of their own success. With so few non-self-governing territories remaining under their jurisdiction, the decolonization committees began to place their focus elsewhere. Instead of dealing with particular problems brought to their attention by representatives

of the territories or other interested parties, the decolonization committees began to inject extraneous and anachronistic rhetoric into their debates and resolutions, rhetoric that bore little relevance to the actual situation of the territories.

Most importantly, the decolonization committees embraced a very troubling premise, namely, that the few remaining territories on the list of non-self governing territories had failed to achieve a full measure of self-government due exclusively to some persistent colonial animus on the part of the administering powers. On the contrary, these few territories, the majority of which share similar characteristics in terms of geography, population, and natural resources, represent unusual cases that require special attention in their particular evolution towards a greater measure of self-government.

The time has come for the Fourth Committee to act decisively to set aside this approach in favor of promoting the original goals of Chapter XI. What these territories do not need is irrelevant rhetoric reproduced in annual, repetitive resolutions.

As an administering power, we recognize our continuing responsibilities under Chapter XI. We also remain willing to cooperate with the decolonization committees to further the goals of Chapter XI, provided that the committees are willing to adopt a constructive approach. In this era of a new-found spirit of cooperation in the United Nations, it is clear that cooperation [illegible]. Discussions earlier this year in the Fourth Committee and C-24 working groups were a welcome step in this direction. It is now time to move forward together towards focusing our work on the specific needs of the remaining non-self-governing territories.

Mr. Chairman, my delegation has stressed the specific interests of the peoples of the territories in question. We suggested areas for [illegible] group over the past year. We hope that this session of the Fourth Committee will see those suggestions discussed and implemented. As a first step, Committee members should open for special scrutiny all of the resolutions passed on by the Special Committee to determine whether they are in line with the original mandate of the Fourth Committee. We believe that [illegible] this year.

Thank you, Mr. Chairman.

* * * * *

Guam

(Fourth Committee amendments of 11/8/91, printed in UPPER CASE)

The Special Committee,

AMENDMENT ONE TAKING NOTE THAT THE SECOND ROUND OF NEGOTIATIONS BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF GUAM AIMED AT TRANSFERRING LAND AND FACILITIES AT THE NAVAL AIR STATION, AGANA, OPENED IN JULY, 1991,

(N.B: THIS LANGUAGE WAS TAKEN FROM U.S. C-24 STATEMENT ON JULY 29, 1991)

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Taking note that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the AMENDMENT TWO presence of military bases and installations in the Territory SHOULD not constitute an obstacle to the implementation of the Declaration nor hinder the population of the territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations."

(N.B.: THIS CHANGE WAS RECOMMENDED per STATE 250388)

2. Calls upon the adminstering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

AMENDMENT THREE 3. Urges the administering Power to support meassures by the territorial Government aimed at PROMOTING growth in commercial fishing and agriculture;

4. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

GENERAL ASSEMBLY
FORTY-SIXTH SESSION
FOURTH COMMITTEE MEETING #17

SER. NO: 3 — RECORDED VOTE — ADOPTED — DATE: 15 NOV 9
TIME: 4:08 PM
VOTE: 1

ITEM: 19
SYMBOL: A/C.4/46/L.10
THIRD PREAMBULAR PARA

AMENDMENT ONE

YES: 90
NO: 4
ABSTAIN: 27

SUBJECT: GUAM(CHAIRMAN'S AMENDMENT TO A/46/23(PART 4)CHAP.IX,PARA 23

A AFGHANISTAN	Y DJIBOUTI	A LIBERIA	ST KITTS-NEVIS
Y ALBANIA	DOMINICA	LIBYAN AJ	Y SAINT LUCIA
A ALGERIA	DOMINICAN REP	Y LIECHTENSTEIN	ST VINCENT-GREN
A ANGOLA	A ECUADOR	LITHUANIA	Y SAMOA
Y ANTIGUA-BARBUDA	Y EGYPT	Y LUXEMBOURG	SAO TOME PRINCIP
Y ARGENTINA	EL SALVADOR	Y MADAGASCAR	SAUDI ARABIA
Y AUSTRALIA	EQUAT GUINEA	Y MALAWI	SENEGAL
Y AUSTRIA	Y ESTONIA	Y MALAYSIA	SEYCHELLES
BAHAMAS	Y ETHIOPIA	Y MALDIVES	Y SIERRA LEONE
BAHRAIN	Y FIJI	A MALI	Y SINGAPORE
Y BANGLADESH	Y FINLAND	MALTA	Y SOLOMON ISLANDS
Y BARBADOS	Y FRANCE	Y MARSHALL ISLANDS	SOMALIA
Y BELARUS	Y GABON	A MAURITANIA	SOUTH AFRICA
Y BELGIUM	GAMBIA	MAURITIUS	Y SPAIN
BELIZE	Y GERMANY	A MEXICO	Y SRI LANKA
Y BENIN	A GHANA	Y MICRONESIA (FS)	SUDAN
Y BHUTAN	Y GREECE	MONGOLIA	Y SURINAME
Y BOLIVIA	GRENADA	Y MOROCCO	Y SWAZILAND
Y BOTSWANA	GUATEMALA	A MOZAMBIQUE	Y SWEDEN
A BRAZIL	GUINEA	Y MYANMAR	N SYRIAN AR
Y BRUNEI DAR-SALAM	GUINEA-BISSAU	Y NAMIBIA	Y THAILAND
Y BULGARIA	Y GUYANA	Y NEPAL	Y TOGO
Y BURKINA FASO	A HAITI	Y NETHERLANDS	Y TRINIDAD-TOBAGO
BURUNDI	HONDURAS	Y NEW ZEALAND	A TUNISIA
CAMBODIA	Y HUNGARY	NICARAGUA	Y TURKEY
A CAMEROON	Y ICELAND	A NIGER	A UGANDA
CANADA	Y INDIA	A NIGERIA	Y UKRAINE
CAPE VERDE	Y INDONESIA	Y NORWAY	Y USSR
CENTRAL AFR REP	N IRAN (ISLAMIC R)	Y OMAN	U A EMIRATES
CHAD	N IRAQ	Y PAKISTAN	Y UNITED KINGDOM
A CHILE	Y IRELAND	A PANAMA	A U R TANZANIA
Y CHINA	Y ISRAEL	Y PAPUA N GUINEA	Y UNITED STATES
A COLOMBIA	Y ITALY	PARAGUAY	A URUGUAY
COMOROS	A JAMAICA	A PERU	VANUATU
Y CONGO	Y JAPAN	Y PHILIPPINES	A VENEZUELA
COSTA RICA	Y JORDAN	Y POLAND	VIET NAM
Y COTE D'IVOIRE	Y KENYA	Y PORTUGAL	Y YEMEN
N CUBA	Y KUWAIT	QATAR	Y YUGOSLAVIA
Y CYPRUS	LAO PDR	Y REP OF KOREA	Y ZAIRE
Y CZECHOSLOVAKIA	Y LATVIA	Y ROMANIA	A ZAMBIA
DEM PR OF KOREA	LEBANON	Y RWANDA	ZIMBABWE
Y DENMARK	A LESOTHO		

GENERAL ASSEMBLY
FORTY-SIXTH SESSION
FOURTH COMMITTEE MEETING #17
RECORDED VOTE ADOPTED

ER. NO: 4
TEM: 19
MBOL: A/C.4/46/L.10
. PARA 1

DATE: 15 NOV 91
TIME: 4:12 PM
VOTE: 2

AMENDMENT TWO

YES: 91
NO: 4
ABSTAIN: 29

JBJECT: GUAM(CHAIRMAN'S AMENDMENT TO A/46/23(PART 4)CHAP.IX,PARA 23

AFGHANISTAN		DJIBOUTI	A	LIBERIA		ST KITTS-NEVIS
ALBANIA		DOMINICA	A	LIBYAN AJ	Y	SAINT LUCIA
ALGERIA		DOMINICAN REP	Y	LIECHTENSTEIN		ST VINCENT-GREN
ANGOLA	A	ECUADOR		LITHUANIA	Y	SAMOA
ANTIGUA-BARBUDA	Y	EGYPT	Y	LUXEMBOURG		SAO TOME PRINCIP
ARGENTINA		EL SALVADOR	Y	MADAGASCAR	Y	SAUDI ARABIA
AUSTRALIA		EQUAT GUINEA	Y	MALAWI		SENEGAL
AUSTRIA	Y	ESTONIA	Y	MALAYSIA		SEYCHELLES
BAHAMAS	Y	ETHIOPIA	Y	MALDIVES	Y	SIERRA LEONE
BAHRAIN	Y	FIJI	A	MALI	Y	SINGAPORE
BANGLADESH	Y	FINLAND		MALTA	Y	SOLOMON ISLANDS
BARBADOS	Y	FRANCE	Y	MARSHALL ISLANDS		SOMALIA
BELARUS	Y	GABON	A	MAURITANIA		SOUTH AFRICA
BELGIUM		GAMBIA	Y	MAURITIUS	Y	SPAIN
BELIZE	Y	GERMANY	A	MEXICO	Y	SRI LANKA
BENIN	A	GHANA	Y	MICRONESIA (FS)		SUDAN
BHUTAN	Y	GREECE		MONGOLIA	Y	SURINAME
BOLIVIA		GRENADA	Y	MOROCCO	Y	SWAZILAND
BOTSWANA		GUATEMALA	Y	MOZAMBIQUE	Y	SWEDEN
BRAZIL		GUINEA	Y	MYANMAR	N	SYRIAN AR
BRUNEI DAR-SALAM		GUINEA-BISSAU	Y	NAMIBIA	Y	THAILAND
BULGARIA	Y	GUYANA	Y	NEPAL	Y	TOGO
BURKINA FASO	A	HAITI	Y	NETHERLANDS	A	TRINIDAD-TOBAGO
BURUNDI		HONDURAS	Y	NEW ZEALAND	A	TUNISIA
CAMBODIA	Y	HUNGARY		NICARAGUA	Y	TURKEY
CAMEROON	Y	ICELAND	Y	NIGER	Y	UGANDA
CANADA	Y	INDIA	A	NIGERIA	Y	UKRAINE
CAPE VERDE	Y	INDONESIA	Y	NORWAY	Y	USSR
CENTRAL AFR REP	N	IRAN (ISLAMIC R)	Y	OMAN	Y	U A EMIRATES
CHAD	N	IRAQ	Y	PAKISTAN	Y	UNITED KINGDOM
CHILE	Y	IRELAND	Y	PANAMA	A	U R TANZANIA
CHINA	Y	ISRAEL	A	PAPUA N GUINEA	Y	UNITED STATES
COLOMBIA	Y	ITALY		PARAGUAY	A	URUGUAY
COMOROS	A	JAMAICA	A	PERU		VANUATU
CONGO	Y	JAPAN	Y	PHILIPPINES	A	VENEZUELA
COSTA RICA	Y	JORDAN	Y	POLAND		VIET NAM
COTE D'IVOIRE	Y	KENYA	Y	PORTUGAL	Y	YEMEN
CUBA	Y	KUWAIT		QATAR	Y	YUGOSLAVIA
CYPRUS		LAO PDR	Y	REP OF KOREA	Y	ZAIRE
CZECHOSLOVAKIA	Y	LATVIA	Y	ROMANIA	A	ZAMBIA
DEM PR OF KOREA		LEBANON	Y	RWANDA	A	ZIMBABWE
DENMARK	A	LESOTHO				

GENERAL ASSEMBLY
FORTY-SIXTH SESSION
FOURTH COMMITTEE MEETING #17
RECORDED VOTE ADOPTED

SER. NO: 5
DATE: 15 NOV 9
TIME: 4:13 PM
ITEM: 19
VOTE: 3
SYMBOL: A/C.4/46/L.10
OP. PARA 3

AMENDMENT THREE

YES: 104
NO: 3
ABSTAIN: 22

SUBJECT: GUAM(CHAIRMAN'S AMENDMENT TO A/46/23(PART 4)CHAP.IX,PARA 23

Y AFGHANISTAN	Y DJIBOUTI	Y LIBERIA	ST KITTS-NEVIS
Y ALBANIA	DOMINICA	A LIBYAN AJ	Y SAINT LUCIA
A ALGERIA	DOMINICAN REP	Y LIECHTENSTEIN	ST VINCENT-GREN
A ANGOLA	A ECUADOR	LITHUANIA	Y SAMOA
Y ANTIGUA-BARBUDA	Y EGYPT	Y LUXEMBOURG	Y SAO TOME PRINCIP
Y ARGENTINA	EL SALVADOR	Y MADAGASCAR	Y SAUDI ARABIA
Y AUSTRALIA	EQUAT GUINEA	Y MALAWI	SENEGAL
Y AUSTRIA	Y ESTONIA	Y MALAYSIA	SEYCHELLES
BAHAMAS	Y ETHIOPIA	Y MALDIVES	Y SIERRA LEONE
Y BAHRAIN	Y FIJI	Y MALI	Y SINGAPORE
Y BANGLADESH	Y FINLAND	MALTA	Y SOLOMON ISLANDS
Y BARBADOS	Y FRANCE	Y MARSHALL ISLANDS	SOMALIA
Y BELARUS	Y GABON	A MAURITANIA	SOUTH AFRICA
Y BELGIUM	GAMBIA	MAURITIUS	Y SPAIN
BELIZE	Y GERMANY	A MEXICO	Y SRI LANKA
Y BENIN	A GHANA	Y MICRONESIA (FS)	SUDAN
Y BHUTAN	Y GREECE	MONGOLIA	Y SURINAME
Y BOLIVIA	Y GRENADA	Y MOROCCO	Y SWAZILAND
BOTSWANA	GUATEMALA	Y MOZAMBIQUE	Y SWEDEN
A BRAZIL	GUINEA	Y MYANMAR	N SYRIAN AR
Y BRUNEI DAR-SALAM	GUINEA-BISSAU	Y NAMIBIA	Y THAILAND
Y BULGARIA	Y GUYANA	Y NEPAL	Y TOGO
Y BURKINA FASO	A HAITI	Y NETHERLANDS	Y TRINIDAD-TOBAGO
BURUNDI	HONDURAS	Y NEW ZEALAND	Y TUNISIA
CAMBODIA	Y HUNGARY	NICARAGUA	Y TURKEY
A CAMEROON	Y ICELAND	Y NIGER	Y UGANDA
CANADA	Y INDIA	Y NIGERIA	Y UKRAINE
CAPE VERDE	Y INDONESIA	Y NORWAY	Y USSR
CENTRAL AFR REP	N IRAN (ISLAMIC R)	Y OMAN	Y U A EMIRATES
CHAD	N IRAQ	Y PAKISTAN	Y UNITED KINGDOM
A CHILE	Y IRELAND	Y PANAMA	A U R TANZANIA
Y CHINA	Y ISRAEL	A PAPUA N GUINEA	Y UNITED STATES
A COLOMBIA	Y ITALY	PARAGUAY	A URUGUAY
COMOROS	A JAMAICA	A PERU	VANUATU
Y CONGO	Y JAPAN	Y PHILIPPINES	A VENEZUELA
COSTA RICA	A JORDAN	Y POLAND	VIET NAM
Y COTE D'IVOIRE	Y KENYA	Y PORTUGAL	Y YEMEN
A CUBA	Y KUWAIT	Y QATAR	Y YUGOSLAVIA
Y CYPRUS	LAO PDR	Y REP OF KOREA	Y ZAIRE
Y CZECHOSLOVAKIA	Y LATVIA	Y ROMANIA	A ZAMBIA
DEM PR OF KOREA	LEBANON	Y RWANDA	A ZIMBABWE
Y DENMARK	Y LESOTHO		

UNITED NATIONS

General Assembly

FORTY-SIXTH SESSION

Official Records

FOURTH COMMITTEE
17th meeting
held on
Friday, 15 November 1991
at 3 p.m.
New York

SUMMARY RECORD OF THE 17th MEETING

Chairman: Mr. FLEMMING (Saint Lucia)

The meeting was called to order at 3.35 p.m.

AGENDA ITEM 19: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued)

Draft resolution I (A/46/23 (Part VI), chap. IX, para. 23; A/C.4/46/L.10 and L.11)

1. The CHAIRMAN, observing that he believed that the integrity of the omnibus draft resolution I on the small Territories could still be preserved, drew the Committee's attention to the amendments to draft resolution I.B.VI on Guam, contained in document A/C.4/46/L.10.

2. Mr. MORENO (Cuba) asked why those amendments, which had been proposed by one delegation, were not being submitted by that delegation rather than by the Chairman, who usually submitted only agreed texts.

3. The CHAIRMAN explained that the amendments in question appeared as Chairman's amendments because they were the outcome of discussions initiated by the Chairman with a view to maintaining the integrity of the omnibus resolution on small Territories. The amendments proposed in both documents, A/C.4/46/L.10 and L.11, had been agreed to by the Governments of the Territories concerned as well as by the administering Power, and therefore could not be presented only under the name of the delegation in question.

4. MR. MORENO (Cuba) said he agreed that all delegations should work towards preserving the integrity of the omnibus resolution as submitted by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The amendments proposed in document A/C.4/46/L.10, however, substantially altered the character of the draft resolution on Guam. In his own consultations with the Chairman, he had suggested alternative amendments - for instance, replacing the third preambular paragraph not by the proposed text but rather by a simple statement of objective fact: "Taking note of the existence of military bases and installations in the Territory,", and subsequently adding the proposed replacement paragraph as an additional preambular paragraph.

5. His strongest objection, however, was to the second amendment, which would replace the word "would" in the second line of paragraph 1 by the word "should"; by a stroke of the pen, that changed the entire meaning of the paragraph in question and undermined the work of the Special Committee on decolonization. Cuba intended to vote against the first two amendments proposed in document A/C.4/46/L.10.

6. Ms. TAHIR-KHELI (United States of America) thanked the Chairman and the many other delegations who had worked to create a cooperative spirit within the Committee so that all its members could move forward together on the issues confronting it. The United States had seriously tried to be part of that cooperative effort, and in the course of the consultations on the draft resolution on Guam, her delegation had accepted many of the points raised by Cuba. The central goal was the adoption of an omnibus resolution on the small Territories by consensus. The amendments proposed in document A/C.4/46/L.10 had with the help of the Chairman been arrived at by agreement between her Government and the Government of the Territory of Guam. The views of the territorial Government were paramount. If the Committee rejected amendments with which the Territory itself was in agreement, it would seriously call into question its own validity. It was now being asked to decide whether to accept amendments endorsed by Guam or to support the objections of a country halfway around the world from Guam.

7. Mr. SHAHEED (Syrian Arab Republic) said that for the second year running, there had been attempts to amend the resolutions on the small Territories adopted by the Special Committee on decolonization. It was interesting to see however that at the current session the same delegations which had called for the adoption by consensus of an omnibus resolution were the ones which were now trying to break that consensus.

8. A recorded vote was taken on the amendment contained in paragraph 9 of document A/C.4/46/L.10.

In favour: Albania, Antigua and Barbuda, Argentina, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, China, Congo, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Marshall Islands, Micronesia (Federated States of), Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Pakistan, Papua New Guinea, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint Lucia, Samoa, Sierra Leone, Singapore, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Turkey, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia, Zaire.

Against: Cuba, Iran (Islamic Republic of), Iraq, Syrian Arab Republic.

Abstaining: Afghanistan, Algeria, Angola, Brazil, Cameroon, Chile, Colombia, Ecuador, Ghana, Haiti, Jamaica, Lesotho, Liberia, Mali, Mauritania, Mexico, Mozambique, Niger, Nigeria, Panama, Peru, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Zambia.

9. The amendment was adopted by 90 votes to 4, with 27 abstentions.

10. A recorded vote was taken on the amendment contained in paragraph 2 of document A/C.4/46/L.10.

In favour: Albania, Argentina, Australia, Austria, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, China, Congo, Cyprus, Czechoslovakia, Denmark, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kuwait, Latvia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Marshall Islands, Mauritius, Micronesia (Federated States of), Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Republic of Korea, Romania, Rwanda, Saint Lucia, Samoa, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Togo, Turkey, Uganda, Ukraine, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia, Zaire.

Against: Cuba, Iran (Islamic Republic of), Iraq, Syrian Arab Republic.

Abstaining: Afghanistan, Algeria, Angola, Antigua and Barbuda, Brazil, Burkina Faso, Cameroon, Chile, Colombia, Ecuador, Ghana, Haiti, Jamaica, Lesotho, Liberia, Libyan Arab Jamahiriya, Mali, Mauritania, Mexico, Nigeria, Papua New Guinea, Peru, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Venezuela, Zambia, Zimbabwe.

11. The amendment was adopted by 91 votes to 4, with 29 abstentions.*

12. Mr. IBRAHIM (Djibouti) said that, had his delegation participated in the voting, it would have voted in favour of the amendment.

13. A recorded vote was taken on the amendment contained in paragraph 3 of document A/C.4/46/L.10.

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* See para. 12 below.

In favour: Afghanistan, Albania, Antigua and Barbuda, Argentina, Australia, Austria, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, China, Congo, Côte d'Ivoire, Cyprus, Czechoslovakia, Denmark, Djibouti, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Grenada, Guyana, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Kenya, Kuwait, Latvia, Lesotho, Liberia, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Marshall Islands, Micronesia (Federated States of), Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Saint Lucia, Samoa, Sao Tome and Principe, Saudi Arabia, Sierra Leone, Singapore, Solomon Islands, Spain, Sri Lanka, Suriname, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Yemen, Yugoslavia, Zaire.

Against: Iran (Islamic Republic of), Iraq, Syrian Arab Republic.

Abstaining: Algeria, Angola, Brazil, Cameroon, Chile, Colombia, Cuba, Ecuador, Ghana, Haiti, Jamaica, Jordan, Libyan Arab Jamahiriya, Mauritania, Mexico, Papua New Guinea, Peru, United Republic of Tanzania, Uruguay, Venezuela, Zambia, Zimbabwe.

14. The amendment was adopted by 104 votes to 3, with 22 abstentions.

15. Mr. LOHIA (Papua New Guinea), speaking in explanation of vote, said that since so many delegations had spent so much time in drafting the omnibus resolution on the small Territories, he would have hoped that it could have been adopted by consensus. It was important for delegations to begin consultations at the start of the Committee's work, among themselves and with the members of the Special Committee, on the draft resolutions to be adopted.

16. His delegation believed that the Committee and the Special Committee should honour the wishes of the people of the Territories concerned and that the will of individual outside States was secondary. It was glad to accept in principle that consultations had been held between representatives of the Territory, the administering Power and the Chairman, but he himself had not had direct confirmation from either the representatives of the Territory or other delegations that Guam had agreed to the amendments proposed, except in the case of the first of those amendments, on which he had therefore voted in favour. In the case of the other two amendments, as a member of the Special Committee he still had some doubts, and had therefore abstained.

17. Mr. DIARRA (Mali) said that he had abstained on the first and second amendments, because the first had the effect of deleting entirely the third preambular paragraph drafted by consensus in the Special Committee, reaffirming a universally accepted principle underlying its work at all times, while in the French text the second amendment was syntactically irrelevant.

18. The CHAIRMAN said that he would take it, if he heard no objection, that draft resolution I.B.VI on Guam, as amended, was adopted, thus remaining part of the omnibus draft resolution.

19. It was so decided.

20. The CHAIRMAN drew the Committee's attention to the amendments to draft resolution I.B.X on the United States Virgin Islands contained in document A/C.4/46/L.11.

21. Mr. SHAHEED (Syrian Arab Republic) said that he was not requesting a vote on the amendments to the United States Virgin Islands resolution, but did wish to point out that all those amendments, like those submitted on Guam, would, if adopted, automatically replace paragraphs previously agreed to by the Special Committee. Had they been proposed as additional new paragraphs, his delegation might have agreed to them.

22. The CHAIRMAN said that, if there was no request for a vote on the amendments proposed in document A/C.4/46/L.11, he would take it that the amendments were adopted and that draft resolution I.B.X on the United States Virgin Islands was adopted as amended.

23. It was so decided.

24. Draft resolution I, contained in document A/46/23 (Part VI), chapter IX, paragraph 23, as amended, was adopted without a vote.

25. Mr. EVANS (United Kingdom), referring to resolution I.B.II. on Anguilla, said that the Committee had correctly recognized that there was no significant pressure for independence in Anguilla and that the territorial Government had itself excluded the possibility of independence during its term of office. Furthermore, on 30 May 1990 a new constitution had come into effect after a referendum. His Government had no doubts that it was discharging its full obligations to the people of Anguilla.

26. His delegation had not opposed the adoption of draft resolution I.B.III on Bermuda, but it was most dissatisfied with the second preambular paragraph and with paragraph 1. The suggestion that the presence of military bases and installations in the Territory could, in certain circumstances, constitute an obstacle to the exercise of the right of self-determination by the people of Bermuda was totally untrue. The people welcomed the military facilities, which had been there since the Second World War. The military authorities ran the civilian airport in Bermuda, at considerable savings to the Bermudian Government, and the people of Bermuda additionally benefited from the offshore

(Mr. Evans, United Kingdom)

rescue capability and weather-forecasting services of those same military authorities. For an island situated in the hurricane belt, those were considerable benefits.

27. Ms. TAHIR-KHELI (United States of America) said that her delegation had been pleased to be able to join in the unanimous adoption of draft resolution I, despite some inconsistency in the draft resolution on the United States Virgin Islands, especially in paragraph 3. Her delegation had supported the drafting of an omnibus resolution on the small Territories in an effort to streamline the Committee's work, and it was thanks to the outstanding leadership of the Chairman that the Committee had achieved an omnibus resolution acceptable to all.

28. Mr. MORENO (Cuba) said that he had supported draft resolution I because of Cuba's interest in preserving the integrity of that omnibus resolution, but he wished to reiterate its reservations on the draft resolution on Guam.

29. Mr. BUGOTU (Solomon Islands) said that his delegation had been pleased to join in the consensus on draft resolution I, just as it had voted in favour of the amendments adopted earlier. It believed very strongly that all draft resolutions adopted by the Committee must reflect only the wishes of the indigenous peoples, as expressed after consultation with the administering Powers. There might be cases in which the people themselves did not want self-determination and independence, for instance; yet, since year after year the members of the Committee were being presented with the same resolutions, his delegation wondered in fact if the indigenous peoples themselves were really fighting to have those texts adopted by the Committee and the United Nations, or if there was some other force behind those moves.

Draft resolution on cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories (A/C.4/46/L.9)

30. Mr. VAN LIEROP (Vanuatu), introducing the draft resolution on behalf of the sponsors, said that they had been joined by Brazil, Cuba, Iran (Islamic Republic of), New Zealand, Samoa, Suriname and Trinidad and Tobago. The draft resolution focused on the many handicaps faced by small island Non-Self-Governing Territories, and was in keeping with the Committee's desire to focus on the specific problems and needs of the remaining Non-Self-Governing Territories in a comprehensive, cooperative and constructive manner. He therefore urged the Committee to adopt the draft resolution by consensus.

31. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.4/46/L.9 without a vote.

32. It was so decided.

United Nations

Press Release

Department of Public Information • News Coverage Service • New York

Press Release GA/8307
21 January 1992

RESOLUTIONS AND DECISIONS ADOPTED BY THE GENERAL ASSEMBLY DURING THE FIRST PART OF ITS FORTY-SIXTH SESSION

From 17 September to 20 December 1991

For information media—not an official record

4. Endorses the call by the Security Council upon the two parties to continue to cooperate fully with the Secretary-General in the implementation of his plan as described in his report contained in document S/21360 dated 18 June 1990 and amplified in his report contained in document S/22464 dated 19 April 1991 and Corr.1 dated 22 April 1991;

5. Pays tribute to the Secretary-General for his action with a view to settling the question of Western Sahara by the implementation of his peace plan;

6. Expresses its full support for the efforts of the Secretary-General for the organization and supervision by the United Nations, in cooperation with the Organization of African Unity, of a referendum for self-determination of the people of Western Sahara, in accordance with the objectives mentioned in his report to the Security Council dated 19 April 1991;

7. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara bearing in mind the ongoing referendum process and to report thereon to the General Assembly at its forty-seventh session;

8. Invites the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its forty-seventh session.

46/68. Questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands

Date: 11 December 1991 Meeting: 68
Vote: A - Adopted without a vote Report: A/46/629
B - Adopted without a vote

A

GENERAL

The General Assembly,

Having considered the questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 17/

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and recalling all resolutions and decisions of the United Nations relating to those Territories including, in particular, those resolutions adopted by the General Assembly at its forty-fifth session on the individual Territories covered by the present resolution,

Recalling also General Assembly resolution 1541 (XV) of 15 December 1960 containing the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability, diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

17/ A/46/23 (Part VI), chap. IX.

Mindful that United Nations visiting missions provide a means of ascertaining the situation in the small Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Bearing in mind the fragile economy of the small Territories and their vulnerability to natural disasters and environmental degradation, and recalling General Assembly resolutions and the recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 18/

Taking note of the conclusions and recommendations of the United Nations regional seminars on decolonization held in 1990 in commemoration of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the position taken by the territorial Governments contained in the reports of the seminars,

1. Approves the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands; 19/

2. Reaffirms the inalienable right of the people of those Territories to self-determination and independence in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV) containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Reaffirms that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV);

4. Reiterates that it is the responsibility of the administering Powers to create such conditions in the Territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence;

5. Also reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Urges the administering Powers, in cooperation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the inalienable right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

18/ A/CONF.147/5-TD/B/AC.46/4.

19/ A/46/23 (Part VI), chap. IX.

8. Also urges the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. Calls upon the administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking;

10. Urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions, and to promote cooperation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. Also urges the administering Powers to cooperate or continue to cooperate with the Special Committee in its work by providing timely and up-to-date information for each Territory under their administration, in accordance with Article 73 e of the Charter, and by facilitating the dispatch of visiting missions to the Territories to secure first-hand information thereon and to ascertain the wishes and aspirations of the inhabitants;

12. Appeals to the administering Powers to continue or to resume their participation in future meetings and activities of the Special Committee and to ensure the participation in the work of the Special Committee of representatives of the Non-Self-Governing Territories;

13. Urges Member States to contribute to the efforts of the United Nations to achieve the eradication of colonialism by the year 2000, and calls upon them to continue to give their full support to the Special Committee's action towards the attainment of that objective;

14. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of those Territories;

15. Requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the text entitled "Challenges and opportunities: A strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations; 20/

16. Requests the Special Committee to continue the examination of the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence and to report thereon to the Assembly at its forty-seventh session.

B

INDIVIDUAL TERRITORIES

I. American Samoa

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power, 21/

Recalling the dispatch in 1981 of a United Nations visiting mission to the Territory,

1. Welcomes the measures taken by the territorial Government during 1990 to implement the American Samoa Environmental Act by protecting and conserving marine resources and by preventing the pollution of its territorial waters;

2. Calls upon the administering Power, in cooperation with the territorial Government, to promote the economic and social development of the Territory, to reduce its heavy economic and financial dependence on the United States and to take measures to create more employment opportunities for the people of the Territory;

20/ A/CONF.147/5-TD/B/AC.46/4.

21/ See A/C.4/46/SR.13.

3. Notes that a period of ten years has elapsed since a United Nations mission visited the Territory.

II. Anguilla

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 22/

Aware of the desire of the people of Anguilla for a higher level of self-government,

Recognizing the contribution of Anguilla's marine resources to its local economy,

Cognizant of the economic and social impact of unemployment in the Territory's communities,

1. Takes note of the results of the general elections of February 1989 and the statement of the Chief Minister that the Government of Anguilla had no intention of moving towards independence during its current term of office;

2. Notes with concern that the administering Power continues to deny further delegation of competence over the Governor's special areas of responsibility to ministers of the territorial Government prior to setting a time-frame for independence;

3. Welcomes the measures taken by the territorial Government and the Organization of Eastern Caribbean States designed to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area, but expreses its preoccupation over the continued illegal operation of foreign fishing vessels within the territorial waters of Anguilla;

4. Notes with satisfaction the measures being taken by the territorial Government aimed at alleviating the problems of unemployment and at providing increased job opportunities, and urges the administering Power, in cooperation with the territorial Government, to continue to provide the assistance necessary to increase the employment of local personnel in the civil service and other sectors of the economy.

III. Bermuda

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 23/

Reaffirming its strong conviction that the presence of military bases and installations in the Territory could, in certain circumstances, constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Noting that, following the general elections of 1989 during which the ruling United Bermuda Party retained power in the House of Assembly, its leader, the Prime Minister, stated that the question of independence was no longer a major issue and that his Government would pay special attention to the problem of drug trafficking and the laundering of illegal money, as well as to the question of overcrowding of the Territory,

Noting also the view of the leader of the Progressive Labour Party that independence would help to unify the people of Bermuda, and further noting that the Governor of Bermuda has stated that the complexities confronting Bermuda require different solutions and call for greater participation of individuals from all segments of the population, 24/

22/ See A/C.4/46/SR.11.

23/ See A/C.4/46/SR.11.

24/ A/AC.109/1063, para. 12.

Noting that in January 1988 the Government of Bermuda started work on a new development plan for the Territory and announced that it would involve the public as closely as possible in its preparation,

Noting further that the Territory has never been visited by a United Nations visiting mission,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory would not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Calls upon the administering Power, in cooperation with the territorial Government, to take specific measures aimed at ensuring the Territory's economic and social stability, taking into account the recommendations made by the Working Group appointed in January 1989 to study the main area covered by the development plan;

3. Also calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to drug trafficking;

4. Further calls upon the administering Power to facilitate the dispatch of a United Nations visiting mission to the Territory.

IV. British Virgin Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 25/

Taking note of the general elections held in the Territory on 12 November 1990, and noting also that the question of the future political status of the Territory was not an election issue,

Noting the participation of the Territory as an associate member in some regional and international organizations and its applications for similar membership in the Food and Agriculture Organization of the United Nations and in the Caribbean Community,

Recalling General Assembly resolution 44/3 of 12 October 1989 on the emergency assistance to the British Virgin Islands and other Caribbean countries that were struck by hurricane Hugo,

Taking into account the statement of the Chief Minister that the economy of the Territory recorded sustained growth in 1990, 26/ and the report of the Caribbean Development Bank that that favourable economic trend would probably continue,

Recalling the dispatch in 1976 of a United Nations visiting mission to the Territory,

Noting the substantial proportion of land owned by expatriates and the concerns of local groups and individuals over the sale of land to foreigners, which could give rise to environmental issues and which interferes with the right of the local people to free access to their beaches,

1. Calls upon the administering Power to facilitate the admission of the British Virgin Islands to associate membership in the Food and Agriculture Organization of the United Nations and in the Caribbean Community, as well as its participation in other regional and international organizations as identified by the territorial Government;

25/ See A/C.4/46/SR.11.

26/ A/AC.109/1060, para. 44.

2. Also calls upon the administering Power, in cooperation with the territorial Government, to provide the necessary assistance to the Territory to develop and diversify its economy, through, inter alia, the revitalization of agriculture, the promotion of industrial development and the establishment of intersectoral linkages;

3. Notes with satisfaction the measures being taken by the territorial Government to prevent drug trafficking and money laundering and urges the administering Power to continue its assistance to the Territory in these endeavours;

4. Urges the regional and international financial institutions, as well as the specialized agencies and other organizations of the United Nations system, to assist the Government of the British Virgin Islands in identifying its medium- and long-term needs and to increase their participation in the recovery and reconstruction of the Territory;

5. Notes with regret that a period of fifteen years has elapsed since a United Nations mission visited the Territory.

V. Cayman Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 27/

Taking note of the constitutional review being conducted in the Cayman Islands by the Constitutional Commission appointed by the administering Power,

Noting the measures being taken by the territorial Government to promote agricultural production with a view to reducing the Territory's heavy dependence on imported provisions,

Expressing its concern that property and land continue to be owned and developed largely by foreign investors,

Noting that a large proportion of the labour force of the Territory consists of expatriates and that there is a need for the training of nationals in the technical, vocational, managerial and professional fields,

Noting also the action taken by the territorial Government to implement its localization programme to promote increased participation of the local population in the decision-making process in the Cayman Islands,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting with satisfaction the efforts of the territorial Government, the Governments of other countries of the region and of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to prevent and repress illicit activities such as money laundering, funds smuggling, false invoicing, other forms of white-collar fraud as well as the use and trafficking of illegal drugs,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory,

1. Requests the administering Power to expedite the constitutional review exercise in the Territory in close cooperation with the territorial Government and in conformity with the wishes and aspirations of the Caymanian population with a view to enabling the people of the Cayman Islands to exercise their inalienable right to self-determination;

2. Calls upon the administering Power, in consultation with the territorial Government, to continue to promote the agricultural development of the Cayman Islands by aiming at reducing the Territory's dependence on imported food supplies;

3. Urges the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current localization programme;

27/ See A/C.4/46/SR.11.

4. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to money laundering, funds smuggling, various forms of white-collar crimes, as well as to drug trafficking;

5. Notes with regret that a period of fourteen years has elapsed since a United Nations mission visited the Territory.

VI. Guam

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power, 28/

Taking note that the second round of negotiations between the Government of the United States of America and the Government of Guam aimed at transferring land and facilities at the Naval Air Station, Agana, opened in July 1991,

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Taking note that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory, 29/

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory should not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture;

4. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

VII. Montserrat

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 30/

28/ See A/C.4/46/SR.13.

29/ Statement made in the Subcommittee on Small Territories at its 636th meeting, on 29 July 1991.

30/ See A/C.4/46/SR.11.

Recalling the devastation caused by hurricane Hugo in September 1989 and the recovery efforts of the territorial Government in conjunction with the administering Power and the international community,

Taking into account the membership of Montserrat in regional and international bodies and the statement of the representative of the United Nations Educational, Scientific and Cultural Organization regarding the Territory's outstanding request for readmission to associate membership in that organization, 31/

Noting the statement of the Chief Minister that the current rate of economic growth could not be maintained, 32/

Taking note of the policy of the territorial Government to control the growth and upgrade the efficiency of the public service,

Recalling the dispatch of United Nations visiting missions to the Territory in 1975 and 1982,

1. Urges the administering Power to continue to intensify and expand its programme of aid in order to accelerate the development of the economic and social infrastructure of the Territory;

2. Reiterates its call upon the administering Power, in cooperation with the territorial Government, to take the necessary steps to facilitate the readmission of Montserrat as an associate member of the United Nations Educational, Scientific and Cultural Organization;

3. Requests the administering Power to secure the assistance of the specialized agencies and other organizations of the United Nations system, as well as regional and other multilateral financial institutions, in the strengthening, development and diversification of the economy of Montserrat;

4. Urges the administering Power, in cooperation with the territorial Government, to provide the necessary assistance for the training of local personnel in the skills essential to the development of the Territory and to encourage skilled workers to remain in the Territory;

5. Notes with regret that a period of nine years has elapsed since a United Nations mission visited the Territory.

VIII. Tokelau

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of New Zealand, the administering Power, 33/

Noting the continuing devolution of power to the local authority, the General Fono (Council), and mindful that the cultural heritage and traditions of the people of Tokelau should be taken fully into account in the evolution of Tokelau's political institutions,

Taking note of Tokelau's endeavours to develop its marine and other resources, and its efforts to diversify the income-earning ability of its population,

Welcoming the information that Tokelau's wish to pursue avenues that give greater political autonomy to its leadership remains keen, while it wishes to maintain its current relationship with the administering Power,

Noting with appreciation the relief assistance extended to Tokelau by the administering Power, other Member States and international organizations, in particular the United Nations Development Programme and the Office of the United Nations Disaster Relief Coordinator, following the natural disasters caused by cyclone Ofa in February 1990,

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31/ A/AC.109/L.1760, annex, para. 19.

32/ A/AC.109/1061, para. 28.

33/ See A/C.4/46/SR.10.

1. Encourages the Government of New Zealand, the administering Power, to continue to respect fully the wishes of the people of Tokelau in carrying out the Territory's political and economic development in order to preserve their social, cultural and traditional heritage;

2. Calls upon the administering Power, in consultation with the General Fono (Council), to continue to expand its development assistance to Tokelau in order to promote the economic and social development of the Territory;

3. Takes note of Tokelau's plan to transfer the Office for Tokelau Affairs from Apia in Western Samoa to Tokelau itself, as well as New Zealand's support for the transfer, and invites the administering Power to continue to provide maximum assistance to the Territory in this regard;

4. Invites all governmental and non-governmental organizations, financial institutions, Member States and organizations of the United Nations system to grant or to continue to grant Tokelau special emergency economic assistance to mitigate the effects of cyclone Ofa and to enable the Territory to meet its medium- and long-term reconstruction and rehabilitation requirements.

IX. Turks and Caicos Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 34/

Noting the entry into force of the new Constitution under the Turks and Caicos Islands Constitution Order 1988,

Noting the holding of general elections on 3 April 1991 and the return to power of the Progressive National Party after three years in opposition,

Noting the establishment, under the 1988 Constitution, of a Public Service Commission to advise the Governor on civil service matters, and of a Public Service Training Board under the Commission to advise on, and assist in, the supervision of policies and programmes for the training of public officers at all levels,

Noting the enactment in May 1990 of an Immigration Bill designed to effect improved regulations governing the status of immigrants and migrant workers,

Noting with satisfaction the arrangements made to make university-level education available to the Turks and Caicos Islanders,

Recalling the dispatch in 1980 of two United Nations missions to the Territory,

1. Urges the administering Power, in consultation with the territorial Government, to continue to provide the necessary assistance for the localization of the civil service at all levels and for the training of local personnel;

2. Notes with satisfaction the opening in February 1990 of the School of Field Studies on South Caicos, the first university-level institution in the Territory, as well as the arrangements made by the Government of the Bahamas enabling qualified students from the Islands to attend the College of the Bahamas on scholarships provided by the Government of the Bahamas;

3. Takes note that, as a result of the manpower review undertaken in 1989, a number of measures have been taken to strengthen and restructure the public service, including the establishment of new posts and the regrading of existing posts;

4. Notes with regret that a period of eleven years has elapsed since a United Nations mission visited the Territory.

34/ See A/C.4/46/SR.11.

X. United States Virgin Islands

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power, 35/

Having also heard the statement of the representative of the Governor of the United States Virgin Islands, 36/

Noting that legislation has been introduced in the Virgin Islands Senate to postpone the referendum on political status until 1993,

Noting also that the extension to ninety days of the residency requirement for voting has not addressed the concerns of the representatives of the territorial Government and those of the Status Commission regarding eligibility to participate in a referendum of self-determination,

Noting further that discussions are continuing between the territorial Government and the administering Power over the transfer of the ownership of Water Island to the Territory at the end of its lease in December 1992, and noting the exchange of communications between the Governor of the Territory and the Government of the United States concerning the reclamation and development of submerged land at Long Bay in the Charlotte Amalie Harbour, and that the West Indies Company's title to the land was recently upheld by the appropriate United States judicial authorities,

Noting the continuing interest of the territorial Government in seeking associate membership in the Organization of Eastern Caribbean States and in the Caribbean Community,

Recalling the dispatch in 1977 of a United Nations visiting mission to the Territory and the outstanding request by the territorial Government for a further visiting mission to the Territory,

1. Requests the administering Power, in cooperation with the territorial Government, to provide the necessary advice to the Virgin Island Status Commission in its review of the residency requirement for those eligible to participate in a genuine exercise of the right to self-determination in the United States Virgin Islands;

2. Invites the administering Power to review the options for the transfer of Water Island to the Territory at the end of 1992;

3. Requests the administering Power and the Government of the United States Virgin Islands to continue to hold discussions, within the framework of existing juridical provisions, with a view to securing the financial means to acquire the reclaimed and submerged land at Long Bay in the Charlotte Amalie Harbour from the West Indies Company;

4. Reiterates its request to the administering Power to facilitate as appropriate the participation of the Territory in the Organization of Eastern Caribbean States and the Caribbean Community, as well as in various international and regional organizations, including the Caribbean Group for Cooperation in Economic Development of the World Bank, in accordance with the terms of reference of such organizations;

5. Calls upon the administering Power to respond favourably to the request of the territorial Government for the dispatch of a United Nations visiting mission to the Territory.

46/69. Question of New Caledonia

Date: 11 December 1991 Meeting: 68
Adopted without a vote Report: A/46/629

The General Assembly,

Having considered the question of New Caledonia,

35/ See A/C.4/46/SR.13.

36/ See A/C.4/46/SR.9

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia, 37/

Reaffirming the right of peoples to self-determination as enshrined in the Charter of the United Nations,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the importance of the positive measures being pursued in New Caledonia by the French authorities, in cooperation with all sectors of the population, to promote political, economic and social development in the Territory, including in the areas of environmental protection and action with respect to drug abuse and trafficking, in order to provide a framework for its peaceful progress to self-determination,

Noting also, in this context, the importance of equitable economic and social development, as well as continued dialogue among the parties involved in New Caledonia in the preparation of New Caledonia's act of self-determination,

Acknowledging the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French authorities to facilitate the further development of those links, including the development of closer relations with the member countries of the South Pacific Forum,

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia; 38/

2. Urges all the parties involved, in the interest of all the people of New Caledonia, to maintain their dialogue in a spirit of harmony;

3. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians;

4. Requests the Special Committee to continue the examination of this question at its next session and to report thereon to the General Assembly at its forty-seventh session.

46/70. Cooperation and coordination of specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories

Date: 11 December 1991 Meeting: 68
Adopted without a vote Report: A/46/629

The General Assembly,

Aware that in addition to general problems facing developing countries, the remaining Non-Self-Governing Territories, many of which are small island Territories, also suffer handicaps arising from the interplay of such factors as their size, remoteness, geographical dispersion, vulnerability to natural disasters, the fragility of their ecosystems, constraints in transport and communications, great distances from market centres, a highly limited internal market, lack of natural resources, weak indigenous technological capacity, the acute problem of obtaining fresh water supplies, heavy dependence on imports and a small number of commodities, depletion of non-renewable resources, migration, particularly of personnel with high-level skills, shortage of administrative personnel and heavy financial burdens,

Recalling resolution 24 (XI) of the Programme of Assistance to Small Island Developing Countries adopted by the Eleventh Ministerial Session of the Caribbean Development and Cooperation Committee on 22 November 1988, by which it directed the secretariat of that Committee to continue to examine the access of the non-independent Caribbean countries to programmes and activities of the United Nations with the aim of identifying areas within the United Nations system which would provide technical and other assistance to these countries in the furtherance of their development process, and other resolutions of the Caribbean Development and Cooperation Committee,

37/ A/46/23 (Part V), chap. VIII.

38/ A/46/23 (Part V), Chap. VIII, sect. B.3.

Taking note of the report of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations which was held at United Nations Headquarters from 25 to 29 June 1990, 39/

Mindful of the growing importance that the General Assembly attaches to the contributions of specialized agencies and the international institutions to the economic and social development of Non-Self-Governing Territories,

Welcoming the role being played by the United Nations Development Programme and the specialized agencies in that regard,

Recalling its resolution 44/211 of 22 December 1989 entitled "Comprehensive triennial policy review of operational activities for development of the United Nations system",

Taking into account the suggestions made by Member States during the general debate on the relevant item,

1. Invites the specialized agencies and the international institutions associated with the United Nations to increase their participation in the debates of the General Assembly on the remaining Non-Self-Governing Territories, with a view to apprising the Assembly of their development programmes in those Territories and thereby facilitating more informed comments on their work;

2. Requests the Secretary-General to take the necessary measures for promoting and expanding cooperation and coordination among the specialized agencies and the international institutions associated with the United Nations in their assistance to Non-Self-Governing Territories and to report to the General Assembly at its forty-seventh session on the implementation of the present resolution;

3. Decides to keep this question under review.

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39/ A/CONF.147/5-TD/B/AC.46/4.

43. To that end the following arrangements for the evaluation, assessment and monitoring of the United Nations Agenda for the development of Africa in the 1990s are adopted:

(a) In 1993 the General Assembly will conduct a preliminary consideration of the implementation of the Agenda;

(b) In 1995 the Economic and Social Council will devote part of its high-level segment to the consideration of the implementation of the Agenda;

(c) In 1996 the General Assembly will conduct a mid-term review of the implementation of the Agenda;

(d) In 1998 the Economic and Social Council will devote part of its high-level segment to the implementation of the Agenda;

(e) In the year 2000 the General Assembly will conduct the final review and assessment of the implementation of the Agenda.

44. For the mid-term review in 1996 and the final review and assessment in the year 2000, the General Assembly will take the necessary measures, including, if required, the establishment of an ad hoc committee for the preparation of these reviews.

45. The Secretary-General, taking into account the relevant inputs from relevant organs, organizations and programmes of the United Nations system and other competent bodies, will provide an analytical assessment of the implementation of the new Agenda and make concrete recommendations thereon to the General Assembly and the Economic and Social Council, according to the arrangements outlined in paragraph 42.

46. The assessment and recommendations of OAU on the implementation of the new Agenda will also be submitted to the General Assembly and the Economic and Social Council.

47. The Secretary-General of the United Nations will ensure appropriate and adequate support for the follow-up process, including the continuation of the effective public information activities and mobilization of efforts to raise international awareness of the economic crisis in Africa.

48. The ongoing initiatives aimed at assisting Africa in its development efforts should be encouraged. In this regard, consultative groups such as the Global Coalition for Africa should assist in rallying international support for the implementation of the new Agenda. The Global Coalition for Africa may be invited to attend the meetings of the General Assembly and the Economic and Social Council devoted to the new Agenda for Africa.

46/181. International Decade for the Eradication of Colonialism

Date: 19 December 1991 Meeting: 78
Adopted without a vote Draft: A/46/L.22/Rev.1 and Rev.1/Add.1

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, 126/

Reaffirming in all its terms its resolution 1514 (XV) of 14 December 1960,

Recalling its resolution 43/47 of 22 November 1988, which declared 1990-2000 as the International Decade for the Eradication of Colonialism,

Having examined the three interim reports of the Secretary-General prepared in pursuance of its resolution 43/47, 127/

126/ Resolution 217 A (III).

127/ A/44/800; A/45/624; A/46/593.

Bearing in mind the report of the Working Group of Non-Aligned Countries on Decolonization, adopted by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held in Accra from 4 to 7 September 1991, 128/

Bearing in mind also the important contribution of the United Nations in the field of decolonization, in particular through the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

1. Reaffirms the inalienable right of the peoples of the remaining Non-Self-Governing Territories to self-determination and independence in accordance with the United Nations Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples 129/ and other relevant United Nations resolutions and decisions;

2. Declares that the ultimate goal of the International Decade for the Eradication of Colonialism is the free exercise of the right to self-determination by the peoples of each and every of the remaining Non-Self-Governing Territories in accordance with resolution 1514 (XV) and all other relevant resolutions and decisions adopted by the General Assembly;

3. Declares that exercise of the right to self-determination should be carried out freely and without outside pressure in a form reflecting authentic interests and aspirations of the peoples of Non-Self-Governing Territories and with the United Nations playing an appropriate role;

4. Adopts the proposals contained in the annex to the report of the Secretary-General, dated 12 November 1991, 130/ to serve as a Plan of Action for the International Decade for the Eradication of Colonialism;

5. Invites Member States, the whole United Nations system, other governmental and non-governmental organizations to actively support and participate in the implementation of the Plan of Action.

46/182. Strengthening of the coordination of humanitarian emergency assistance of the United Nations

Date: 19 December 1991 Meeting: 78
Adopted without a vote Draft: A/46/L.55 and Corr.1

The General Assembly,

Recalling its resolution 2816 (XXVI) of 14 December 1971, and its subsequent resolutions and decisions on humanitarian assistance, including its resolution 45/100 of 14 December 1990,

Recalling also its resolution 44/236 of 22 December 1989, the annex to which contains the International Framework of Action for the International Decade for Natural Disaster Reduction,

Deeply concerned about the suffering of the victims of disasters and emergency situations, the loss in human lives, the flow of refugees, the mass displacement of people and the material destruction,

Mindful of the need to strengthen further and make more effective the collective efforts of the international community, in particular the United Nations system, in providing humanitarian assistance,

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128/ A/46/593, reply submitted by Yugoslavia on behalf also of States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

129/ Resolution 1514 (XV).

130/ A/46/634/Rev.1.

46/167. Women, environment, population and sustainable development

Date: 19 December 1991 Meeting: 78
Adopted without a vote Report: A/46/645/Add.11 (Part B)

The General Assembly,

Recalling the Nairobi Forward-looking Strategies for the Advancement of Women, 65/ which made specific reference to the linkages between women, natural resources and environment,

Recalling also its resolution 44/171 of 19 December 1989 on integration of women in development,

Taking note of decision 3/5, entitled "Women in environment and development", adopted on 4 September 1991 by the Preparatory Committee for the United Nations Conference on Environment and Development at its third session, 66/ and emphasizing the need for its implementation,

Recognizing the critical role that women, both in the informal and formal sectors, play in primary environmental care, in population programmes and in achieving sustainable development,

Taking note of the important recommendations of the symposium entitled "Women and Children First", organized by the secretariat of the United Nations Conference on Environment and Development at Geneva in May 1991,

1. Requests the Commission on the Status of Women to make the relevant parts of the report on its thirty-sixth session, to be held in 1992, available to the fourth session of the Preparatory Committee for the United Nations Conference on Environment and Development;

2. Calls upon relevant organs, organizations and bodies of the United Nations system to coordinate and strengthen their efforts to contribute substantially to data collection and capacity-building in the field of women, environment, population activities and sustainable development;

3. Urges the organs, organizations and bodies of the United Nations system in their operational activities to ensure the integration of women as active participants at all levels in the planning and implementation of programmes for a sustainable development;

4. Requests the Secretary-General to include a section on the role of women in environment and sustainable development in the report on effective mobilization and integration of women in development to the General Assembly at its forty-eighth session.

46/168. United Nations Conference on Environment and Development

Date: 19 December 1991 Meeting: 78
Adopted without a vote Report: A/46/728

The General Assembly,

Recalling its resolution 45/211 of 21 December 1990 on the United Nations Conference on Environment and Development,

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65/ Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985 (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

66/ See A/46/48 (Part II), annex I.

Having considered the reports of the Preparatory Committee for the United Nations Conference on Environment and Development on its second 67/ and third sessions, 68/ held at Geneva from 18 March to 5 April and from 12 August to 4 September 1991 respectively,

1. Reaffirms its resolution 44/228 of 22 December 1989 on the United Nations Conference on Environment and Development and calls for its full implementation;

2. Reiterates the fundamental interrelationship between environment and development, stresses the need to integrate fully and keep the balance between the developmental and environmental dimensions during the entire preparatory process and during the Conference, and further stresses the importance of the need for cross-sectoral issues to be fully integrated into that work;

3. Decides that the fourth session of the Preparatory Committee for the United Nations Conference on Environment and Development should be held at United Nations Headquarters from 2 March to 3 April 1992;

4. Stresses the importance of the regional meetings held within the framework of preparations for the Conference, and in this regard calls upon the Preparatory Committee at its fourth session to continue to give due attention to the recommendations of all regional meetings, including those held recently;

5. Urges, once again, that representation at the Conference be at the level of head of State or Government;

6. Takes note of the reports of the Preparatory Committee on its second and third sessions and endorses the decisions contained therein;

7. Endorses section B of Preparatory Committee decision 3/11 of 4 September 1991, 69/ in which the Preparatory Committee recommended to the General Assembly that pre-session consultations on the Conference be held in Rio de Janeiro on 29 and 30 May 1992 and section C of Preparatory Committee decision 3/11 of 4 September 1991 70/ on participation in the Conference;

8. Also endorses Preparatory Committee decision 3/12 of 4 September 1991 71/ on participation in the Conference, stresses the importance of the participation of developing countries in the preparatory process and in the Conference, and requests the Preparatory Committee at its fourth session to review relevant parts of the annex to Preparatory Committee decision 3/11 E, 72/ with a view to ensuring adequate and full participation of developing countries in the Conference and in its subsidiary bodies;

9. Requests the Secretary-General to invite the following to the Conference:

(a) All States Members of the United Nations or members of the specialized agencies and the International Atomic Energy Agency;

(b) Representatives of organizations that have received a standing invitation from the General Assembly to participate, in the capacity of observers, in the sessions and work of all international conferences convened under its auspices; such representatives would participate in the Conference in that capacity, in accordance with the General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988;

(c) Representatives of the national liberation movements recognized by the Organization of African Unity in its region; such representatives would participate in the Conference in the capacity of observers, in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974;

(d) All executive heads of specialized agencies and the International Atomic Energy Agency, as well as other organs, organizations and programmes of the United Nations system;

67/ A/46/48 (Part I).

68/ A/46/48 (Part II).

69/ A/46/48 (Part II), annex.

70/ Ibid.

71/ Ibid.

72/ Ibid.

(e) All intergovernmental organizations that have been invited to participate in the work of the Preparatory Committee;

(f) All non-governmental organizations accredited to participate in the work of the Preparatory Committee by the conclusion of its fourth session; those organizations should receive invitations to participate as observers at the Conference;

10. Expresses its appreciation to the Governments and others that have contributed to the Voluntary Fund for the United Nations Conference on Environment and Development for the preparatory process;

11. Decides to extend the validity and use of the Voluntary Fund established by its resolution 44/228 of 22 December 1989 in order to assist developing countries in participating fully and effectively in the Conference, and requests the Secretary-General to mobilize the necessary resources to ensure the full participation of developing countries, in particular the Least Developed Countries, in the Conference and its subsidiary organs and urges Governments to contribute urgently and generously to the Voluntary Fund in order to achieve this goal;

12. Also decides to include in the provisional agenda of its forty-seventh session an item entitled "Report of the United Nations Conference on Environment and Development", and, in this regard, requests the Secretary-General to submit the report on the Conference to the General Assembly at its forty-seventh session.

46/169. Protection of global climate for present and future generations of mankind

Date: 19 December 1991 Meeting: 78
Adopted without a vote Report: A/46/729

The General Assembly,

Recalling its resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989, in which it recognized climate change as a common concern of mankind, and resolution 45/212 of 21 December 1990, by which it established a single intergovernmental negotiating process for the preparation of a framework convention on climate change,

Reiterating the objective that an effective framework convention, containing appropriate commitments, and any related legal instruments as might be agreed upon should be completed prior to the United Nations Conference on Environment and Development and opened for signature during that Conference in June 1992,

Taking note of the relevant decisions taken in 1991 by the Governing Council of the United Nations Environment Programme, the Eleventh World Meteorological Congress, the Preparatory Committee for the United Nations Conference on Environment and Development and other intergovernmental bodies,

Having considered the report of the Secretary-General concerning the progress of the negotiations for a framework convention on climate change, 73/

1. Takes note with appreciation of the work of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change at its first, second and third sessions; 74/

2. Urges the Intergovernmental Negotiating Committee to expedite and successfully complete the negotiations as soon as possible, and to adopt the framework convention on climate change, containing appropriate commitments and any related legal instruments as may be agreed upon in time for it to be opened for signature during the United Nations Conference on Environment and Development;

3. Decides that the Intergovernmental Negotiating Committee should hold a fifth session at United Nations Headquarters in New York from 18 to 28 February 1992, with the possibility of the Committee holding a short resumed session in New York in April 1992 unless the Intergovernmental Negotiating Committee decides otherwise at its fifth session;

73/ A/46/602.

74/ See A/AC.237/6, A/AC.237/9 and A/AC.237/12.

7. Urges creditor countries, private banks and, within their prerogatives, multilateral financial institutions to consider the extension of appropriate new financial support to developing countries, in particular the low-income countries with substantial debt burdens that continue to service the debt and meet their international obligations at great cost;

8. Stresses the urgent need for additional debt relief measures, including further cancellation or reduction of debt and debt service related to official development assistance, as well as other official bilateral debt and debt service, in particular that of low-income countries, and welcomes, in this regard, the call by the Summit of the seven major industrialized nations for additional debt relief measures in favour of the poorest, most indebted countries that go well beyond the Toronto terms;

9. Also stresses the need for more urgent action with regard to the commercial debt owed by developing countries through increased efforts and improved access to and expanded use of existing facilities and arrangements, and encourages the continued consideration and, where appropriate, wider application of innovative measures, such as debt-for-equity swaps, debt swaps for the protection of nature and debt-for-development swaps, as contributions towards addressing the external debt problems of all indebted developing countries concerned;

10. Takes note of the substantial debt relief and debt reduction agreed by the Paris Club in favour of two middle-income countries;

11. Stresses the need for the continued examination, in the relevant forum, of appropriate debt-relief measures in favour of indebted low-income and lower-middle-income countries;

12. Urges the multilateral financial institutions to continue to provide support for debt and debt-service reduction packages with the necessary flexibility under their established guidelines, and urges that serious attention be given to continuing to work towards a growth-oriented solution of problems of developing countries with serious debt-servicing problems, including those whose debt is mainly to official creditors, or to multilateral financial institutions;

13. Recognizes the urgent need to continue to provide a social safety net to vulnerable groups most adversely affected by the implementation of economic reform programmes in the debtor countries, in particular low-income groups, in order to ensure social and political stability;

14. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution.

46/149. International Decade for Natural Disaster Reduction

Date: 18 December 1991 Meeting: 77
Adopted without a vote Report: A/46/733

The General Assembly,

Recalling its resolutions 42/169 of 11 December 1987, 43/202 of 20 December 1988, 44/236 of 22 December 1989, in which it proclaimed the International Decade for Natural Disaster Reduction, and 45/185 of 21 December 1990,

Taking note of Economic and Social Council resolution 1991/58 of 26 July 1991,

Reaffirming the need for the international community to demonstrate the strong political determination required to mobilize and use existing scientific and technical knowledge to mitigate natural disasters, bearing in mind, in particular, the needs of developing countries,

Welcoming the positive steps taken by approximately one hundred Governments in establishing national committees or focal points to stimulate and coordinate disaster mitigation activities for the purpose of attaining the objective and goals set for the Decade,

Reconfirming the important responsibility of the United Nations system as a whole for promoting international cooperation in order to mitigate natural disasters, provide assistance and coordinate relief, preparedness and prevention,

Welcoming the establishment of the Special High-Level Council, which completes the organizational arrangements for the Decade called for in its resolution 44/236, and the inaugural session of the Council, held in New York on 9 and 10 October 1991, on the occasion of the International Day for Natural Disaster Reduction,

Expressing its appreciation to those countries that have provided generous support to the activities of the Decade through voluntary contributions, including staff secondments, the development and implementation of disaster reduction projects and the hosting of activities or meetings related to the Decade,

Taking note of the report of the Secretary-General on the Decade, the addendum to which contains the New York Declaration of the Special High-Level Council and the first annual report of the Scientific and Technical Committee on the Decade, 19/

1. Endorses the Declaration of the Special High-Level Council and encourages the members of the Council to embark actively on the implementation of their tasks, with particular attention to increasing public awareness of the potential for disaster reduction and raising support for the activities of the Decade from Governments, funding organizations and the business community;

2. Endorses the recommendations contained in the first annual report of the Scientific and Technical Committee on the Decade, 20/ while recognizing that implementation by disaster-vulnerable countries of the targets set by that Committee would constitute significant progress in reducing the impact of disasters during the Decade;

3. Endorses also the proposal of the Scientific and Technical Committee concerning the convening in 1994 of a world conference of representatives of national committees for the International Decade for Natural Disaster Reduction, 21/ which would bring together participants from a broad range of sectors of activity, including the scientific and technological sector, the business sector and the industrial sector, as well as non-governmental groups, and which would serve as a substantive contribution to the mid-term review of the implementation of the International Framework of Action for the Decade, called for in its resolution 44/236;

4. Commends the initiatives already taken by countries exposed to disasters to reduce their vulnerability, and encourages them to continue with the adoption of national disaster mitigation policies and their implementation during the Decade in the context of their socio-economic development, taking into account the targets proposed by the Scientific and Technical Committee as a measure of progress in disaster reduction;

5. Stresses the benefits of regional meetings with heads of national committees, such as that organized by the Pan-American Health Organization, the World Health Organization Regional Office for the Americas, the Organization of American States and the Office of the United Nations Disaster Relief Coordinator at Guatemala City from 9 to 13 September 1991;

6. Invites Governments to accelerate communication and cooperation globally and at the regional level in order to share valuable experience and to transfer scientific and technical knowledge for disaster mitigation;

7. Reiterates its appeals to the international community, in particular, to donor countries, for adequate funding, including contributions to the Trust Fund, for carrying out the activities of the Decade;

8. Requests the Secretary-General to report to the General Assembly at its forty-eighth session on the activities of the Decade.

19/ A/46/266-E/1991/106 and Add.1.

20/ A/46/266-E/1991/106/Add.1, annex II.

21/ Ibid., para. 6 (e).

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1. USUN letter of 6 February to the President of the General Assembly on U.S. withdrawal from reporting to the C-24.

2. ADT Letter to SecState Baker expressing concerns about USUN's actions of 6 February.

3. ADT congratulations letter to LOHIA on assuming Chair of C-24.

4. C-24 Working Paper on Guam.

5. LOHIA trip to Guam
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6. Consultations on Draft Resolution
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7. Report of the Subcommittee on Small Territories.
   NOTE: Operative paragraph 1 of the Guam resolution contains Guam's recommended wording as opposed to the version that was advanced to Gov. ADA by LOHIA.

8. Letter of Gov. ADA to LOHIA of 15 July advising that Guam will make presentation to the C-24.

9. Guam presentation to the C-24 of 28 July.

10. UN press release on Guam statements.

UNITED
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Forty-seventh session

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 4 February 1992 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the General Assembly

The United States, as an administering Power, recognizes its responsibilities under Chapter XI of the Charter of the United Nations and will continue to fulfil those responsibilities. In this era of a new-found spirit of cooperation in the United Nations, the United States has been willing to continue to cooperate with decolonization committees in the United Nations so long as it has been clear that the committees are adopting a more constructive approach. As the number of remaining non-self-governing territories diminishes, it is increasingly important that United Nations decolonization committees pay more attention to those territories' particular evolution towards self-government.

We regret, however, that despite the best efforts of the United States and others, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples has not yet fully set aside those practices of the past which focused on an outmoded agenda in favour of new approaches aimed at addressing the specific needs of the few remaining non-self-governing territories.

This year, the Special Committee again forwarded to the Fourth Committee a number of resolutions which contained outmoded, irrelevant and repetitive rhetoric and again took up issues which were inappropriate for Special Committee consideration - South Africa, apartheid, military activities in United States territories, Puerto Rico and the Trust Territory of the Pacific Islands. While the United States is pleased that the Fourth Committee took the first steps this year towards changing those resolutions, we continue to note with sorrow and concern the Special Committee's determination to adhere to an outdated approach.

It is with this in mind that the United States has decided after careful thought to suspend its cooperation with the Special Committee until it takes the steps needed to bring its work in line with the current focus and spirit of the United Nations. This decision will not have any impact on my Government's continuing cooperation with you, Mr. President, or with the General Assembly. We believe that the Special Committee should move tangibly towards discussing specific issues important both to the remaining territories and the administering States in place of, not in addition to, issues that are not relevant to those territories and which are, in any event, fully treated elsewhere by the United Nations. The United States desires an environment in which the specific concerns of the remaining territories can be considered in an open, balanced and objective manner. We seek an environment in which the administering States will be able to cooperate fully with all United Nations decolonization committees.

The United States urges members of the Special Committee this year to reform its work and to address as a matter of priority those issues of significance to the remaining territories. We look forward to reviewing the Committee's work in the hope that the common ground which was the basis for the acceptance of Chapter XI of the Charter can be restored in the decolonization committee.

I should be grateful if you would have the text of the present letter circulated as an official document of the forty-seventh session of the General Assembly under the item entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

(Signed) Thomas R. PICKERING

ALLIANCE OF DEPENDENT TERRITORIES

The Governments of:
American Samoa
Guam
US Virgin Islands

FEB 27 1992

The Honorable James A. Baker, III
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Mr. Secretary:

On February 2, 1992 the Heads of Government of American Samoa, Guam, and the U.S. Virgin Islands, as member governments of the Alliance of Dependent Territories, wrote to you expressing our concern over a lack of consultation with our elected governments on positions taken by the United States Representative to the United Nations before the decolonization bodies of the U.N.

At that time we expressed the view that our governments should be consulted in the formulation of U.S. foreign policy regarding our territories, so that the positions taken by the U.S. delegation were more reflective of the realities of our respective self-determination processes. To this end, we requested the initiation of a process of consultation.

We have recently become aware of a letter dated February 4, 1992 addressed to the President of the U.N. General Assembly from United States Ambassador to the United Nations Thomas R. Pickering informing the U.N. that the United States is suspending its cooperation with the Special Committee on Decolonization.

The implications of this decision are significant for the self-determination process of our respective territories, and as in the past, there was no consultation with our governments. The news of the Pickering letter is particularly disturbing, as the Pacific governors were given a general briefing by your Department on foreign policy matters affecting us only one day later, but no mention of the Pickering letter was made to us.

In this connection, on behalf of our governments, we reiterate our request for consultation on the U.S. positions with regard to the international decolonization process of our territories - a matter which has become more urgent in light of this latest U.S. decision - and look forward to your reply.

Sincerely,

Peter T. Coleman

PETER T. COLEMAN
Chairman

cc: Governor Ada
Governor Farrelly

ALLIANCE OF DEPENDENT TERRITORIES

The Governments of:
American Samoa
Guam
US Virgin Islands

February 27, 1992

His Excellency Mr. Renagi Lohia
Ambassador Extraordinary and Plenipotentiary
Permanent Representative to the United Nations
Permanent Mission of Papua New Guinea
866 United Nations Plaza, Suite 322
New York, New York 10017

Your Excellency:

The Chairman of the Alliance of Dependent Territories (ADT) has the honour of addressing the Permanent Representative of Papua New Guinea to the United Nations and wishes to extend to him the sincerest congratulations of the Alliance on his election as Chairman of the United Nations Special Committee on Decolonization for 1992. The Alliance is secure in knowing that the Permanent Representative's skillful diplomatic abilities will serve the Special Committee well. The Permanent Representative should be aware that he has the full confidence of the Alliance in the undertaking of his responsibilities.

The Permanent Representative will be aware that the ADT wishes to be accorded observer status at the United Nations Conference on Environment and Development (UNCED), as set forth in the 10 January 1992 letter from ADT Secretary-General Dr. Carlyle Corbin to the Chairman of the Alliance of Small Island States (AOSIS), His Excellency the Permanent Representative of Vanuatu to the United Nations.

Following an exchange of correspondence between the ADT Secretary-General and the Executive Secretary of the UNCED Intergovernmental Negotiating Committee (INC), which has determined that an organization consisting solely of non-self-governing territories cannot be classified as an intergovernmental organization under their particular rules, the Alliance has chosen to seek observer status with the UNCED Preparatory Committee in the category of non-governmental organization.

Since ADT member governments are ineligible to make such a petition in the absence of current standing with UNCED, the Chairman of the Alliance on behalf of its members would be grateful if the Permanent Representative would introduce under Organizational Matters, agenda item number one of the Fourth Meeting of the Preparatory Committee scheduled

UNITED NATIONS

A

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

GUAM

Working paper prepared by the Secretariat

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GUAM 1/

I. GENERAL

1. Guam, a Non-Self-Governing Territory administered by the United States of America, is the southernmost and largest island of the Mariana archipelago. The island is 48 kilometres long, ranges from 8 to 14 kilometres in width and has a total land area of 540 square kilometres. Guam lies about 2,400 kilometres east of Manila. Agana is the capital city. 2/

2. Guam is composed of two distinct geological areas of about equal size. The northern part of the island is a high coralline limestone plateau and contains the northern water lens, capable of supplying fresh water far in excess of the Territory's present needs. The southern region is mountainous. Apra Harbour, which is located on the central western side of the island, is one of the largest protected harbours in the Pacific and is considered to be the finest deep water port between Hawaii and the Philippines. 2/

3. In 1521, the explorer Ferdinand Magellan, sailing under the Spanish flag, reached Guam during his circumnavigation of the globe. Later, in 1565, Spain claimed Guam and the rest of the Mariana islands, but did not begin colonization until 1668, when the native Chamorro population of the Mariana archipelago was estimated at 50,000. As a result of harsh treatment by the colonizers and the introduction of new diseases, the Chamorros were reduced to less than 2,000 by 1700. Following its defeat in the Spanish American War in 1898, Spain ceded Guam to the United States.

4. Guam was under the administration of the United States Navy from 1899 to 1950, except for a period during the Second World War when the island was occupied by Japan.

5. In accordance with the 1950 Organic Act of the United States Congress, Guam became an unincorporated Territory. Administration of the Territory was transferred to the Department of the Interior.

6. Guam's population is growing at an accelerating rate, increasing from 105,979 in 1980 to an estimated 133,152 in 1990, or by 25.7 per cent. If the current rate of growth remains constant, the Territory's population will double by 2010. Population density is about 235 per square kilometre, much higher than the average in the United States. Of the total inhabitants, 19,468 are United States military personnel and their dependants. 3/ Exclusive of military personnel, about 47 per cent of the inhabitants are Chamorro; 25 per cent are Filipino; 15 per cent migrated from the United States mainland; and 13 per cent are Korean, Chinese, Japanese, Micronesian and Indian. 3/

7. At its 642nd meeting, on 1 May 1992, the Subcommittee on Small Territories, Petitions, Information and Assistance of the Special Committee was provided additional information by the Organization of People for Indigenous Rights of Guam with regard to the ethnic composition of Guam.

8. The Organization drew attention to the 1990 Census of Population and Housing: Social, Economic and Housing Characteristics - Guam, according to which over half the population was not born in the Territory and, of that proportion, 63 per cent had arrived after 1985. 4/ The Organization expressed concern that the Chamorro population was becoming a minority owing to the continued application to Guam of federal immigration regulations. 5/

9. Press reports indicate that approximately 1,300 more United States Navy personnel and their dependants, a total of 2,500 persons, are expected to move to Guam during 1992 as a result of the closing of the Subic Bay Naval Base and Cubi Point Naval Air Station in the Philippines. 6/ It will be recalled that in 1989, approximately 1,300 military personnel were moved from Guam owing to the closure of the B-52 base at Anderson Air Force Base. With the expected redeployment, the total number of military personnel in the Territory would return to the 1989 level. 5/

10. At present, about half of the population lives in the most northerly part of the Territory. In 1940, only 8 per cent of the total population resided there. The population shift resulted from the development of infrastructure and employment opportunities in the north in connection with the construction, maintenance and operation of military bases. 7/

II. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. General

11. As provided for by the Organic Act of 1950, the Government of Guam consists of separate executive, legislative and judicial branches.

12. Universal adult suffrage with respect to local elections applies to Guamanians 18 years and older. As Guamanians are nationals rather than citizens of the United States they are not eligible to vote in the United States presidential elections while resident in the Territory.

13. Since 1972, the Territory has had a non-voting delegate in the United States House of Representatives. Mr. Ben Blaz, a Republican, is currently serving his fourth two-year term in that capacity.

Executive

14. Executive power is vested in a Governor who, together with a Lieutenant-Governor, is elected for a term of four years. The Governor is responsible for the general supervision and control of the executive branch and submits to the Secretary of the Interior an annual report on the transactions of the Territory's Government for transmission to Congress. The Governor may issue executive orders and regulations, recommend bills to the Legislature, make his views known to that body and veto legislation. In 1990, Governor Joseph F. Ada (Republican) was re-elected for a second term.

Legislature

15. Legislative power is vested in a unicameral body composed of 21 senators elected by legislative districts for two-year terms. The Legislature may override the Governor's veto.

16. Under the Organic Act of 1950, the United States Congress reserves the authority to annul any law enacted by the Guam Legislature.

Judiciary

17. The Federal District Court of Guam has jurisdiction over all cases arising under the United States Constitution, as well as under United States treaties and laws. The Superior Court of Guam handles cases arising under the laws of Guam.

18. On 14 April 1992, the United States Court of Appeals for the Ninth Circuit affirmed the ruling of a federal district court, which declared a territorial law on abortion unconstitutional. The statute, which outlawed the procedure except to save a woman's life or prevent grave injury, was considered to be the most sweeping anti-abortion statute in any jurisdiction of the United States. 8/

19. The unanimous decision by the three-judge panel of the Court of Appeals upheld the ruling of the federal district judge who had blocked the law's enforcement in March 1990, four days after it took effect. 8/

B. Future political status

20. In a political status referendum held on 30 January 1982, Guamanian voters were asked which of the following seven alternatives they would prefer as "the ultimate goal of the Territory of Guam": (a) statehood; (b) independence; (c) free association; (d) the status of incorporated Territory (i.e., with a local constitution); (e) commonwealth status; (f) the status quo; or (g) other.

21. Commonwealth status received 4,914 votes (49.5 per cent), just short of a simple majority, followed by statehood, 2,547 votes. The majority of voters in every village on the island opted for commonwealth status.

22. In a run-off referendum held in September 1982, a large majority of Guamanian voters expressed preference for commonwealth status. Subsequently, in February 1984, the Guam Legislature established an eight-member Commission on Self-Determination to prepare a draft commonwealth agreement which, if acceptable to the people, would be submitted to the United States Congress for consideration.

Draft Commonwealth Act

23. In May 1986, the Commission on Self-Determination completed a draft Commonwealth Act, which, after a public-education campaign, was submitted to an article-by-article vote on 8 August 1987. Thirty-nine per cent of the 35,846 registered voters participated. They approved 10 of the 12 articles by majorities ranging from 51 to 61 per cent and rejected articles 1 and 7 by small margins.

24. Article 1, which spelled out the envisaged political relationship between the United States and Guam, also contained provisions that would recognize the Chamorro people (defined as those born on Guam before 1 August 1950 and their descendants) as a distinct group with certain privileges. Article 7 would transfer control over immigration from the federal Government to Guam.

25. A second vote on articles 1 and 7, as revised by the Commission on Self-Determination, was held on 7 November 1987 and brought out 20,000 voters, or 56 per cent of all those registered. Each article was approved by about 11,400 votes, notwithstanding continuing criticism that the articles still contained provisions that were actually or potentially discriminatory and were thus contrary to the United States Constitution.

26. The major provisions of the draft Commonwealth Act may be summarized as follows: Guam would become a fully self-governing Commonwealth of the United States under a locally adopted constitution, which would recognize, and be consistent with, the sovereignty of the United States over Guam and the supremacy of the provisions of the United States Constitution, as well as treaties and laws of the United States applicable to Guam. The Guam constitution would provide for a republican form of government, with separate executive, legislative and judicial branches and a bill of rights. No federal laws passed after adoption of the act would apply to Guam without its consent, and a joint commission would regularly consult with the United States and Guam on all matters affecting the relationship between them. The United States would be required to consult with Guam with respect to any plan to increase or decrease activities of the Department of Defense in the Territory and would pay rent on land used by the military.

27. The draft Commonwealth Act also provided that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provision would be made in the Guam Constitution. The United States Government, together with the Commonwealth of Guam, by means of additional federally funded programmes, might promote: (a) the maintenance and preservation of the Chamorro language, culture and traditions; (b) the enhancement of economic, social and educational opportunities for Chamorros; and (c) the training of Chamorros as professionals, skilled workers and leaders in business and industry. Also under the draft Act, the Government of Guam would establish, for the benefit of the Chamorro people, a "Chamorro Land Trust" comprising certain lands returned by the United States before and after the effective date of the Act. The draft Act specified that, notwithstanding the above provisions, no qualified resident of Guam could be deprived of the

right to vote in any plebiscite or referendum held to ratify the draft Commonwealth Act and that the continued eligibility of members of minority groups for benefits would not be affected.

28. Under the draft Commonwealth Act, Guam would have greater control over immigration matters than exercised by any of the 50 states or other United States Territories, as well as veto power over federal laws and regulations. It would establish a 200-mile exclusive economic zone. Further, the draft Act would restrain the United States from utilizing the waters surrounding Guam for the dumping or storage of nuclear waste and would oblige the United States to clean up all chemical waste sites used by the military.

29. The draft Act was submitted to Congress for its consideration in February 1988.

30. A Federal Interagency Task Force report released in August 1989 concluded that some provisions of the draft Commonwealth Act were unconstitutional, particularly those relating to the exercise of self-determination by the Chamorro people. 9/

31. In his state of the Territory address of 14 January 1992, Governor Ada reiterated that passage of the draft Commonwealth Act would enable the Territory to increase trade with, and accept assistance from, foreign countries and enable it to control its own marine resources. He reiterated the territorial Government's demand for access to unused land being held by the federal Government. 10/

32. In a testimony submitted on his behalf to the House Subcommittee on Insular and International Affairs on 6 February 1992, Governor Ada called upon Congress to enact the draft Commonwealth Act as submitted, as early as possible. He stated that the change of political status would enable the people of the Territory to chart their own future development as well as guarantee that the United States would maintain a stable strategic presence in the Pacific. 11/

33. In her testimony to the House Subcommittee on Insular and International Affairs on 6 February 1992, Stella Guerra, Assistant Secretary of the Interior for Territorial and International Affairs, stated that discussions on a number of subjects, including Guam's commonwealth proposal, had taken place during 1991 between Federal officials and those of the Territory. Tentative agreement had been reached on two thirds of the major provisions of the draft. A new round of discussions on the remaining outstanding issues was expected to be concluded by April 1992 and a report would be submitted to Congress on the outcome. 12/

34. Press reports indicate that, at talks held at Washington in February 1992, progress was made in reaching agreement on some trade issues, but not on control over the exclusive economic zone or the participation of the Territory in regional and international organizations. 13/

35. At talks held in Guam in April 1992, the two sides were unable to reach agreement on the question of "mutual consent" over the application of federal laws to Guam and the right to self-determination of the Chamorro people. 14/

36. Press reports indicate that Congressional review of the draft Act could take several years to complete.

Position of the United States

37. In a statement to the Subcommittee on Small Territories of the Special Committee on 29 July 1991, the representative of the United States said that the people of Guam were pursuing their right to self-determination at their own chosen pace and had repeatedly expressed the desire to retain a close relationship with the United States in accordance with the principles set out in General Assembly resolution 1541 (XV) of 15 December 1960. The representative reviewed developments concerning the draft Commonwealth Act, noting that progress had been made between the two sides on several key points. 15/

Action taken by the General Assembly

38. On 11 December 1991, the General Assembly adopted resolution 46/68, an omnibus resolution on 10 Non-Self-Governing Territories, including Guam. In part A of the resolution, which contains the general principles applicable to all the Territories concerned, the Assembly, inter alia, reaffirmed that it was ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the relevant resolutions of the General Assembly. The Assembly called upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in Assembly resolution 1541 (XV).

39. Furthermore, the General Assembly reiterated that it was the responsibility of the administering Powers to create such conditions in the Territories as would enable their people to exercise freely and without interference their inalienable right to self-determination and independence.

40. In part B, section VI, of the resolution, which concerns Guam, the General Assembly, inter alia, called upon the administering Power to ensure that the presence of military bases and installations in the Territory should not constitute an obstacle to the implementation of the Declaration nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations.

41. The General Assembly also called upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights.

42. The Chairman of the Special Committee, Mr. Renagi Renagi Lohia of Papua New Guinea, met with the Governor of Guam on 2 April 1992, at Agana. The two parties exchanged views on a range of issues concerning Guam's future status and United Nations action in that regard.

III. ECONOMIC CONDITIONS

A. General

43. Until the Second World War, the majority of Guamanians were involved in subsistence agriculture. After the War, employment was generated mainly by the presence of United States Department of Defense military bases, which provided jobs mostly in the construction and servicing sectors. The formation of a territorial Government in 1951 provided further employment in non-agricultural sectors, in particular in the public service.

44. Guam's economy was based for several years on federal expenditures (mostly military), which in 1990 amounted to $895 million (or $6,882 per person). 16/

45. Since the 1970s, the dramatic increase in tourism and the related construction, retail and service sectors have been the effective force in the economy's growth (see paras. 72-79).

46. The 1990 Guam Annual Economic Review described Guam's economic outlook as "very promising", ascribing the rapid growth and near-full employment to the tourism and construction sectors. The Review added that in addition to being one of the most populated and advanced islands in the western Pacific, Guam had an ideal geographical location and a stable banking community and it offered liberal incentives for investments. Continuing efforts were being made to promote the development of small-scale light manufacturing and to establish Guam as a financial, educational and administrative centre in the western Pacific.

47. Guam's economy has also been experiencing a rapidly escalating rate of inflation. The Territory's consumer price index has averaged twice the national levels of the United States. 17/ Between 1985 and 1990, per capita income was reported to have risen by 47 per cent and the average household income by 44 per cent. The Government gave all its employees, one fifth of the total work force, a $5,440 salary increase for 1990, amounting to an average increase of 20 per cent per worker. Reflecting the rapid rise in incomes, the number of food stamp recipients fell from 23,900 in 1985 to under 11,000 in 1990. 18/

48. Guam imports almost all of its requirements. The United States has been the traditional supplier, currently selling goods valued at $250 million to Guam annually. The Territory's exports to the United States are valued at $10 million. 18/

B. Public finance

49. The territorial Government's revenue for fiscal year 1990 amounted to $547.7 million and expenditures equalled $363.1 million. The Government therefore recorded a surplus balance of $184.6 million. 19/

50. The Territory receives funding from a number of departments of the federal Government. During 1993, Guam will receive $50 million out of a total federal insular budget of $317 million. Of this sum, $48.5 million will be for federal income tax rebates (an increase of $1.5 million compared with 1992). 20/

51. Territorial officials requested an increase in federal payments for "Impact Assistance", meaning expenses associated with the effect on Guam of the Compact of Free Association between the United States and the Federated States of Micronesia and the Republic of the Marshall Islands, especially expenditures incurred due to open immigration from the Freely Associated States estimated to be $27.9 million for 1989 to 1991. For 1990-1991, Guam received $1 million which was shared with the Commonwealth of the Northern Mariana Islands and $1.5 million for 1992-93. The Territory receives additional lending from various federal agencies. 20/

52. Territorial leaders have drawn attention to the fact that the Territory's economy is increasingly interdependent with the countries of the Pacific Rim, in particular Japan. The Government is currently drafting its own income tax code to replace the Internal Revenue Code. The new code would be designed to reflect economic conditions of the Asia-Pacific region and offer better incentives to offshore investors. 21/

53. In August 1991, the Guam Senate unanimously adopted a resolution requesting that the authority of the Inspector General of the Department of the Interior be limited to auditing programmes directly funded by federal grants. Only 10 to 15 per cent of the Territory's programmes are federally funded. At the close of the Pacific Basin Development Council Conference held in Hawaii on 5 February 1992, the Governors of Guam, American Samoa, Hawaii and the Commonwealth of the Northern Mariana Islands passed a joint resolution, in which they reiterated the position of the Guam Senate. 22/

C. Land tenure

54. Approximately 30 per cent of the land in Guam is reserved for the Department of Defense, 1 per cent is used by the federal Government for non-military purposes and 19 per cent belongs to the Government of Guam.

About 50 per cent is privately owned. There are approximately 10,000 landowners, 94 per cent of whom own less than two hectares of land each (see A/AC.109/1069, para. 42).

55. According to the 1990 Guam Annual Economic Review, there were 35,000 land parcels on Guam with a total appraised value of $1.1 billion.

56. As previously reported (see A/AC.109/1017, para. 55, and A/AC.109/816/Rev.1, para. 34), in the mid-1970s, some 1,400 Guamanians who believed that they had not been adequately compensated for land appropriated by the United States military after the Second World War brought a class-action suit in United States federal courts seeking damages of up to $300 million. In 1984, the majority of plaintiffs decided to accept an out-of-court settlement of $39.5 million, which had been ruled fair by a federal district judge. Since then, because urban and rural landowners have been unable to agree among themselves upon a formula for apportioning the settlement, few disbursements have been made. In November 1988, it was reported that disbursements totalling $1.1 million had been distributed to almost 100 landowners.

57. According to the Guam Commission on Self-Determination, the majority of litigants have not accepted the settlement and are pursuing separate legal action against the federal Government.

58. In a related development, in 1977, in response to expressions of dissatisfaction by Guamanians, the Department of the Navy, in cooperation with the Department of the Air Force, prepared a study known as the Guam Land Use Plan, recommending the release of 2,100 hectares of surplus land held by the military so that it could be developed. The Department of Defense agreed to release 1,416 hectares.

59. The Navy transferred to the territorial Government 190 hectares of land on Cabras Island, as well as the land used for airport expansion at the Naval Air Station, several parcels at Apra Harbour and 84 hectares of land and facilities at the Hotel Wharf.

60. In a statement to the Special Committee's Subcommittee on Small Territories on 29 July 1991, the representative of the United States stated that, during 1990 and 1991, 150 hectares of excess federal lands had been transferred to the Government of Guam to be used for the construction of a waste water treatment facility, a new high school and a new campus for the Guam Community College. In addition, 8 hectares of submerged lands off the south-east coast of Guam had been transferred for use as part of the Cocos Island Public Park. 15/

61. Recent press reports indicate that legislation has been introduced in the United States Senate that would authorize the transfer of 1,214 hectares more of excess defence land to the territorial Government upon its institution of a land-use programme. During 1992, the territorial Government conducted public hearings to initiate such a land-use programme. 23/

62. In testimony submitted on behalf of the Governor of Guam to the House Subcommittee on Insular and International Affairs on 6 February 1992, concern was voiced regarding the federal Government's financial commitment for the completion of the War in the Pacific National Park, which is to be a memorial to victims of the Second World War.

63. When originally designed, the boundaries of the park included several parcels of private lands whose owners were to be compensated for their condemned properties. The owners have been waiting for several years now for a final settlement on their properties. The territorial Government has stressed the importance of a solution to the problem.

D. Agriculture and fisheries

Agriculture

64. Today, Guam's agricultural sector is the smallest sector in the economy, utilizing about 162 hectares of land and employing only 310 persons out of a total work force of 59,130. The average annual earnings of these workers is reported to be $9,552, far below the average wage for the Territory. In 1988, the total value of agricultural produce amounted to just over $7 million. 24/

65. Guam has relatively poor natural conditions for commercial agriculture. Rainfall can be torrential and is often accompanied by destructive winds. The soil lacks minerals and nutrients needed for satisfactory agricultural production.

66. Furthermore, the small size of plots is an obstacle to the use of machinery and, in many cases, deters farmers from purchasing capital equipment. Transport, storage and processing facilities for agricultural products have, until recently, been almost non-existent and marketing efforts fragmented.

67. To increase output, the Government's Agricultural Development Services has begun a programme of leasing land owned by the territorial or the federal Government that is neither required for public use nor reserved for other purposes. About 227 hectares are reported to have been leased to 52 farmers throughout the Territory. 25/

Fisheries

68. Guam is considered a natural location for a major fishing industry by virtue of its excellent harbour and port operations; infrastructure for freezing, storage and handling of fish; an adequate fuel supply; and ship repair facilities. Nonetheless, it serves mainly as a tuna transshipment centre. Other activities are small scale.

69. In 1990, a total of 12,073 metric tons of tuna was transshipped from Guam. Yellow fin and bigeye tuna comprised 96 per cent of the total catch.

Of the total, 75.3 per cent, or 9,101 metric tons, was caught by Japanese longliners and the remaining by longline vessels from Taiwan Province of China. The reported value of the catch was $15.2 million. 26/ The small-scale fishing harvest by local residents accounted for a total of 301,548 kilograms. 27/

70. Guam is a member of the Pacific Fisheries Development Foundation, a regional organization which assists members in the management, development and conservation of tuna resources, and of the Western Pacific Regional Fishery Management Council which advises on management within the exclusive economic zone to prevent overfishing and to encourage economic development.

71. An Ad Hoc Committee on Fisheries Projects and Programmes headed by the Guam Department of Commerce and composed of government and private-sector counterparts has been established. In 1990, its main focus was on enforcement issues in the exclusive economic zone, in particular the limiting of longline and purse seiner vessels and of drift-net fishing.

E. Tourism

72. Tourism continued to be the main factor in the economy's growth. There were an estimated 850,000 visitors in 1990 and 918,535 in 1991. 28/ In 1991, visitors from Japan accounted for over 80 per cent of the total number of tourists. Those from the Republic of Korea, Hong Kong and Taiwan Province of China increased considerably following a trade mission by the territorial Government in 1990 and owing to increased direct air service to Taipei and Hong Kong. 29/

73. Despite a slump caused by the situation between Iraq and Kuwait, the hotel occupancy rate was recorded to be almost 80 per cent in 1991, compared with 90 per cent in 1989. At the end of 1991, Guam had a total of 5,975 hotel/motel rooms, an increase of 14.6 per cent over 1990. An estimated 6,000 new rooms are scheduled for completion between 1992 and 1994. 30/

74. Hotel occupancy taxes amounted to $15.8 million in 1991, compared with $14.6 million in 1990 and $11.8 million in 1989. 31/

75. The development of the tourism industry is estimated to be the main factor in the increase of retail sales to over $1 billion in 1990. 28/

76. The territorial Government is in the process of designing a strategic marketing plan to encourage the development of new tourist attractions.

77. In exchange for allowing developers to build tourist hotels, the Government has sought contributions to the island's infrastructure. While in the past those contributions were on an ad hoc basis, the Governor has now proposed to the Legislature the imposition of a 5 per cent impact fee.

F. Industry and commerce

78. The small-scale manufacturing sector includes firms engaged in wood-carving, bag-making, boat-building, water-bottling and in the production of greeting cards, chocolate, clocks, surf boards and tourist souvenirs. Larger-scale activities include a milk processing plant, printing plants, bread and pastry factories, a watch company and a textile factory. The sector currently accounts for only 3 per cent of the total employment in the Territory. 32/

79. In 1989, income generated from the retail sector contributed $1.1 billion of the $4.1 billion total gross business receipts. The wholesale sector generated $73.5 million. 33/ During 1990, these two sectors represented 21 per cent of the total payroll and employed 12,590 persons out of a labour force of 59,130. 33/

80. During meetings between the Guam Commission on Self-Determination and the Federal Inter-Agency Task Force at Washington, agreement was reached on trade policy, which stipulated that Guam would remain outside the United States customs zone and maintain duty-free entry into the United States except in the areas of health and national security. It was also agreed that a fixed standard would be established for Guam products. 34/

81. Headnote 3 (a) of the United States Tariff Code permits local manufacturers to import raw materials tariff-free provided that at least 30 per cent of the value of the final product is added in Guam. Headnote 3 (a) also permits exports to United States markets free of tariffs.

82. Under the Generalized System of Preference, Guam may benefit from preferential rates for its exports to the United States, Australia, Japan and Canada and the States members of the European Economic Community.

G. Transportation and communications

83. Guam is serviced by a number of international airlines: Continental, Air Micronesia, Northwest Airlines, Japan Air Lines, All Nippon Airlines, Hawaiian Airlines, Air Nauru, Korean Air and Philippine Airlines. Air Micronesia, Express and Freedom Air fly commuter flights to the outer islands. Approximately 25 flights arrive daily in Guam.

84. During 1990, the Guam Airport Authority earned $17.6 million in revenues, a 15.3 per cent increase over 1989. Operating costs and expenses were $11.5 million. Net earnings were $5.7 million. 35/

85. Since July 1991, officials of the Territory and those of the Defense Department have been engaged in negotiations aimed at transferring land of the United States Naval Air Station to Guam's civilian airport. At present, the civilian airport shares facilities with the naval air station. The transfer would allow for the expansion of Guam's commercial airport operations. 15/

86. Apra Harbour is a major port in the western Pacific. Ten shipping lines provide direct service to Hawaii, mainland United States, Asia and the western Pacific. In 1990, 3,073 vessels called at the port. 35/

87. Public bus transport is provided to all 19 villages throughout the Territory by the Guam Public Transit System, an autonomous agency of the Government of Guam. 15/

88. Telephone installations increased from 34,657 primary lines in 1989 to 37,787 primary lines in 1990. 15/

89. Guam has telephone connections to North America via transpacific submarine cable installed by Fiber Optic Communication. The Guam telephone authority has a five-year plan to lay fiber optic cable throughout the island. International telegram and telex, telecopy and data transmissions services are also available.

IV. SOCIAL CONDITIONS

A. Housing

90. The 1990 preliminary census states that there are 35,277 housing units in Guam, representing an estimated 25 per cent increase over 1980, to keep pace with the population growth. Construction of both private houses and condominiums, as well as of businesses and hotels, is expected to continue to increase. During 1990, the Guam Department of Public Works issued 557 new residential permits valued at $66.9 million and 49 permits for apartments and dormitories valued at $41.5 million, an increase of 16.7 per cent over 1989. 36/

91. The Guam Housing Corporation, which finances housing for low and moderate income families, issued 75 loans valued at over $5 million during 1990. 36/

92. Guam was not too badly damaged by typhoon Yuri, which hit the western Pacific and southern Guam with winds up to 200 miles an hour in November 1991. Damage to homes, businesses and public infrastructure was estimated at $29.3 million. The Government of Guam assumed the loss incurred by all crop damage, estimated to be $1.3 million, as well as 25 per cent of the cost of reconstruction of private homes. 37/

B. Public health

93. Medical care is generally of a high standard and health conditions are good. The 158-bed, government-owned Guam Memorial Hospital was opened in 1976. In September 1989, the hospital began a $20.6 million improvement project which, according to press reports, is nearing completion. In addition, there is the United States Naval Hospital and some 17 medical and 7 dental clinics. The Department of Public Health and Social Services maintains

a pharmacy, a nursing section, a maternal child health and family planning centre and a paediatric clinic. A new mental health facility is under construction.

94. Some 140 physicians practise on Guam in several fields of specialization. There are over 30 dentists.

95. A shortage of doctors was reported in all areas of health care. The doctor-to-population ratio for 1991 is reported to be 13.1 per 10,000, or a little better than half that in the United States in 1987 (21.4 doctors per 10,000). 38/

96. At the Second Governor's Conference on Health held in October 1991, 114 health professionals from government, military and private sectors identified 13 areas that needed improvement and attention, including: control of communicable diseases, protection from hazardous and toxic materials, access to comprehensive health care services, environmental protection, reduction of drug and alcohol abuse, and maternal and child health. 39/

97. Reports indicate that 5 per cent of the population in Guam are carriers of hepatitis B, which is endemic to the region. The Center for Disease Control in Atlanta reported that the region in general and Guam have registered a very low incidence of acquired immune deficiency syndrome (AIDS) cases (only 10 identified cases). The public, however, has been made aware of the disease. 40/

C. Labour

98. In September 1991, the total civilian labour force was reported to be 46,970, exclusive of non-resident aliens and members of the United States Armed Forces and their dependants. There were a total of 10,316 non-immigrant aliens as of December 1991, mainly from the Philippines, Japan, the Republic of Korea and China. 41/ The majority of the labour force is employed in the private sector. The federal and territorial Governments employed 18,500 in 1991. The unemployment rate has been 2.5 per cent for several years. 42/

99. According to several press reports, during 1991 and 1992, a significant number of complaints were registered regarding widespread abuse of alien workers by contractors and brokers. In response to the complaints, labour officials conducted on-site inspections at construction sites and labour camps, and issued a large number of citations of violations and penalties to the businesses concerned. 43/

D. Law and order

100. During 1990, the number of violent crimes increased to 382 from 267 reported for the previous year. Other crimes, including burglary, larceny and theft, rose from 4,304 in 1989 to 4,622 in 1990. 44/ During 1991, however,

the reported overall crime rate fell by 7 per cent and the Territory reported a 100 per cent conviction rate in prosecuted cases. 45/

V. EDUCATIONAL CONDITIONS 46/

101. Education is compulsory for children between 6 and 12 years of age. The Territory has established an extensive public and private educational system. The public educational system includes 24 elementary schools, 6 middle schools and 5 high schools, the University of Guam, and the Guam Community College. Private schools are operated by the Catholic, Episcopalian and Seventh Day Adventist churches. There are also two private business colleges.

102. Total school enrolment in 1990/91 was 31,304, of whom 25,942 attended public schools and 5,293 attended private schools. A total of 1,287 pupils graduated from high school in 1990.

103. The Guam Community College reported that in 1989/90, 1,095 high school students and 2,097 adult post-secondary students were enrolled in vocational courses, which included apprenticeship in the contruction and in the hotel/restaurant industries. Foreign student enrolment was reported to be 314. Over 50 students were enrolled in the United States Naval Apprentice Programmes in 1989. There were 25 graduates.

104. The University of Guam which is accredited by the Western Association of Schools and Colleges of the United States offers graduate programmes in education and public administration and operates a marine research laboratory. The University has a Micronesian Area Research Center which has an extensive collection of historical documents.

105. For the academic year 1989/90, the University of Guam reported an enrolment of 1,499 full-time students and 886 part-time students. Of this number, 281 were students from the Trust Territory of the Pacific Islands.

Notes

1/ The information contained in the present paper has been derived from published reports and from information transmitted to the Secretary-General by the Government of the United States of America under Article 73 e of the Charter of the United Nations on 7 April 1992 for the period 1990-1992.

2/ 1990 Guam Annual Economic Review, Department of Commerce, Guam, p. 2.

3/ United States Department of the Interior Fact Sheet, August 1991.

4/ Ibid.; 1990 Guam Annual Economic Review, p. 9, table 2; 1990 Census of Population and Housing: Social, Economic and Housing Characteristics - Guam, United States Department of Commerce, table 49.

Notes (continued)

5/ United Nations press release GA/COL/2833, 1 May 1992.

6/ Pacific Daily News, 8 February and 26 and 27 April 1992.

7/ 1990 Guam Annual Economic Review, p. 15.

8/ The New York Times, 17 April 1992; Washington Post, 20 April 1992.

9/ Pacific Daily News, 1 September 1989.

10/ State of the Territory address by Mr. Joseph F. Ada, Governor of Guam, delivered on 14 January 1992, p. 14.

11/ Testimony before the House Subcommittee on Insular and International Affairs, submitted on behalf of Mr. Joseph F. Ada, Governor of Guam, 6 February 1992, p. 4.

12/ Statement of Ms. Stella Guerra, Assistant Secretary of the Interior for Territorial and International Affairs, to the Subcommittee on Insular and International Affairs, regarding the President's fiscal year 1993 budget for insular affairs, 6 February 1992, p. 3.

13/ Pacific Daily News, 9 and 11-14 February 1992; The Washington Pacific Report, 15 February 1992, vol. 10, No. 11 and 1 March 1992, vol. 10, No. 11.

14/ The Washington Pacific Report, 15 April 1992, vol. 10, No. 14, pp. 3 and 4.

15/ United Nations press release GA/COL/2804, 29 July 1991.

16/ 1990 Guam Annual Economic Review, p. 3; United States Department of the Interior Fact Sheet, August 1991.

17/ 1990 Guam Annual Economic Review, p. 143; An Economic Assessment of Guam, Bank of Hawaii, Spring 1991, pp. 8 and 9.

18/ Pacific Daily News, 12 February 1992; and state of the Territory address by the Governor of Guam.

19/ 1990 Guam Annual Economic Review, p. 3.

20/ Testimony before the House Subcommittee on Insular and Territorial Affairs, submitted on behalf of Mr. Joseph F. Ada; Pacific Daily News, 6 and 8 February 1992.

21/ Statement of the Guam Chamber of Commerce to the Pacific Business Opportunities Conference, Honolulu, Hawaii, 16 January 1991.

Notes (continued)

22/ Pacific Daily News, 8 February 1992.

23/ Ibid., 8 April 1992.

24/ 1990 Guam Annual Economic Review, pp. 51 and 52.

25/ Ibid., p. 53.

26/ Ibid., p. 64.

27/ Ibid., p. 67.

28/ An Economic Assessment of Guam, p. 4.

29/ Ibid., p. 11; state of the Territory address by the Governor of Guam, p. 10.

30/ An Economic Assessment of Guam, p. 13.

31/ Quarterly Economic Review of Guam, vol. 13, No. 4, October-December 1991, p. 28.

32/ 1990 Guam Annual Economic Review, p. 72.

33/ Ibid., p. 74.

34/ Pacific Daily News, 12 February 1992.

35/ 1990 Guam Annual Economic Review, p. 41.

36/ Ibid., pp. 17 and 70.

37/ Testimony before the House Subcommittee, delivered on behalf of the Governor of Guam, 6 February 1992.

38/ Pacific Daily News, 21 July 1991.

39/ Ibid., 12 June 1991.

40/ Ibid., 21 and 22 September and 27 December 1991.

41/ Quarterly Economic Review of Guam, p. 3.

42/ 1990 Guam Annual Economic Review, p. 21; An Economic Assessment of Guam, p. 4.

43/ Pacific Daily News, 1, 4, 7, 9 and 15 January 1992.

44/ 1990 Guam Annual Economic Review, p. 204.

Notes (continued)

45/ Statement of Ms. Stella Guerra ..., 6 February 1990; state of the Territory address by the Governor of Guam.

46/ Information for this section is taken from the 1990 Guam Annual Economic Review, tables 21-33, pp. 111-118.

THE PERMANENT REPRESENTATIVE
OF PAPUA NEW GUINEA
TO THE UNITED NATIONS
866 UNITED NATIONS PLAZA, SUITE 322
NEW YORK, N.Y. 10017

3 March, 1992
400-3-4-D15

His Excellency
Honourable Governor Joseph F. Ada
Office of the Governor
Government of Guam
Post Office Box 2950
AGANA
Guam 96910

Excellency,

May I take this opportunity to inform you that I shall be passing through Guam with the United Nations Trusteeship Council Visiting Mission to Palau on Wednesday 25 March, 1992 and returning to New York via Guam on Wednesday 1 April, 1992. I shall be representing Papua New Guinea on the Visiting Mission.

It has just been brought to my notice that your Government found some difficulties with the consolidated or omnibus resolution on some small Non-Self-Governing Territories, especially in relation to Guam. I would be more than happy to spend a day or two in Guam to discuss with you and others any matter relating to the situation in Guam that you may wish to bring to my attention. One matter that I would like to hear your views on is the decision by the United States Government to withdraw its co-operation with the Special Committee on Decolonization (C24) from the beginning of this year. As Chairman of the Special Committee on Decolonization (C24), I regret very much the decision of the Government of the United States of America.

If you do have the time, I would like to pay a courtesy call on you at your convenience on either Thursday 2 or Friday 3, April 1992. I look forward to meeting with you later this month in Guam.

Please accept, Excellency, the assurances of my highest consideration.

Sincerely yours,

RENAGI R. LOHIA, OBE.,
Ambassador/Permanent Representative

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Chairman

Senator
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21st Guam Legislature
Vice-Chairman

Alberto C. Lamorena, III
Presiding Judge
Superior Court of Guam

Senator
Marilyn D.A. Manibusan
21st Guam Legislature

Senator
Pilar C. Lujan
21st Guam Legislature

Mayor
Francisco N. Lizama
Mayors' Council
Representative

Attorney David Lujan
Public Member

Pete Perez
Public Member

Leland R. Bettis
Executive Director

MEMORANDUM

TO: Files

FROM: Executive Director

Re: Meeting of Governor with H.E. Ambassador R.R. LOHIA, Chair, U.N. C-24

On the morning of April 02, 1992 at approximately 11:15 a.m. the Governor received H.E. Ambassador Renagi Lohia (Permanent Representative of Papua New Guinea to the U.N., Chairman U.N. Decolonization Committee (C-24)), and Decolonization Committee Secretariat staff Mr. Jose Campino. Governor Ada had earlier invited Ambassador Lohia to stop over in Guam on his return from a Trusteeship Council Visiting Mission to Palau. (Ambassador Lohia last called on the Governor in May of 1990 following the U.N. Regional Decolonization Seminar in Vanuatu.)

The Ambassador briefly described the work and impressions of this trip to Palau, noting that he and the FSM Ambassador, although not members of the Trusteeship Council were representing the interest of Pacific nations. He described his efforts as a "gentle urging of the Administering Power to move" on the termination of the Trusteeship for Palau. He said that in October Palau had proposed that military issues be dealt with separately and that the U.S. had not yet responded (although for some time the U.S. had indicated a response was eminent). The Ambassador described the infrastructure in Palau -- particularly the road system -- to be inadequate and a major impediment to economic development. He also cited a lack of necessary health facilities, particularly in the outlying areas.

The Ambassador also noted that Assistant Secretary of Interior Guerra's "Secretarial Order" (No. 3142) as an inhibitor to economic development and noted it was a measure that was stifling Palau's leadership's dealing with other governments and potential investors.

The Ambassador noted that PNG and the FSM were going to

prepare a joint report on their impressions of the Visiting Mission to Palau. He added that the U.S. has said that it is time to move on terminating the Trusteeship, but their actions at time seem to suggest otherwise.

Governor Ada thanked the Ambassador for the brief on the situation in Palau, and noted that the position of the U.S. government in relation to Guam's belief that it should be able to work agreements and join regional organizations was similar to the formal manner in which the Secretarial Order on Palau limited their interaction with other nations. The Governor then turned his attention to concerns Guam had over the digression of reference to Guam's political status efforts in the U.N. General Assembly resolutions since 1988.

The Governor noted that in 1988, the U.N. General Assembly (G.A.) resolution on Guam had been quite specific in addressing issues related to Guam's political status quest. He said that since that time these specific references had been slowly removed from the U.N. G.A. resolutions on Guam and that the 1991 resolution on Guam did not contain one specific reference to the Guam Commonwealth Act. It was important that the U.N. recognized Guam's political status effort the Governor said, since this was the only avenue for political status change that was being discussed.

The Governor suggested that the progress of Guam's discussions and work with the U.S. Government on the proposed Commonwealth status be noted in the U.N. G.A. resolution on Guam. He said that some agreement had been reached with the Administration Task Force, but that important areas of concern had not been agreed to. The Governor cited issues of mutual consent, EEZ, and international agreements as examples of areas where disagreement were present between Guam and the U.S.

The Governor reiterated that some of the basic questions had not been resolved between Guam and the U.S. Administration. He also reiterated that it was only fair that the U.N. resolutions on Guam note the areas where agreement and disagreement were evident, as opposed to not mentioning them at all.

The Governor said that Guam was pursuing the present process with the U.S. government, but that Guam was also aware that the U.N. process gives Guam the right to determine its political status. The Governor noted that he hoped the U.N. resolutions would reflect the on-going work between Guam and the U.S. until such time as the issues were resolved, or in the event that Guam were to come to the United Nations.

Ambassador Lohia thanked the Governor for the overview of on-going discussions with the U.S. government. He informed the Governor that in his capacity as Chairman of the Decolonization Committee he was in Guam to receive input from the Governor and would report on and brief the Members of the Decolonization Committee. He added

that it was the views of the people of Guam which were paramount in the Decolonization Committee's consideration of Guam.

In addressing the specific points raised by the Governor, the Chairman said he empathized with the Governor on the "Pacific Way" of conducting business between peoples and governments in the Pacific. He noted that in New Caledonia, the French had allowed that non-self-governing Territory the ability to work directly with regional countries. He suggested that perhaps specific language could be worked on in the 1992 resolution on Guam to address this matter.

The Governor noted that Guam was not talking about entering into treaties with foreign governments, but just the ability to enter organizations where it would be welcome and to receive and give technical and financial assistance where appropriate. He felt that the U.S. government was not sensitive to the way that Pacific islanders work together.

On specific issues, the Ambassador noted that in his view Guam was eligible to enter into fisheries agreements (FFA); SPREP; and U.N. programs such as UNDP and UNCED. He said he was also cognizant of direct discussions between the Governor and his government's Prime Minister and Foreign Minister. In relation to the Governor's pointed remarks about the decline in specificity of the U.N. resolutions on Guam, the Ambassador pointed out to the Governor that the first part (Part A.) of the Omnibus resolution that affected Guam was also applicable to Guam.

The Governor's staffer (Executive Director, CSD) noted that the Governor's points regarding the lack of specificity of the U.N. G.A. resolutions was not addressed in Part A. of the Omnibus resolution since there were not references to the details of Guam's political status efforts.

The Governor followed up by again noting that the resolutions should specifically note "progress and problems" of the discussions with the U.S. government. He added that the people of Guam had decided to go through the process with the U.S. and then to the U.N. if things were not working out and the people of Guam wanted something different. He noted that Guam had hoped that U.S. Administration would have supported more of Guam's Commonwealth proposal, but that Guam still had "a chance" on the Congressional side.

The Ambassador asked the Governor what kind of timeframe Guam anticipated in its discussions with the U.S. government. The Governor said that optimistically, Guam was looking at a two to tree year period.

The Ambassador asked the Governor how he felt about a Visiting Mission to Guam. The Governor said that the U.N. was always

welcome. The Ambassador noted that if Guam desired a Visiting Mission it would have to request one, and work with the Administering Power.

The Ambassador noted that the government of Guam had an open invitation to participate in the open-ended Working Group (a Subcommittee of the Decolonization Committee) as well as the work of the Committee itself. He added that no formal invitations were issued for these purposes, but that the territories were encouraged to participate to express their views.

The Ambassador continued by noting that the Alliance of Small Island States (AOSIS) was a process open to Guam to have its voice heard on the issue of UNCED.

The Ambassador also raised a question regarding information transmitted to him that military lands were being transferred. The Governor responded that some lands were being transferred. The Governor's staff (Ex. Dir., CSD) noted that this issue had to be carefully examined since in 1986 and 1987 the U.S. Mission had made representations that the lands which were identified under a 1977 Guam Land Use Plan (3,500 acres) were already transferred to Guam. The Governor, to his staff, said that this was another example of why Guam needed to be a party to the representations made by the U.S. at the U.N.

The Governor said that he was pleased that during the brief visit of the Trusteeship Council's stopover in Guam he had been able to talk with U.S. Ambassador Tahir-Kheli. He noted that this was the first occasion that he had seen a U.S. representative of that level -- even though they were not in Guam to specifically deal with Guam issues. The Governor said he advised Ambassador Tahir-Kheli that there was a need to communicate with Guam and that Guam's input must be a part of the U.S. representations to make sure that the reports are accurate. The Governor added that to that extent she had agreed to cooperate in the future.

Ambassador Lohia inquired how the government's relationship was with the military in Guam. The Governor responded that generally the military commanders in Guam had been understanding and that there had been consultations at higher levels in the U.S. government as well. He added that the level of proposed transfers from Subic Bay in the Philippines (cited by the U.S. military to be about 1,250 personnel) would replace the approximately 1,300 military personnel that had moved from Guam when the B-52's relocated in 1990.

The Governor further noted that the issue of military-held property was still a matter of contention since the property that was held was under-utilized and out of proportion with the need of the U.S. military. The Governor added he was pushing for the closure of Naval Air Station and the removal of those military operations to

Anderson Air Force Base.

The Ambassador explained that the U.N. had declared the decade 1990-2000 as the decade for the eradication of colonialism. He inquired whether or not information was reaching Guam on this matter. The Governor responded that he was not aware of information being transmitted by the U.N. The Chairman (directing his comments to both the Governor and his staff) noted that the matter of transmitting information to Guam through the U.N. information offices needed to be further examined. The Governor's staff (Ex. Dir, CSD) noted that Guam receives no official transmittal of information in the U.N. processes through either the U.N. information offices or the Administering Power. All information Guam receives had come about by solicitation from various sources.

The Governor inquired about the enforcement status of the decade to end colonialism; whether it was legally enforceable or not. The Ambassador responded that the U.N. process was not something which established moral standards for member countries to follow, and to that extent it was an important component encouragement.

The Ambassador noted that the U.S. had recently noted it was going to withdraw from reporting to the Decolonization Committee, although it would continue with its reports on political, economic and social conditions in Guam under article 73 of the U.N. Charter. He noted that this action was regrettable since the Decolonization Committee is tasked by the U.N. to oversee the decolonization process. He added, however, that the U.S. had advised him that their withdrawal of reporting was temporary. In their letter indicating their withdrawal of reporting, the U.S. had cited the Decolonization Committee's resolutions on South Africa and Israel as part of the reason, the Ambassador said.

The Governor suggested an informal basis of working between Guam and his Committee staff in workings of the Committee and on sharing information on the U.N. process. This recommendation was well received by the Ambassador.

The Governor also noted Guam's current Commonwealth effort was only an interim status and that a final vote on self-determination by Guam's indigenous people would follow the Commonwealth status. He also noted that as of yet the U.S. had not agreed to this process. The Ambassador noted that a similar situation existed in New Caledonia on exactly the same point.

Finally, the Ambassador noted that in 1993 the Decolonization Committee would be holding a Regional Decolonization Seminar in the Pacific. He suggested that if Guam were interested in hosting the conference that it should discuss its desire with the Administering Power.

Meeting ended at approximately 12:00 p.m.

Information Provided:

To Governor:

Book and booklet on Decolonization

To Ambassador and Secretariat Staff

Book on Guam
Photos of the Meeting and Trusteeship Council reception on 04/01/92
Copies of all Statements of Commission to the Task Force (1991 and 1992)
Governor's State of the Territory Address (1991 and 1992)
Economic and statistical information (from Guam Department of Commerce)

NOTES TAKEN AND MEETING OVERVIEW PREPARED BY:

Leland Bettis

COPY

DEPARTMENT FOR SPECIAL POLITICAL QUESTIONS, REGIONAL CO-OPERATION, DECOLONIZATION AND TRUSTEESHIP
(Facsimile No. 212-963-2979)

FACSIMILE TRANSMISSION

Ref. No. _____ Date 13 April 1992

Originator

FROM: Wilfrid De Souza, Secretary, Special Committee of 24
Name and Title

Addressee

TO: Mr. Leland Bettis cc: _____

FAX NO. (671) 477-4826 FAX NO. _____

TEXT

Mr. Leland Bettis
c/o Commission on Self-Determination
Government of Guam
Agana, Guam

Please find herein a letter from the Chairman of the Special Committee on Decolonization to Governor Ada regarding his recent trip to Guam. I would be grateful if you would transmit this letter to the Governor.

Wilfrid De Souza
Secretary
Special Committee of 24

Authorized by:

Signature: Wilfrid De Souza Date 13/4/92
Secretary, Special Committee of 24
Name and Title (Please type.)

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CABLE ADDRESS—ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE: SC24/13/92

13 April 1992

Sir,

On behalf of the Special Committee on Decolonization and on my own behalf, I wish to thank you and the members of your staff for the warm hospitality that you extended to me during my visit to Guam.

I have greatly appreciated the opportunity to exchange views with you regarding the work of the Special Committee on Decolonization and the possibility of strengthening relations between the Committee and the Government and people of Guam. I was also very interested to hear your views on the negotiations with the United States concerning Guam's Draft Commonwealth Act and noted with concern the general lack of information on the United Nations available to the people of Guam. Our meetings have certainly provided me with a better understanding of the political, constitutional, economic and social conditions in Guam.

Please accept, Sir, the assurances of my highest consideration, as well as my deep gratitude for all your assistance during my visit to Guam.

Renagi Renagi Lohia
Chairman
Special Committee on the Situation
with regard to the Implementation
of the Declaration on the Granting
of Independence to Colonial
Countries and Peoples

The Honourable Joseph A. Ada
Governor of Guam
Guam



THE PERMANENT REPRESENTATIVE
OF PAPUA NEW GUINEA
TO THE UNITED NATIONS
866 UNITED NATIONS PLAZA, SUITE 322
NEW YORK, N.Y. 10017

12 May, 1992

Mr. Leland Bettis
Executive Director
Commission on Self-Determination
Government of Guam
P O Box 2950
AGANA
Guam 96910

Dear Mr Bettis,

Since our meetings in Guam on issues of importance to the Territory, I have given some thought to some of them including the United Nations Resolution on Guam. As I informed the Governor and yourself, the Resolution on Guam has two parts - A and B. It is, therefore, important to read Part A of the Omnibus Resolution on the ten (10) small territories together with Part B on Guam. Everyone is in agreement that improvements can be made to Part B of the Omnibus Resolution on the 10 terrtories if necessary.

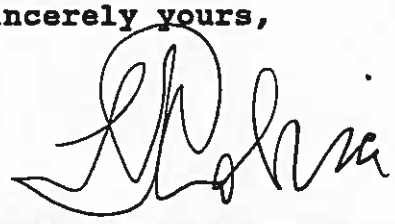
Accordingly, and taking note of our useful discussions in Guam, I attach for your consideration a Draft Resolution on Guam - Part B - which takes into account some of the concerns expressed by the Governor and Ms. Hope Christobol who recently petitioned the Open-Ended Working Group on Decolonisation and Sub-Committee on Decolonisation. The new language that I have suggested in this Draft are the second last preambular paragraph on page one (1) and Operative paragraphs four (4) and five (5). This is just to initiate the effort to improve the Resolution on Guam in the interest of the people of the Territory. Some specific recommendations could be made in relation to economic development needs in the territory which are and should be supported by the Administering Authority. In this regard, I attach for your consideration and confirmation of eight (8) points on a single page.

Please carefully consider and advise me of the wishes of the Governor and the people of Guam so that they could be given their due consideration and action by the United Nations. Specific suggestions or amendments to my draft text would be most welcomed.

Finally, may I take this opportunity to thank you and others who have made my recent visit to Guam a pleasant and successful one. I have already written to the Governor in my capacity as the Chairman of the Special Committee on Decolonisation. I shall be writing again for the purpose of inviting him or his Representative to address the Special Committee at its July Session soon. Please pass on my warm greetings to everyone including your good wife.

With my personal best wishes to you all for now.

Sincerely yours,



RENAGI R. LOHIA, OBE.,
Ambassador/Permanent Representative

DRAFT RESOLUTION ON GUAM

Part B

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power, 4/

Noting that the second round of negotiations between the Government of the United States of America and the Government of Guam aimed at transferring land and facilities at the Naval Air Station, Agana, opened in July 1991,

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Noting that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory, 6/

* **Recalling that in referendum held in Guam in 1987, a draft Commonwealth Act was endorsed by the people of Guam that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,**

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory should not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its rights to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture;

*** 4. Notes with satisfaction that as a result of discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination, agreement has been reached on almost all outstanding issues with regard to the draft Commonwealth Act.**

*** 5. Reiterates its request to the administering Power that the cultural and ethnic identity of the Chomorro people, the indigenous inhabitants of Guam be recognized and respected.**

6. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

*** New Paragraphs inserted**

1) Guam's economic outlook is very promising, based on continued expansion of Tourism, and related construction and servicing sectors.

2) Due to the above, and a surplus in the budget, the Territorial Government did not request the Federal Government for subsidies to finance capital improvement projects for 1993.

3) Currently only 10 to 15% of programmes are funded by the Federal Government. The Guam Government is of the view that only these should be inspected by the Inspector General of the Department of Interior.

4) Serious concern was expressed regarding the effect of "open immigration" to the Territory and its impact on the demographic make-up of the Territory and the indigenous population.

5) The Government is requesting increased "impact assistance" associated with the implementation of the Compact of Free Association between the United States and the Federated States of Micronesia and Marshall Islands which has resulted in open immigration from them to Guam.

6) Guam leaders have stressed the fact that Guam's economy is increasingly interdependent on Pacific Rim countries, in particular Japan and that they are eager to be able to adjust their legislation in that regard.

7) The Government expressed strong concern regarding control of the EEZ.

8) The Government clearly stated its objection to continued Federal control over decisions regarding the direction Guam would take in its economic development.

Sent by JFA.

H.E. Ambassador R.R. LOHIA
Chairman
Special Committee on Decolonization
866 United Nations Plaza, Suite 322
New York, N.Y. 10017

Dear Ambassador LOHIA:

Hafa Adai and Si Yu'os Ma'ase' for your letter of May 12 to Mr. Leland Bettis regarding a draft resolution for Guam. As we discussed during our meeting in Guam last month, I greatly appreciate your assistance in keeping Guam abreast and involved in the discussion of Guam at the United Nations.

You will find attached a draft resolution on Guam. Please accept this as the position of the government of the Guam at this time. You should feel free to circulate and discuss these recommendations as you consider it appropriate.

I remain, Sir

Sincerely Yours,

JOSEPH F. ADA
Governor

Enclosures: As Noted

DRAFT RESOLUTION ON GUAM
PART B

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power,

Aware that large tracts of land in the Territory amounting to approximately 1/3 of the island, continue to be reserved for use of the Department of Defense of the administering Power,

Noting that the people of the Territory have called for a reform in the programme of the administering Power with respect to the thorough and expeditious transfer of property to the people of Guam,

Further noting that the return of the Naval Air Station Agaña has been proposed by the Territorial government for regional aviation facilities and other purpose, and to this end have continued negotiations with the Department of Defense of the administering Power while recommending to the Congress that the base be closed,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory,

Conscious that immigration into the Territory has resulted in the indigenous Chamorros becoming a minority in their homeland and that in 1990, fifty percent (50%) of residents were not born there,

Recalling that in referendum in 1987, the people of Guam endorsed a draft Commonwealth Act, which would establish a new framework for relations between the Territory and the administering Power providing internal self-government for Guam and a recognition of the right of the indigenous Chamorro people to exercise self-determination for the Territory,"

Mindful, of discussions between the Guam Commission on Self-Determination and the executive branch of administering Power on the draft Guam Commonwealth Act which recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory does not constitute an obstacle to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the Territory from exercising its rights to self-determination in conformity with the purposes and principles of the Charter of the United Nations and in accordance with the mandate of the population of the Territory in calling for a recognition of the indigenous Chamorro people to exercise such rights.

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture, and to secure jurisdiction over its ocean resources.

4. Notes that discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration.

5. Reiterates its request to the administering Power to recognize the principle of the Plan of Action with regard to settlers and migrant populations in Non-Self-Governing Territories and to that end, recognize and respect the political rights and the cultural and ethnic identity of the indigenous Chamorro people of Guam.

6. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

FOR INTERNAL USE ONLY

Comments on the 1992 Draft Resolution on Guam (Part B)
by the
Executive Director, Guam CSD

1. Reference to paragraphs 3, 4 and 5 dealing with land.

RECOMMENDATION:

Paragraph 3 to read as follows:

"Aware that large tracts of land in the Territory amounting to approximately 1/3 of the island, continue to be reserved for use of the Department of Defense of the administering Power,"

Paragraph 4 to read as follows:

"Noting that the people of the Territory have called for a reform in the programme of the administering Power with respect to the thorough and expeditious transfer of property to the people of Guam,"

Paragraph 5 to read as follows:

"Further noting that the return of the Naval Air Station Agaña has been proposed by the Territorial government for the establishment of regional aviation facilities and other purposes, and to this end have continued negotiations with the Department of Defense of the administering Power while recommending to the Congress that the base be closed,"

COMMENT:

The paragraphs, as structured in the draft, note that large tracts of land continue to be reserved by the administering Power for military purposes in Guam; that there are on-going discussions regarding the NAS Agana; and, that the administering Power has a programme to return surplus property.

The references to the NAS negotiations and the programme of the administering Power to return surplus property are not complete, and thus are misleading. The references are incomplete because property is not being transferred on an expeditious basis. The references are misleading, because the programme of the administering Power in returning property is slow, and the limited amount of

property actually transferred to Guam is beset by numerous conditions and restrictions on use.

Negotiations between the Government of Guam and the administering Power over the return of Naval Air Station Agaña are on-going. However, representatives of the administering Power in these negotiations have stated that the return could take upward of ten (10) years. Additionally, in May of 1992, the military forces of the administering Power deployed an aircraft squadron of eight (8) ES-3's.

The Government of Guam favors immediate closure of the base, and the consolidation of all aircraft activity of the military forces of the administering Power to Anderson Air Force Base (Guam). The NAS Agaña, even with the recent aircraft deployment, remains under-utilized. The 2000 acres on which the NAS Agaña sits would be better utilized as a regional aviation center for which the Government of Guam has prepared plans.

The programme of the administering Power in returning transferred lands is beset by numerous problems. First, it is the administering Power which unilaterally identifies what lands are "surplus." The people of Guam, through the Commonwealth Act, have called for the return of all properties not actively utilized for direct and continuous operations of the military forces of the administering Power. In negotiations between the administering Power and the Guam Commission on Self-Determination the administering Power has not been supportive of an expanded role for Guam in the determination of properties that are surplus to actual military operations.

Secondly, the process of returning "surplus" properties is slow and cumbersome. Since the identification of 5,180 acres of "surplus" property in 1977 by the military, only 1,412 acres have been returned.

Finally, the return to the people of Guam of "surplus" properties held by the administering Power are tied to use restrictions and conditions. The people of Guam in the Commonwealth Act have called for all past and future transfers of Guam property by the administering Power be free of any restrictions, conditions or payments.

2. An additional reference needs to be included regarding the changing demography of the Territory:

RECOMMENDATION:

Add a new paragraph to read as follows:

"Conscious that immigration into the Territory has resulted in the indigenous Chamorros becoming a minority in their homeland and that in 1990, fifty percent (50%) of residents were not born there,"

COMMENT:

In 1940, over 90% of Guam's population were Chamorro (indigenous inhabitants). As a result of immigration overseen by the administering Power since 1944, the demography of Guam has dramatically changed. The 1990 census identified 43% of the population as Chamorro or part Chamorro; 35% of the population as Asian or Asian with another ethnicity; 14% of the population as White; the remaining 8% being other Pacific Islanders or Black.

According to the 1990 Census, fully 50% of Guam's population was not born in Guam, and of those not born in Guam 63% had arrived in the island since 1985.

3. Paragraph 8 on the passage of the Guam Commonwealth Act:

RECOMMENDATION:

Paragraph 8 to read as follows:

"Recalling that in referendum in 1987, the people of Guam endorsed a draft Commonwealth Act, which would establish a new framework for relations between the Territory and the administering Power providing internal self-government for Guam and a recognition of the right of the indigenous Chamorro people to exercise self-determination for the Territory,"

Add a new paragraph to read as follows:

"Mindful, of discussions between the Guam Commission on Self-Determination and the executive branch of administering Power on the draft Guam Commonwealth Act which recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,"

COMMENT:

The Guam Commonwealth Act provided for more than the reaffirmation of the "right of the people of Guam to draft their own constitution and govern themselves." What the Commonwealth Act does provide for is a framework for Guam to have an internally self-governing status of Commonwealth, with an explicit recognition of the Chamorro people to exercise self-determination for Guam in accordance with a process established in a constitution of Guam.

There is a present authorization by the administering Power for Guam to adopt a constitution. In 1979 a Guam Constitution was voted down because of fears that adoption of a constitution would result in claims that Guam was self-governing, while the framework of the Guam-U.S. relationship remained unchanged. Commonwealth is an attempt to change the unilateral nature of the administering Power's existing control over Guam and replace it with a new regime for Guam-U.S. relations based on partnership. <u>The Commonwealth Act is not a reaffirmation of the earlier provided constitutional process authorized by the administering Power. Indeed, the political status movement in Guam came about as a result of rejecting this approach that had been authorized by the administering Power.</u>

The framework for the new relationship proposed by Guam in the draft Commonwealth Act calls for Guam to be internally self-governing and for an explicit recognition of the right of the Chamorro people to exercise self-determination in the future.

Self-government, as provided for in the Commonwealth Act is evidenced through three primary factors:

1. a Guam-U.S. decision-making process based on Guam's consent as opposed to unilateral action of the administering Power;

2. the repeal of many existing U.S. statutes and regulations that have applied to Guam without Guam's consent, and their replacement by standards acceptable to Guam; and,

3. Guam's adoption of internal governing mechanisms through a constitution.

It is also critical to note that the Commonwealth Act

calls for the new framework for Guam U.S. relations to be "locked in" by a requirement for mutual consent to future changes in the relationship.

Self-government for Guam, then, flows from more than a constitution. Rather, self-government is defined for Guam within the framework of a new power-sharing relationship between Guam and the administering Power.

Chamorro self-determination is another basic component of the Commonwealth Act. The Commonwealth Act calls on the administering Power to recognize the right of the Chamorro people to exercise self-determination for Guam as the conclusive step in decolonization. Present laws of the administering Power do not provide for the Chamorro people to exercise this right and thus the explicit reference in the Commonwealth Act to the exercise of self-determination by the indigenous peoples.

4. Point 1 of Resolution should be amended to read as follows:

"1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory does [should] not constitute an obstacle to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder [the population of] the Territory from exercising its rights to self-determination [and independence] in conformity with the purposes and principles of the Charter of the United Nations and in accordance with the mandate of the population of the Territory in calling for a recognition of the indigenous Chamorro people to exercise such rights."

COMMENT:

The first amendment (the modifier "does" as a substitute for "should") is vital. The word "should" connotes that there may be situations in which the administering Power's military bases and installations may be viewed as a legitimate obstacle to the implementation of the Declaration and self-determination rights: this would be in violation of everything that the Declaration and Charter stands for.

There is no rational basis for any obstacle to conceivably interrupt the purposes of the Declaration or the Charter with respect to self-determination. Therefore, the substitution of the word "should" for

"does" is necessary.

The recommended omission of "the population of" is also necessary, because the express will of the people of Guam is that the Chamorro people should exercise self-determination for the Territory. The Commonwealth Act, as approved by the people of Guam, takes into account the in-migration of non-indigenous populations into Guam vis-a-vis the exercise of self-determination for the Territory; therefore, it is not "the population of" the Territory that is to exercise self-determination for Guam, but rather the indigenous inhabitants.

The words "and independence" are recommended to be deleted because they appear redundant; the process of self-determination must precede a political status. Resolution 1541 provides for complete integration or free association (in addition to independence) as an acceptable status for terminating a colonial relationship. Therefore, the use of the word "independence" presupposes a political status choice as a result of the exercise of self-determination.

The second addition, at the end of the paragraph, establishes the will of the people of Guam -- in addition to the Charter -- as a component to be recognized with regard to self-determination in the Territory.

5. Point 3 to be amended to read as follows:

"3. <u>Urges</u> the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture<u>, and to secure jurisdiction over its ocean resources.</u>"

COMMENT:

The addition at the end of the paragraph is recommended to establish the jurisdiction of the Territory over its Exclusive Economic Zone resources. International convention provides for two ways in which an administering Power deals with the EEZ resources of Territories:

1. If the territory is integrated into the political system of the metropolitan power, then the administering Power has controls over the EEZ resources;

2. If the territory is not fully integrated into

the political system of the metropolitan power, then the territory is granted control over the resources of the EEZ.

In the case of the United States, it has not followed either of these accepted practices. Since the U.S. Constitution forbids full integration of non-States into the political system, Guam's jurisdiction over its EEZ resources must be recognized.

6. Point 4 to be amended to read as follows:

"4. Notes [with satisfaction] that [as a result of] discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration [,agreement has been reached on almost all outstanding issues with regard to the draft Commonwealth Act].

COMMENT:

Without substantive amendment the language would indicate that there have only been satisfactory agreements between the administering Power and the Commission on Self-Determination. This is simply not the case as substantive issues such as self-government, self-determination, land return processes, control of resources, and U.S. powers of eminent domain have not been agreed to between the parties.

Additionally, it is important to note that the next step in the process of the Commonwealth Act's review by the administering Power is to be taken up by the Congress of the United States.

6. Add a new Point 5 to read as follows:

"5. Reiterates its request to the administering Power to recognize the principle of the Plan of Action with regard to settlers and migrant populations in Non-Self-Governing Territories and to that end, recognize and respect the political rights and the cultural and ethnic identity of the indigenous Chamorro people of Guam."

COMMENT:

A call for the administering Power to recognize and respect the cultural and ethnic identity of the Chamorro people is bolstered by calling to attention the Plan of Action which discourages the systematic influx of settler and migrant populations in Territories.

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Comments on the 8 Points
(Submitted by the Chairman, C-24)
by the
Executive Director, Guam CSD

Points 1 through 5 adequately describe issues which Guam has raised. The issues raised in points 6-8 need only minor amendment and modification for clarity.

Point 6. to read as follows:

> "Guam leaders have stressed the fact that Guam's economy is increasingly interdependent on Pacific Rim countries, and that they are eager to see adjustments in legislation of the administering Power that will provide for the territorial government having greater autonomy in arrangements with inter-regional organizations as well as the establishment of bi-lateral agreements, where appropriate, to foster trade, commerce and financial and technical assistance."

Point 7. to read as follows:

> "The Government has strongly expressed its position regarding jurisdiction over the resources and pollution control in the EEZ."

Point 8. to read as follows:

> "The Government clearly stated its objection to continued unilateral decision-making powers of the administering Power."



THE PERMAN NT REPRESENTATIVE
OF PAP A NEW GUINEA
TO THE NITED NATIONS
866 UNITED N IONS PLAZA, SUITE 322
NEW ' RK, N.Y. 10017

1 July, 1992

His Excellency
Honourable Governor Joseph F. Ada
Office of the Governor
Government of Guam
Post Office Box 2950
AGANA
Guam 96910

Excellency,

I was so pleased to see you in Rio at the Earth .mmit. The presence of the leaders of the Non-Self-Governing Ter itories was and will be beneficial to your countries and peoples.

For example, at the Meeting of the Alliance of Small I sland States yesterday, it was agreed that the territorial govern mnts of the dependent should be accorded observer status if th apply for membership in AOSIS. You will be hearing from the Ch irman soon.

The Implementation of the Framework Convention on Cli ate Change, Convention on Biological Diversity, Agenda 21 and Ric Declaration are now the focus of our attention and your associatic with AOSIS be of benefit to your Government and people of Guam.

On another matter, Draft Resolution on Guam, I have j st received U.S reactions on your Draft from their Representat ves at the United Nations, New York, and met with Ambassador T. F eli to hear them.

On the basis of their reactions to your draft proposal , Papua New Guinea and Fiji submitted a new Draft Resolution on Guam to the Sub-Committee of the Special Committee on Decoloniza ion for its consideration and action yesterday.

Thus, the attached Draft Resolution on Guam was adopte by the Sub-Committee and recommended to Plenary Session of he Special Committee of 24 which will commence its considera ion of the territories from 20-31 July 1992 and take appropriate action.

2/...

Because of the lateness in receiving U.S. reactions to your draft, I was unable to seek your further comments prior to the Sub-Committee Meeting yesterday. But you are most welcom to give me any further advice on the matter.

The U.S reaction to the draft is positive except f operative paragraph 5 on page 2 "Reiterates its requ st to the administering Power that the cultural and ethnic ide city of the Chomorro peoples, the indigeneous inhabitants of Guam b recognized and respected;". It seems any reference to Chomorr people is against the interest of the administering Power. How ver, I have explained to them that this formulation is different to the one that makes reference to Chomorro people's righ to self-determination. They should at least recognize tha there are indigeneous people in Guam and that they should b respected because of their customary land and other property ights. It would be helpful if you can give us your own positi n on this, however, if you can support the formulation by Fiji a i Papua New Guinea, it would be most appreciated.

I look forward to hearing from you before 20 July, 19 2.

Please accept, Excellency, the assurances of y highest consideration.

Sincerely yours,

RENAGI R. LOHIA, OBE.,
Ambassador/Permanent Representative



THE PERMANENT REPRESENTATIVE
OF PAPUA NEW GUINEA
TO THE UNITED NATIONS
866 UNITED NATIONS PLAZA, SUITE 322
NEW YORK, N.Y. 10017

30 June, 1992

H.E. Dr. Shirin TAHIR-KHELI
Ambassador
Alternate Representative for Special
Political Affairs
United States Mission to the United Nations
799 United Nations Plaza
New York, N.Y. 10017

Dear Ambassador Kheli,

Subject: Draft Resolution on Guam

May I take this opportunity to thank you most kindly for meeting with Ambassador Seniloli of Fiji and myself yesterday to discuss the above subject.

Both Ambassador Seniloli and I have taken full account of the position of your Government and also that of the Governor of Guam.

Using last year's Resolution on Guam (Part B) as the basis, Fiji and Papua New Guinea have agreed to the attached Draft Resolution on Guam. As discussed with you over the phone today, this draft will be submitted to the Sub-Committee of the Special Committee this afternoon by Fiji and Papua New Guinea.

This new draft is a reflection of the spirit of co-operation between our countries, and I do hope that we can count on your goodwill and support. I look forward to hearing from you before the meeting of the Sub-Committee this afternoon.

With my warm regards for now.

Sincerely yours,

RENAGI R. LOHIA, OBE.,
Ambassador/Permanent Representative

Guam

The General Assembly,

Referring to resolution A above,

Noting that the second round of negotiations between the Government of the United States of America and the Government of Guam aimed at transferring land and facilities at the Naval Air Station, Agana, opened in July 1991.

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Noting that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Mindful of discussions between the Guam Commission on Self-Determination and the executive branch of administering Power on the draft Guam Commonwealth Act which recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,

Recalling that in referendums held in Guam in 19 7, a draft Commonwealth Act was endorsed by the people of Guam t at, upon expeditious enactment by the Congress of the United S ates of America, would reaffirm the right of the people of Gu a to draft their own constitution and to govern themselves,

Recalling the dispatch in 1979 of a United Nati o s visiting mission to the Territory,

1. Calls upon the administering Power to ensur that the presence of military bases and installations in the T ritory should not constitute an obstacle to the implementati of the Declaration on the Granting of Independence to Coloni Countries and Peoples nor hinder the population of the Territor from exercising its right to self-determination and indepe lence in conformity with the purposes and principles of the Ch ter of the United Nations;

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the tran er of land to the people of the Territory and to take the necess y steps to safeguard their property rights;

3. Notes that discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration;

4. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture;

5. Reiterates its request to the administering Power that the cultural and ethnic identity of the Chomorro peoples, the indigeneous inhabitants of Guam be recognized and respected;

6. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

UNITED NATIONS

A

General Assembly

Distr.
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A/AC.109/L.1779
8 July 1992

ORIGINAL: ENGLISH

SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

REPORT OF THE SUBCOMMITTEE ON SMALL TERRITORIES, PETITIONS, INFORMATION AND ASSISTANCE

Rapporteur: Mr. Hossein LOTFI HORMOZABADI
(Islamic Republic of Iran)

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I. CONSIDERATION BY THE SUBCOMMITTEE OF THE TERRITORIES OF AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, TURKS AND CAICOS ISLANDS AND UNITED STATES VIRGIN ISLANDS

1. The Subcommittee on Small Territories, Petitions, Information and Assistance considered the Territories of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands at its 640th to 655th meetings, between 16 April and 30 June 1992.

2. During its consideration of these items, the Subcommittee had before it working papers prepared by the Secretariat on these Territories (A/AC.109/1097, 1099, 1100-1103, 1106, 1108-1109, 1111-1113).

3. The Subcommittee conducted a thorough review of the political, economic and social conditions in each of these Territories in the light of the information contained in the working papers prepared by the Secretariat and in the statement of the representative of an administering Power (New Zealand) and a territorial Government (United States Virgin Islands), who participated in the discussions, as well as information furnished by petitioners who appeared before the Subcommittee.

4. In the course of its review, the Subcommittee considered, in particular, such issues as the following:

(a) The quality and timeliness of the information contained in the working papers prepared by the Secretariat on the above Territories;

(b) The obligation of the administering Powers under the Charter of the United Nations to provide timely and up-to-date information on the Territories under their administration;

(c) The need to dispatch United Nations visiting missions to the Territories as a means of obtaining first-hand information on these Territories;

(d) The constitutional situation particularly in the Territories where a constitutional review is under way or planned;

(e) Residency requirements in some Territories for voting in referendums for self-determination;

(f) Measures to be taken to increase the participation of representatives of Non-Self-Governing Territories in the work of the Special Committee;

(g) Progress achieved in the field of political education;

(h) The position of the local political parties on the question of self-determination and independence;

(i) The membership and participation of the Territories in regional and international organizations;

(j) The question of military installations in some of these Territories and the impact, if any, that a withdrawal of such military installations may have on their economies;

(k) The percentage of expatriates in the local civil service and the need to intensify the training of local personnel in order to increase their participation in the decision-making process;

(l) The heavy dependency of the majority of the Territories on tourist and international finance industries and the need to diversify the economies of these Territories;

(m) Land ownership by foreigners and the related question of access to beaches by the local populations;

(n) The preservation of the environment and the protection of the surrounding areas of the Territories against ecological degradation and natural disasters;

(o) Illegal activities including drug trafficking and money laundering by some interest groups in some of the Territories and efforts by the territorial Governments, assisted by the administering Powers, as well as by regional and international organizations, to eliminate those activities;

(p) The granting of fishing licences and the related question of illegal fishing in the territorial waters of some of the Territories; and

(q) The response of the international community to the urgent needs of the Territories struck by hurricanes.

5. The representative of New Zealand, as an administering Power, participated in the discussions of the Subcommittee during its consideration of Tokelau. A representative of the Government of the United States Virgin Islands and a petitioner from the United States Virgin Islands and one from Guam also participated in the discussions. The Subcommittee expressed its appreciation for that participation and for the additional information provided by the administering Power concerned, the representative of the Government of the United States Virgin Islands and the petitioners.

6. The Subcommittee noted with regret that the United Kingdom of Great Britain and Northern Ireland and the United States of America, the administering Powers for the majority of the above Territories, did not participate in its deliberations. In this connection, and in view of the efforts deployed by the Special Committee to streamline and rationalize its

work, the Subcommittee once again appeals to the United Kingdom and the United States to reconsider their position and to resume their participation in the work of the Special Committee.

II. ADOPTION OF PARTS A AND B OF THE DRAFT CONSOLIDATED RESOLUTION ON AMERICAN SAMOA, ANGUILLA, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, GUAM, MONTSERRAT, TOKELAU, TURKS AND CAICOS ISLANDS AND UNITED STATES VIRGIN ISLANDS

7. In accordance with the recommendations of the Working Group set up by the Special Committee in 1991 to review the Committee's approach and method of work, which recommendations were adopted by the Special Committee at its 1380th meeting, on 24 May 1991 (A/AC.109/L.1756), the Subcommittee decided to consolidate the decolonization principles that apply to all the above Territories in a single resolution, to be followed by resolutions on the specific conditions prevailing in each of the Territories.

8. In view of the above, the Subcommittee, at its 655th meeting, on 30 June 1992, adopted by consensus parts A and B of the draft consolidated resolution for consideration by the Special Committee.

A. Consolidated draft resolution on American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands

GENERAL

The Special Committee,

Having considered the questions of American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands,

Having examined the report of the Subcommittee on Small Territories, Petitions, Information and Assistance,

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to those Territories, including, in particular, those resolutions adopted by the Assembly at its forty-sixth session on the individual territories covered by the present resolution,

Recalling also General Assembly resolution 1541 (XV) of 15 December 1960, containing the principles which should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of those Territories, in view of the target set by the United Nations to eradicate colonialism by the year 2000,

Aware of the special circumstances of the geographical location and economic conditions of each Territory, and bearing in mind the necessity of promoting economic stability and diversifying and strengthening further the economies of the respective Territories as a matter of priority,

Conscious of the particular vulnerability of the small Territories to natural disasters and environmental degradation,

Mindful that United Nations visiting missions provide a means of ascertaining the situation in the small Territories, and considering that the possibility of sending further visiting missions to those Territories at an appropriate time and in consultation with the administering Powers should be kept under review,

Noting with appreciation the contribution to the development of some Territories by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

Bearing in mind the fragile economy of the small Territories and their vulnerability to natural disasters and environmental degradation, and recalling General Assembly resolutions and the recommendations of the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations, held in New York from 25 to 29 June 1990, 1/

Taking note of the conclusions and recommendations of the United Nations regional seminars held in 1990 in observance of the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, as well as the position taken by the territorial Governments contained in the reports of the seminars, 2/

1. Approves the report of the Subcommittee on Small Territories, Petitions, Information and Assistance, relating to American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Tokelau, the Turks and Caicos Islands and the United States Virgin Islands;

2. Reaffirms the inalienable right of the people of those Territories to self-determination and independence in conformity with the Charter of the United Nations and General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

1/ A/CONF.147/5-TD/B/AC.46/4.

2/ A/AC.109/1040 and Corr.1 and A/AC.109/1043.

3. Also reaffirms that it is ultimately for the people of those Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly and, in that connection, calls upon the administering Powers, in cooperation with the territorial Governments, to facilitate programmes of political education in the Territories in order to foster an awareness among the people of the possibilities open to them in the exercise of their right to self-determination, in conformity with the legitimate political status options clearly defined in General Assembly resolution 1541 (XV);

4. Reiterates that it is the responsibility of the administering Powers to create such conditions in the Territories as will enable their people to exercise freely and without interference their inalienable right to self-determination and independence;

5. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way serve as a pretext to delay the speedy exercise by the peoples of those Territories of their inalienable right to self-determination;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of those Territories, and recommends that priority should continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Urges the administering Powers, in cooperation with the territorial Governments concerned, to take or continue to take effective measures to safeguard and guarantee the inalienable right of the peoples of those Territories to own, develop or dispose of the natural resources of those Territories, including marine resources, and to establish and maintain control over the future development of those resources;

8. Also urges the administering Powers to take all necessary measures to protect and conserve the environment of the Territories under their administration against any environmental degradation, and requests the specialized agencies concerned to continue to monitor environmental conditions in those Territories;

9. Calls upon the administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking;

10. Urges the administering Powers to foster or continue to foster close relations between the Territories and other island communities in their respective regions, and to promote cooperation between the respective territorial Governments and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

11. Also urges the administering Powers to cooperate or continue to cooperate with the Special Committee in its work by providing timely and up-to-date information for each Territory under their administration, in accordance with Article 73 e of the Charter, and by facilitating the dispatch of visiting missions to the Territories to secure first-hand information thereon and to ascertain the wishes and aspirations of the inhabitants;

12. Appeals to the administering Powers to continue or to resume their participation in future meetings and activities of the Special Committee and to ensure the participation in the work of the Special Committee of representatives of the Non-Self-Governing Territories;

13. Urges Member States to contribute to the efforts of the United Nations to achieve the eradication of colonialism by the year 2000, and calls upon them to continue to give their full support to the action of the Special Committee towards the attainment of that objective;

14. Invites the specialized agencies and other organizations of the United Nations system to initiate or to continue to take all necessary measures to accelerate progress in the social and economic life of those Territories;

15. Requests the specialized agencies and other organizations of the United Nations system, in formulating their assistance programmes, to take due account of the text entitled "Challenges and opportunities: a strategic framework", which was adopted unanimously by the Meeting of Governmental Experts of Island Developing Countries and Donor Countries and Organizations; 1/

16. Decides to continue the examination of the question of the small Territories and to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination and independence, and to report thereon to the Assembly at its forty-eighth session.

B. Draft resolutions on specific conditions prevailing in American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands and United States Virgin Islands

1. American Samoa

The Special Committee,

Referring to resolution A above,

Taking note of the establishment of a new Political Status and Constitutional Review Commission by the Fono, the legislature of the Territory,

Recalling the dispatch in 1977 of a United Nations Visiting Mission to the Territory,

1. Requests the administering Power to expedite the bringing into force of the amended Constitution, in close cooperation with the territorial Government and in conformity with the wishes and aspirations of the Caymanian population, with a view to enabling the people of the Cayman Islands to exercise their inalienable right to self-determination;

2. Notes with satisfaction that the general election in the Territory is scheduled for November 1992 and requests the administering Power, in close cooperation with the territorial Government, to continue the efforts aimed at ensuring that a free and fair general election is conducted in the Cayman Islands;

3. Calls upon the administering Power, in consultation with the territorial Government, to continue to promote the agricultural development of the Cayman Islands with a view to reducing the dependence of the Territory on imported food supplies;

4. Urges the administering Power, in consultation with the territorial Government, to continue to facilitate the expansion of the current programme of securing employment for the local population, in particular at the decision-making level;

5. Requests the administering Power, in consultation with the territorial Government, to provide necessary assistance in enhancing the efficiency of the public service;

6. Calls upon the administering Power to continue to take all necessary measures, in cooperation with the territorial Government, to counter problems related to money laundering, funds smuggling and other related crimes, as well as drug trafficking;

7. Notes with regret that a period of fifteen years has elapsed since a United Nations mission visited the Territory, and appeals to the administering Power to facilitate the dispatch of such a mission.

6. Guam

The General Assembly,

Referring to resolution A above,

Noting that the second round of negotiations between the Government of the United States of America and the Government of Guam aimed at transferring land and facilities at the Naval Air Station, Agana, opened in July 1991,

Aware that large tracts of land in the Territory continue to be reserved for the use of the Department of Defense of the administering Power,

Noting that the administering Power has undertaken a programme of transferring surplus federal land to the Government of Guam,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Mindful of discussions between the Guam Commission on Self-Determination and the executive branch of the administering Power on the draft Guam Commonwealth Act, which was recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,

Recalling that in referendums held in Guam in 1987, a draft Commonwealth Act was endorsed by the people of Guam that, upon expeditious enactment by the Congress of the United States of America, would reaffirm the right of the people of Guam to draft their own constitution and to govern themselves,

Recalling the dispatch of a United Nations Visiting Mission to the Territory in 1979,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory does not constitute an obstacle to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Notes that discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration;

4. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture;

5. Reiterates its request to the administering Power that the cultural and ethnic identity of the Chamorro people, the indigenous inhabitants of Guam, be recognized and respected;

6. Notes that a period of thirteen years has elapsed since a United Nations mission visited the Territory.

Territory of Guam
Teritorion Guam

OFFICE OF THE GOVERNOR
UFISINAN I MAGA'LAHI
AGANA, GUAM 96910 U.S.A.

JUL 15 1992

H.E. Ambassador Renagi R. Lohia, OBE
Chairman, U.N. Special Committee
on Decolonization,
866 U.N. Plaza, Suite 322
New York, N.Y. 10017

Excellency,

I want to thank you from the bottom of my heart for your continued strong support and abiding interest for the welfare of the people of Guam. I trust that this letter finds you and those close to you in good spirits and good health.

On the subject of the Draft Resolution on Guam, it appears that once again the difference of view and perspective between the people of Guam and the United States Mission is unfortunately evident. I was deeply saddened to hear that the United States Representative is concerned about the mention of the indigenous people of Guam, the Chamorros, in a Resolution concerning the homeland and cradle of the Chamorro People, namely Guam. Being Chamorro myself, as are the majority of elected officials here in our homeland. I am puzzled and deeply disturbed by this attitude on the part of the US representative, and wonder about its implications for us as a people.

I can only pause to wonder that if this attitude is a true reflection of official American policy towards us, how sincere can numerous previous statements be about granting our people true self-government and self-determination?

For my part, It is incumbent upon me to reiterate that a Resolution that does not recognize the existence of my people nor makes any provisions whatsoever for the respect and preservation of our unique culture and nationhood is unacceptable to us. I can do no less.

His Excellency
Renagi R. Lohia, OBE

Understanding fully the nature of diplomacy, we are willing for the purpose of expediting the passage this Resolution, to tolerate (with noted discomfiture) certain compromises in language in the sections concerning military presence and others, but for the US representative to expect us to consider even for a moment ignoring our own existence as a people is simply too much.

Unfortunately, this event underscores further the sad fact that Guam and the US Representative do not speak with one voice before the world on matters concerning Guam, and that as Guam would never attempt to present the views of America on various subjects, so should the representative in question refrain from inaccurate portrayals of positions originating in that office as being representative of the views of Guam.

As I said, Guam cannot claim to support a Resolution that refuses to recognize that Guam's native people are the Chamorro people, that they have certain rights and that among these rights is participation in the universal human right of self-government and self-determination. We want to state this clearly and as part of the permanent record of this discussion. We stand by our original suggestions with respect to a Draft Resolution.

Once again, thank you for your concern. Although I will not be in New York at any time soon, members of my staff will be in the area towards the end of July, and will be more than pleased to be of any assistance possible in your deliberations.

Respectfully,

Joseph F. Ada

JOSEPH F. ADA
Governor of Guam

DRAFT RESOLUTION ON GUAM
PART B

The General Assembly,

Referring to resolution A above,

Having heard the statement of the representative of the United States of America, as the administering Power,

Aware that large tracts of land in the Territory amounting to approximately 1/3 of the island, continue to be reserved for use of the Department of Defense of the administering Power,

Noting that the people of the Territory have called for a reform in the programme of the administering Power with respect to the thorough and expeditious transfer of property to the people of Guam,

Further noting that the return of the Naval Air Station Agaña has been proposed by the Territorial government for regional aviation facilities and other purpose, and to this end have continued negotiations with the Department of Defense of the administering Power while recommending to the Congress that the base be closed,

Also noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power regarding the presence of military bases and installations in the Territory,

Conscious that immigration into the Territory has resulted in the indigenous Chamorros becoming a minority in their homeland and that in 1990, fifty percent (50%) of residents were not born there,

Recalling that in referendum in 1987, the people of Guam endorsed a draft Commonwealth Act, which would establish a new framework for relations between the Territory and the administering Power providing internal self-government for Guam and a recognition of the right of the indigenous Chamorro people to exercise self-determination for the Territory,"

Mindful, of discussions between the Guam Commission on Self-Determination and the executive branch of administering Power on the draft Guam Commonwealth Act which recently concluded and will lead to consideration of the measure by the legislative branch of the administering Power,

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

1. Calls upon the administering Power to ensure that the presence of military bases and installations in the Territory does not constitute an obstacle to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples nor hinder the Territory from exercising its rights to self-determination in conformity with the purposes and principles of the Charter of the United Nations and in accordance with the mandate of the population of the Territory in calling for a recognition of the indigenous Chamorro people to exercise such rights.

2. Also calls upon the administering Power, in cooperation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

3. Urges the administering Power to support measures by the territorial Government aimed at promoting growth in commercial fishing and agriculture, and to secure jurisdiction over its ocean resources.

4. Notes that discussions held since 1990 between the Government of the United States of America and the Guam Commission on Self-Determination have resulted in qualified agreements on the provisions of the Guam Commonwealth Act, including agreements to disagree on several substantive portions of the Guam proposal, which are to be forwarded to the Congress of the United States for consideration.

5. Reiterates its request to the administering Power to recognize the principle of the Plan of Action with regard to settlers and migrant populations in Non-Self-Governing Territories and to that end, recognize and respect the political rights and the cultural and ethnic identity of the indigenous Chamorro people of Guam.

6. Notes that a period of twelve years has elapsed since a United Nations mission visited the Territory.

STATEMENT OF

MS. LOURDES PANGELINAN

Chief of Staff

REPRESENTATIVE OF GOVERNOR JOSEPH F. ADA

GOVERNOR OF GUAM

before the

SPECIAL COMMITTEE ON DECOLONIZATION

UNITED NATIONS

NEW YORK

28 July 1992

Esteemed Chairman, Excellencies, distinguished members of the Special Committee, please allow us to extend our gratitude to you for the opportunity to participate in this dialogue on the proposed resolution on the Question of Guam. Dangkolu Na Si Yu'os Ma'ase'.

Mr. Chairman, I would also like to extend a heartfelt Si Yu'os Ma'ase' to you, for your interest in the development of a dialogue with Guam. Your most recent efforts, including your acceptance of our invitation to visit Guam, and the efforts to arbitrate acceptable language to restore the vitality of the resolution, are most laudable.

On behalf of Governor Joseph F. Ada, I am honored to appear before the Committee today to share with you our views on the Guam resolution. It is our hope that by working closely with the Committee we will see the adoption of a Guam resolution that recaptures the goals and aspirations of the people of Guam that were detailed in resolutions of years past.

Allow me, Mr. Chairman to briefly discuss recent events in Guam that are of interest to the Committee.

In 1987, the people of Guam approved by plebiscite a proposed new political relationship with the administering Power. The proposal establishes an interim Commonwealth status for Guam and calls for the exercise of self-determination by the Chamorro people of Guam as the final step in the decolonization process.

The people of Guam have called for a new status; an end to our current non-status as an unincorporated territory. We have called for a recognition of our right to self-determination. We have called for greater autonomy, self-government and a measure of political sovereignty. We have called for economic freedom and the removal of constraints which currently keep our people from developing our homeland to its full economic potential.

Additionally, many of the existing laws and regulations of the administering Power that now apply to Guam would be replaced by new standards that reflect Guam's needs. Many of these proposed new standards -- such as self-determination, control of Guam's land and marine resources and immigration authority -- are based on international principles intended to guide territorial-metropolitan relations.

The Commonwealth Act clearly establishes the process for Guam's decolonization. As provided in the Commonwealth Act, the Constitution of Guam -- a document to be endorsed by all Guam voters -- will institute a process whereby the indigenous Chamorro people of Guam would exercise self-determination for Guam. This democratically approved approach to self-determination for Guam is an historically important one since it is the first plan to terminate Guam's colonial status in over 350 years of external governance. This program, on self-determination is no different than other self-determination movements that we have witnessed in other nations around the globe in recent years.

For the past 2 and 1/2 years, the Guam Commission on Self-

Determination (Chaired by Governor Ada) has been discussing the Guam Commonwealth Act with the executive branch of the administering Power. These consultations have resulted in some success, but wide disagreement on the issues of self-government, resource jurisdiction and self-determination remain. It is expected that the respective views of Guam and the executive branch of the administering Power will be taken up by the U.S. Congress early next year.

As we move forward in our discussions with the administering Power on Guam's political status, it is with some disappointment that we have witnessed a decline in the detail of the United Nation's resolutions on Guam. While the Secretariat has done a most commendable job in putting together working papers on Guam, in recent years, we have noted the fading away of significant details in the resolutions..

If I may, allow me to illustrate through a few examples. In 1988, the GA Resolution urged the administering Power

> "...to give full recognition to the status and rights of the Chamorro people as provided in the draft Commonwealth Act."[1]

The following year, during consideration at the 4th Committee, the reference to the Commonwealth Act vis-a-vis the status and rights of the Chamorro people faded from the resolution. This was an

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[1] A/RES/43/42, 10.

unfortunate situation, since the draft Commonwealth Act and its provision on self-determination is the only mechanism in Guam's history that has been offered to end colonialism. However, your work that time, Mr. Chairman -- well before you joined this Committee -- led to the continued reference for the administering Power

> "...to give fill recognition to the status and rights of the Chamorro people."[2]

By the time of the 1991 resolution, however, all reference to the Chamorro people was eliminated. Additionally, the 1991 resolution failed to even mention that Guam was pursuing a new political arrangement with the United States.

Throughout this process, Mr. Chairman, we have come to learn the views of the administering Power: that there is a need for objectivity,[4] and an expressed belief that the views of the territorial Government are paramount.[5] These views bring us here today to assist in the dialogue on the resolution on Guam.

Again, Mr. Chairman, we appreciate your opening of a dialogue with us on this important issue. You are well aware of our concerns and

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[2] A/RES/44/98, 11.

[3] A/45/685 and Corr. 1

[4] A/47/86, 6 February 1992, p. 2

[5] Summary Record of the 17th Meeting of the Forth Committee (A/c.4/46/SR.17) p.3

we are pleased to see significant concerns of Guam reflected once again in the Committee's resolution.

In particular, Mr. Chairman, we are pleased that operative paragraph 1 of the draft resolution clearly affirms our right to self-determination which in last year's resolution appeared to be conditional.[6]

We are also pleased that in this years draft resolution we see the return of references to the Guam Commonwealth Act and the identity of the indigenous Chamorro people. After all Mr. Chairman, it is the Guam Commonwealth Act which establishes the framework for Guam's decolonization. Likewise, the identity of the Chamorro people is the central pillar of Guam's self-determination movement.

Today, Mr. Chairman, we would appreciate the Committee's thoughtful consideration of further enhancements of the draft resolution on the issue of the Commonwealth Act and the identity of the Chamorro people.

The sixth preambular paragraph of the draft resolution is perhaps deserving of a second look to more succinctly define what the Guam Commonwealth entails. There is no doubt, the Commonwealth Act as passed by the people of Guam is not a reaffirmation of:

"the right of the people of Guam to draft their own

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[6] A/46/629 II.B. VI Guam. The 1991 resolution suggested that Guam's right to self-determination could be mitigated by the interests of the administering Power.

constitution and to govern themselves."

In 1976, the administering Power provided Guam the opportunity to draft a Constitution to govern itself, but this was rejected by Guam voters because such constitution alone would not deal with the larger issue of Guam's political relationship with the administering Power. In fact, the draft Commonwealth Act was born as a result of the rejection by Guam's voters of the notion of self-government through a constitutional process alone. Indeed, the Commonwealth Act provides for Guam to establish mutuality with the administering Power in the decision-making process which is then followed by a constitutional adoption. Additionally, and most importantly, the Commonwealth Act provides for a process of self-determination for Guam.

This definition of the Commonwealth Act should be noted in the resolution as it has been consistently portrayed in the Working Papers on Guam. Consistent with the 1988 and 1989 GA Resolutions on Guam we invite the consideration of the language in the sixth preambular paragraph to be as follows:

> "Recalling that in referendum in 1987, the people of Guam endorsed a draft Commonwealth Act, which would establish a new framework for relations between the territory and the administering Power providing internal self-government for Guam and a recognition of the right of the indigenous Chamorro people to exercise self-determination for the territory."

The Subcommittee's operative paragraph 5. calls for the administering Power's recognition of the "cultural and ethnic identity of the Chamorro peoples" as the indigenous inhabitants of Guam. As earlier mentioned, we are pleased that the draft resolution again recognizes the Chamorro people and recall the language of the General Assembly's 1988, 1989, and 1990 resolutions which endorsed

> "full recognition of the status and rights of the Chamorro people"

In this regard, we believe that a return to the language of the earlier resolutions provides a more significant base for the process of self-determination that the people of Guam have already endorsed.

In closing, Mr. Chairman and Members, again we would like to extend a Dangkolu' Na Si Yu'os Ma'ase' to you for the opportunity to join the dialogue on the resolution on the Question of Guam. We appreciate your sensitivity to the expressed concerns of the people of Guam. Moreover, we are pleased with the return of language in the draft resolution that affirms our unconditional right to self-determination; the references to the process of Guam's current political status discussions; and, a recognition of the existence of the indigenous people of Guam. Your reasonable efforts in the consideration of the enhancement proposals we have offered would be most appreciated. I would be happy to respond to any questions which you may have.

United Nations

Press Release

Department of Public Information • News Coverage Service • New York

Special Committee on
decolonization
1407th Meeting (PM)

GA/COL/2858
28 July 1992

DECOLONIZATION COMMITTEE REAFFIRMS NEED FOR ECONOMIC AND SOCIAL DEVELOPMENT IN NON-SELF-GOVERNING TERRITORIES

Responsibility of Administering Powers Stressed In Implementation of Assembly's 1960 Declaration

The Special Committee on decolonization this afternoon reaffirmed the inalienable right of the people of Non-Self-Governing Territories to self-determination and independence in conformity with the United Nations Charter and the General Assembly's 1960 Declaration on decolonization.

The Committee took this action by approving, without a vote, an omnibus draft resolution concerning 10 Non-Self-Governing Territories, submitted by the Subcommittee on Small Territories, Petitions, Information and Assistance.

By the terms of the draft, the Committee also reaffirmed the administering Powers' responsibility to promote the economic and social development of the dependent Territories and to preserve their cultural identity. It called upon administering Powers to continue to take all necessary measures, in cooperation with the respective territorial Governments, to counter problems related to drug trafficking.

On the recommendation of the Subcommittee, the Committee this afternoon also approved, without a vote, a draft decision on a the small Territory of Pitcairn, and, by a show-of-hands vote of 15 in favour to none against, with two abstentions (Bulgaria and Czechoslovakia), a draft decision on another small Territory, St. Helena.

The Committee approved two draft resolutions submitted by its Chairman, Renagi Renagi Lohia (Papua New Guinea), relative to the transmission of information and the sending of Visiting Missions to Non-Self-Governing Territories.

On the transmission of information, the Committee reaffirmed that, in the absence of the General Assembly's decision that a Non-Self-Governing Territory

(page 1a follows)

has attained a full measure of self-government in terms of the Charter, the administering Power concerned should continue to transmit information in accordance with Charter provisions with respect to that Territory.

The draft on sending visiting missions to Non-Self-Governing Territories stressed the need to dispatch periodic visiting missions to colonial Territories in order to facilitate the full, speedy and effective implementation of the decolonization Declaration. It called upon the administering Powers to cooperate with the United Nations by receiving visiting missions to the Territories under their administration.

The Committee decided to defer consideration of the question of the Trust Territory of the Pacific Islands to its 1993 session.

Also this afternoon, Lourdes Pangelinan, representative for the Governor of Guam, told the Committee that a proposed new political relationship with the administering Power, the United States, clearly established the process for Guam's decolonization.

Petitioning the Committee on the question of Guam was a representative of the Organization of People for Indigenous Rights.

Among other petitioners this afternoon was the representative of the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO), who said Morocco had violated the peace plan and referendum called for by the United Nations Mission for the Referendum in Western Sahara (MINURSO) by violating the cease-fire and forcibly moving 35,000 persons to the Western Sahara for inclusion onto voters' lists. Morocco, now a non-permanent member of the Security Council, had threatened to hold elections in the Territory as an integral part of the Kingdom.

The Committee this afternoon also heard petitioners on the situation in New Caledonia, and on issues related to activities of economic and other interests by colonial Powers which might impede implementation of the decolonization Declaration.

The Committee began its debate on the issue of the implementation by the specialized agencies of the Declaration on decolonization. Statements were made by representatives of the International Labour Organisation (ILO) and the United Nations Educational, Scientific and Cultural Organization (UNESCO). The Chairman of the Committee reported on his statement on that issue in the Economic and Social Council meeting last Friday.

The Committee meets again at 10 a.m. tomorrow to continue consideration of conditions in New Caledonia and Western Sahara. It is also expected to continue consideration of issues related to foreign economic and other interests and implementation of the decolonization Declaration by the specialized agencies.

(page 2 follows)

Committee Work Programme

The Special Committee on decolonization met this afternoon to continue hearing petitioners on the situation in New Caledonia, administered by France.

It was also to hear a statement by a representative of the Governor of the United States-administered Territory of Guam and a petitioner on that Territory. Also listed to speak was a petitioner on issues related to activities of foreign economic and other interests, military activities and arrangements, and the implementation of the Declaration on decolonization by the United Nations specialized agencies. The Committee was to begin the debate on those issues.

Also this afternoon the Committee was expected to continue consideration of the reports of its Subcommittee on Small Territories, Petitions, Information and Assistance. These reports relate to such Non-Self-Governing Territories as American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands, the United States Virgin Islands, Pitcairn and St. Helena. (For background on that issue, see Press Release GA/COL/2853 of 20 July).

The Committee was also expected to take action on draft resolutions submitted by its Chairman, Renagi Renagi Lohia (Papua New Guinea), on the transmission of information from Non-Self-Governing Territories under Article 73 e of the Charter (document A/AC.109/L.1781), and on the sending of visiting missions to those Territories (document A/AC.109/L.1784).

By the terms of the draft on the transmission of information, the Committee would reaffirm that, in the absence of the General Assembly's decision that a Non-Self-Governing Territory has attained a full measure of self-government in terms of the Charter, the administering Power concerned should continue to transmit information under Article 73 e of the Charter with respect to that Territory.

The Committee would request the administering Powers concerned to transmit, or continue to transmit, to the Secretary-General the information prescribed in Article 73 e of the Charter, as well as the fullest possible information on political and constitutional developments in the Territories administered by them, within a maximum period of six months following the expiration of the administrative year in those Territories.

The Committee would also request the Secretary-General to continue to ensure that adequate information was drawn from all available published sources.

By the text of the draft on sending visiting missions to dependent Territories, the Committee would stress the need to dispatch "periodic visiting missions to colonial Territories" in order to facilitate the "full, speedy and effective implementation" of the decolonization Declaration with regard to those Territories. It would call upon the administering Powers to cooperate, or continue to cooperate, with the United Nations by receiving visiting missions to the Territories under their administration.

(more)

Statement by Petitioner on New Caledonia

DEBORAH MARIE ROBINSON, speaking on her own behalf, said the current and historic situation in New Caledonia could be likened to that in South Africa. In 1948, the Nationalist Party gained power in South Africa and embarked on a formal programme of apartheid, enacting legislation which restricted black South Africans to the most arid, remote and unproductive land while keeping the most productive, mineral rich, urban areas for themselves.

A frightening parallel could be drawn in relation to New Caledonia. In 1853, French settlers appropriated the land of the indigenous Kanaks and forced them to live on the least productive and most mountainous parcels of land which comprised a mere 15 per cent of the total land area of New Caledonia. The majority of Kanaks still lived on those reservations which were located on the Loyalty Islands and scattered primarily around the northern and eastern areas of Grande Terre. Before the Accords, there was no major industry, tourism centre or infrastructure in those areas and no Kanak owned any interest in any of the mining ventures.

The French settlers reserved the southern part of Grande Terre for themselves and were particularly concentrated in Noumea and its surrounding areas, where the heavy industry, tourism, infrastructure and related businesses were all located. In 1990, there was not one Kanak business in Noumea.

She said the French Government controlled the lucrative nickel industry in New Caledonia, having declared nickel a strategic mineral. That small territory had 28 per cent of the world's deposits of nickel and was the third largest producer of nickel in the world, after Canada and the former Soviet Union. The indigenous people of New Caledonia had had no input into that endeavour and had received none of the profits.

The signing of the Matignon Accords in 1988 had established three semi-autonomous provinces: the Southern, Northern and Loyalty Island Provinces. The Southern Province, including the most important economic zone, was controlled by the Rassemblement pour la Caledonie dans la Republique (RPCR), the right-wing Caldoches party; the Northern and Islands Provinces were controlled by the independence movement, the Front de Liberation Nationale Kanak et Socialiste (FLNKS).

A host of historic, political, economic and social dynamics had enabled the Southern Province to develop over the last 100 years; to think that the Kanak regions would achieve the same level of development was to ignore those dynamics. Separate development without economic and natural resources, labour and infrastructure did not work in South Africa and would not work in New Caledonia.

Some leaders and militants had consistently opposed the Matignon Accords because it did not guarantee independence and instead placed "development" before independence. New Caledonia had the potential to explode as more Kanaks came to understand the inherent inadequacies of the separate development and equalization initiatives currently being undertaken.

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The relative peace in New Caledonia today had meant that business could return to normal. New construction was under way, the mines were operating and tourism had increased. The Matignon Accords had created new business for Caldoches and French multinational companies. They were the contractors and sub-contractors on all new development projects; there were no Kanak construction firms in New Caledonia.

The duration of the Accords (a referendum is scheduled for 1998) had tended to demobilize the liberation movement, which worked to the advantage of the right-wing party. The middle class being created with the money and training opportunities would act as a buffer between the majority of Kanaks and the Caldoches. The Matignon Accords actually increased the dependence of Kanaks on the French Government. The infusion of money was "highly seductive", but would it lead to self-sufficiency or to a welfare state?

Statement by Representative of Governor of Guam

LOURDES PANGELINAN, Chief of Staff and representative for Governor Joseph F. Ada of Guam, said that in 1987 the people of Guam had approved by plebiscite a proposed new political relationship with the administering Power, the United States. It established an interim Commonwealth status for the Territory and called for the exercise of self-determination by the indigenous Chamorro people of Guam as the final step in the decolonization process.

The people of Guam, she continued, had called for a new status, an end to their "current non-status" as an unincorporated territory. They had called for a recognition of their right to self-determination. They had also called for greater autonomy, self-government and a "measure of political sovereignty". They had called for economic freedom and the removal of constraints which currently kept those people from developing their homeland to its full economic potential.

She went on to say that, in addition, many of the existing laws and regulations of the administering Power that now applied to Guam would be replaced by new standards that reflected the Territory's needs. Many of those proposed new standards, such as self-determination, control of Guam's land and marine resources, and immigration authority were based on international principles intended to guide "Territorial-metropolitan relations".

She said the Commonwealth Act clearly established the process for Guam's decolonization. As provided for under the Act, the Constitution of the Territory, a document to be endorsed by all Guam voters, would institute a process whereby the indigenous Chamorro people would exercise their right to self-determination. That democratically approved approach to self-determination for Guam was historically important, being the first plan to terminate the colonial status of that Territory in over 350 years of external governance. The programme was not different from other self-determination movements witnessed in other nations around the globe in recent years.

She said that for the past two and a half years, the Guam Commission on Self-Determination, chaired by Governor Adas, had been discussing the Act with

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the executive branch of the administering Power. Although those consultations had resulted in some success, wide disagreement on the issues of self-government, resource jurisdiction and self-determination remained. It was expected that the respective views of Guam and the executive branch of the administering Power would be considered by the United States Congress early next year.

Statement by Petitioner on Guam

RONALD F. RIVERA, Organization of People for Indigenous Rights, said the issue of self-determination for the Chamorro people had emerged as an issue receiving mainstream political support by the leaders of Guam. As the Guam Commission on Self-Determination (a multibranch, bipartisan governmental body) recently noted in a newsletter, "Chamorro self-determination is an issue which goes to the heart of Guam's future political status.

He said self-determination and decolonization of Guam would not be achieved by Guam's proposed Commonwealth Act. That proposed law, now a subject of discussion between Guam's Commission on Self-Determination and the Administering Power, called on the Administering Power to recognize the right of the Chamorro people to exercise self-determination in accordance with United Nations General Assembly resolutions 1514 and 1541. Only indigenous Chamorro self-determination to be exercised pursuant to the future constitution of Guam would lead to decolonization and self-determination in Guam.

The declining specificity of General Assembly resolutions relating to Guam was an issue of great importance to the Chamorro people. In 1988, the Assembly resolution on Guam urged "the Administering Power to give full recognition to the status and rights of the Chamorro people as provided for in the draft Commonwealth Act." The following year, at the urging of the Administering Power, the reference to the mandate of the people of Guam, the Commonwealth Act, as the vehicle for the exercise of Chamorro people's right to self-determination had been removed. Changes in the resolution between 1988 and 1989 had removed reference to the process of decolonization that the people of Guam had themselves established. That was very unfortunate, since the Commonwealth Act's process for decolonizing Guam -- by an act of Chamorro self-determination -- had been the only one that had ever been offered in the almost 100 years that Guam had been an American colony.

Last year, the General Assembly's resolution on Guam did no include even one reference to the people of Guam's democratic mandate for a new political arrangement and did not even mention the process for decolonizing Guam through the act of Chamorro self-determination.

He said the continued in-migration of settlers and migrants to the Chamorro homeland also should be addressed. The 1980 United Nations Plan of Action made clear a moral responsibility that had previously always been understood: that Administering Powers should not encourage immigration into territories. The Administering Power was overseeing a process of assimilation of the Chamorro people in their own homeland -- a process that could ultimately be "tantamount to genocide".

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On military activities, he said the United States military conducted operations in Guam to serve its interests, not to defend Guam. The stationing of personnel from Subic Naval base was not occurring because there was a perceived need for Guam to be better defended, but because the Administering Power could unilaterally station its forward mission in Guam. The military presence in Guam accounted for direct control of approximately 46,000 acres of property, or over half of the island.

It was in the interest of the Administering Power to "dole out monies for the civilian sector to keep the natives from being restless". But the people of Guam were not being bought off, as was evidenced by their democratic mandate to see lands returned, to be compensated for the use of their property, their demand for full internal self-government and a process of decolonization.

He said that for some time the Administering Power (through the Department of Interior) had been in the process of developing a "Pacific Policy Report". The apparent purpose of this report is to define a new policy for Guam. Nothing more clearly marked the colonial nature of the relationship between Guam and the Administering Power than the development of a policy for the people of Guam that they were not actively involved in. The Administering Power referred to the United Nations decolonization process, only in a negative light.

Action on Drafts

The Committee then took up the reports of the Subcommittee on Small Territories, Petitions, Information and Assistance. It first adopted the report on Pitcairn and approved, without a vote, a draft decision on that Territory, contained therein (document A/AC.1009/L.1777).

The Committee adopted the Subcommittee's report on St. Helena (document A/AC.109/L.1778) and approved a draft decision on that Territory. The Committee took that action by a show-of-hands vote of 14 in favour, with none against, and 2 abstentions (Bulgaria and Czechoslovakia)

The Committee also adopted the report relating to the 10 Non-Self-Governing Territories (document A/AC.109/L.1779). It approved, without a vote, the draft omnibus resolution on American Samoa, Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Guam, Montserrat, Tokelau, Turks and Caicos Islands, and the United States Virgin Islands.

On the Trust Territory of the Pacific Islands, the Chairman of the Committee, RENAGI RENAGI LOHIA (Papua New Guinea), drew attention to the recommendation of the open-ended Working Group of the Committee adopted on 1 June. The Group had recommended that the Committee defer consideration of the Trust Territory until next year, in order to allow for a climate conducive to a positive and constructive outcome of the extensive discussions (currently under way between the Administering Authority and the Trust Territory) to find a solution to the question of the future political status of that Territory.

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The Group had also suggested that the Committee give due consideration to requests for hearings on the basis of its usual practice. The Committee decided to defer the consideration of that issue to its 1993 session.

The Committee also approved, without vote, draft resolutions related to the transmission from Non-Self-Governing Territories under Article 73 e of the Charter (document L.1781), and on the question of sending visiting missions to those Territories (document L.1784)

Activities of Foreign Economic Interests

J.A. GONZALEZ GONZALEZ, speaking on his own behalf, said he hoped that the Committee would add other colonial territories to its list of non-governing territories. He cited Guadeloupe, Martinique, French Guiana, Tahiti, the Isle of Man, Guernsey and Jersey, and various Pacific Islands which had been occupied by the United States since the Second World War.

He said that some 25 years ago a delegate had told him Puerto Ricans were always asking the Special Committee to discuss the case of that territory, when they should be asking for weapons; but when asked whether his delegation would provide the weapons, he responded with silence. While some delegates had tried to help those who were victims of colonialism, others had tried directly or indirectly to obstruct the implementation of the 1960 resolution embodying the decolonization Declaration.

He said that unfortunately the Special Committee had become an obstacle to consideration of that resolution. When the Committee adopted a resolution on New Caledonia which did not specifically recognize that people's right to self-determination under the decolonization Declaration resolution, was it not creating an obstacle?

It was of vital importance, he continued, that the Committee and the Secretariat consider the socio-economic situation of the territories that it considered every year. More than 30 years after the adoption of the decolonization Declaration, emphasis should be placed on a specific targeted date for independence of individual territories. In the future, all resolutions on colonial territories should include an operative paragraph with a target date for independence.

Statements in Debate

GEORGES MINET, of the International Labour Organisation (ILO), briefed the Committee on the activities being carried out by his organization in the small Territories.

In Anguilla, he said, the organization was active in the areas of social security and labour administration. The ILO had its labour advisor in Anguilla and had submitted recommendations on labour schemes regarding that Territory to its government.

The organization was also actively involved in the projects in the Cayman Islands, where it had contributed to the drafting of the Labour Code. In

Montserrat it was particularly active in the field of social security; in 1991 it had provided the services of its consultant to evaluate the public service scheme in the Territory. It was also assisting Montserrat in reviewing its occupational health legislation and was active in the field of vocational training.

In Aruba, the ILO had contributed to the establishment of a management and vocational training centre.

Last year, the ILO had submitted for the consideration by the government of the British Virgin Islands a draft bill intended to amend the labour code of that Territory

NEH DUKULY-TOLBERT, United Nations Educational, Scientific and Cultural Organization (UNESCO), said that her organization had provided an international fellowship in the United Kingdom during 1990-91 for a candidate put forward by the African National Congress of South Africa (ANC). Educational equipment costing $18,000 had been purchased by the education centres of the ANC and the Pan Africanist Congress of Azania (PAC). The UNESCO would continue to execute five educational projects funded by the United Nations Development Programme (UNDP).

The UNESCO had continued its programmes of assistance to small territories still under colonial domination such as Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. Those projects related to the development of teaching materials, provision of scholarships, the restoration of historical sites, the upgrading of information facilities and the eradication of illiteracy.

As part of its ongoing programme of assistance to the Palestinian people, UNESCO had appealed for contributions to the Special Fund to provide fellowships for students from the occupied territories. That appeal had yielded $63,000 in cash contributions and some 35 sponsored fellowships. More recently the Director-General of UNESCO had issued an appeal to 70 universities around the world inviting them to grant research and further training fellowships to Palestinian researchers and lecturers. Eleven replies had been received. In cooperation with prestigious European universities, UNESCO had launched an inter-university cooperation programme called PEACE in support of lecture programmes and seminars.

MOULUD SAID, of the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (POLISARIO), said that the Western Sahara today was more colonized than it had been 30 years ago, when the Special Committee began consideration of that Territory. The Moroccan invasion of 1975 had been an act of force that still had consequences today. Since that date, the international community had not ceased calling for a completion of the decolonization process.

A well-balanced peace plan had been accepted by both parties to the conflict and by the Security Council. It provided for an open referendum so that the people of the Territory could determine their future. There would be a transitional period during which Morocco would be allowed to keep a

military, police officials and settlers in the Territory. An electoral body would be created for the referendum.

He recalled that in April of last year the Security Council had authorized the creation of United Nations Mission for the Referendum in Western Sahara (MINURSO) so that the election could take place in January 1992. But a dispute "created artificially by the Government of Morocco" had been used as a pretext to break the commitment previously agreed to by that Government. The Government of Morocco maintained that it had in its Territory some 170,000 "pseudo-Saharouis" who had earlier migrated from the Western Sahara.

He said Morocco initiated hostilities in the area in August 1991, moving 35,000 persons into the Territory in order to have their names inscribed into a future voting list. Today, as a non-permanent member of the Security Council, Morocco was threatening to hold interim elections in Western Sahara as an integral part of the Kingdom of Morocco unless the referendum was held under the terms of modified electoral criteria. The POLISARIO had not been consulted on the preparation of a United Nations report which provided for those criteria.

Since last January, the new Secretary-General, Boutros-Boutros Ghali, and his Special Representative for the Western Sahara, Sahabzada Yaqub-Khan, had made efforts to remove impediments to the plan for peace.

He said MINURSO had not been respected. Senator Claiborne Pell, Chairman of the United States Senate Foreign Relations Committee, had spoken of "Morocco's obstructionist posture toward MINURSO", and had said that "initially, at least, Morocco chose not to cooperate with the United Nations military observers".

AHMED TIDIANE DIARRA (Mali) said he was not present at the meeting when the Committee approved texts of draft resolutions and decisions. He said he supported the draft decisions on the questions of Pitcairn and St. Helena and would have voted in favour of the draft of St. Helena. He also supported the omnibus draft resolution concerning the 10 Non-Self-Governing Territories, as well as the drafts on the transmission of information and on sending visiting missions to Non-Self-Governing Territories.

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U.N. Misc. Documents

1. "Decolonization" contains numerous documents related to process.
2. "Decolonization" profiles of Trust and Non-Self-Governing Territories"
3. "Objective Justice"
4. Members of the C-24

DECOLONIZATION

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TWENTY-FIVE YEARS OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

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I. BACKGROUND OF THE DECLARATION

From its inception the United Nations has regarded the question of decolonization as an important aspect of its purposes and functions. The Charter of the United Nations, in Articles 1, paragraph 2, and 55, proclaimed the principle of self-determination of peoples, while a further three Chapters are devoted to the question of dependent Territories, to the establishment of the International Trusteeship System and to the creation of a supervisory body, the Trusteeship Council, which as a principal organ of the United Nations was entrusted with responsibility with regard to those Territories placed under the International Trusteeship System. 1/

In particular the adoption by the San Francisco Conference of Chapter XI of the Charter, entitled "Declaration regarding Non-Self-Governing Territories", was a major landmark in bringing the administration of peoples and Territories under colonial rule within the purview of the international community. By the terms of Article 73 Member States recognize the principle that the interests of the inhabitants of those Territories are paramount and accept "as a sacred trust the obligation to promote to the utmost" the well-being of the inhabitants. To that end they accept a series of commitments, specified in the Article, including the political, economic, social and educational advancement of the peoples of those Territories, the development of self-government, and the regular transmission to the Secretary-General "for information purposes" of statistical and other information of a technical nature relating to economic, social and educational conditions in the Territories for which they are responsible.

In spite of this provision the progress of Non-Self-Governing Territories towards independence in the period prior to the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples was a slow one, and during the early years of the United Nations many of its efforts were directed towards establishing its role as the principal guardian of colonial peoples. Only in the 1950s did the principle become established, though against the opposition of most administering Powers, that it was for the United Nations to decide ultimately whether a given Territory was or was not self-governing within the meaning of Chapter XI of the Charter. Of the 72 Territories listed as non-self-governing in General Assembly resolution 66 (I), 2/ eight became independent during the 1946-1959 period, 3/ while transmission of information was discontinued with respect to 21 others 4/ for a variety of reasons mostly related to constitutional changes in the relationship between the administering Power and the Territory in question. In some cases such as those of Puerto Rico, Greenland, the

Netherlands Antilles and Surinam, Alaska and Hawaii, the General Assembly adopted resolutions accepting the cessation of the transmission of information while in others, such as the French Territories and Departments in the Caribbean, the South Pacific and the Indian Ocean, the decision was taken unilaterally by the administering Power without the subsequent approval of the General Assembly. On the other hand, several countries which achieved independence during these years had never been included in the original 1946 list. 5/

No new additions were made to the 1946 list prior to 1960. When Spain and Portugal were admitted to membership of the United Nations in 1955 they both stated that they did not administer any Territories covered by Article 73 e. 6/ The refusal of these two former colonial Powers to accept their obligations under the Charter created a new problem. Although the General Assembly had earlier approved a List of Factors to be used as a guide in determining when transmission of information in respect of a territory listed as non-self-governing should cease, 7/ it had never developed any guidelines for deciding when transmission of information should begin. However, it was not until 1959 that the Assembly was able to establish a Special Committee 8/ to study the principles which should guide Members in determining whether or not an obligation existed to transmit the information called for in Article 73 e.

On the basis of the report of the Special Committee, the General Assembly adopted resolution 1541 (XV) (see annex II). In this resolution the Assembly established that an international legal obligation exists to transmit information under Article 73 e; that prima facie there is an obligation to transmit information in respect of a territory which is: (a) geographically separate and (b) distinct ethnically and/or culturally from the country administering it. Only after these factors have been established may additional elements of an administrative, political, juridical, economic, historical or other nature be brought into consideration to disprove or to support the presumption that an obligation to transmit information exists. A Non-Self-Governing Territory can be said to have reached a full measure of self-government by emergence as a sovereign independent State or by free association or integration with an independent State. Free association should be the result of a free and voluntary choice by the peoples of the Territory concerned "expressed through informed and democratic processes", and must allow the inhabitants of that Territory the freedom to modify at a later date the status of their Territory. Integration should be on the basis of complete equality between the peoples of the Non-Self-Governing Territory and those of the independent country with which it is integrated inter alia as regards representation and effective participation at all levels in the executive, legislative and judicial organs of government.

Integration should come about only after the integrating Territory has attained an advanced stage of self-government with free political institutions and should be the result of the freely expressed wishes of the Territory's peoples "acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage", and held, when the United Nations deems it necessary, under its supervision.

Applying these principles, the General Assembly determined at the same session that the "overseas Territories" of Portugal were non-self-governing regarding which an obligation existed on the part of the administering Power to transmit information. 9/

The years following the San Francisco Conference witnessed the growing strength of the Afro-Asian solidarity movement, which found expression at the Asian-African Conference held in Bandung in 1955.

The Bandung Conference, in addition to reviewing the principal world problems, made in its Final Communiqué an important declaration on "Problems of Dependent Peoples". The Conference declared that "colonialism in all its manifestations is an evil which should speedily be brought to an end", affirmed that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights..."; declared its support for "the cause of freedom and independence for all such peoples"; and called upon "the Powers concerned to grant freedom and independence to such peoples".

In 1958, the first Conference of Independent African States was held at Accra and it declared that "a definite date should be set for the attainment of independence by each of the colonial Territories in accordance with the will of the people of the Territories and the provisions of the Charter of the United Nations".

Meeting in Addis Ababa in June 1960, the Second Conference of Independent African States reaffirmed the declaration of Bandung and the resolutions of Accra, and stated that "the present awakening of the people of Africa and the independence movements can no longer be contained...". Further, "believing that the restoration of the natural rights and human dignity to the Africans, in those parts of Africa at present under foreign subjugation, as well as the peaceful enjoyment of the hard-won freedom by the peoples of the independent African States, could be achieved only through the complete eradication of colonial rule from our continent", it urged "the colonial Powers to fix dates in conformity with the will of the people for the immediate attainment of independence by all non-independent countries..." .

II. ADOPTION OF THE DECLARATION

The admission of 16 newly independent African States to membership of the United Nations at the fifteenth session of the General Assembly in 1960 substantially altered the composition and balance of power in the Assembly and gave added impetus to the growing demand for a speedy and unconditional end to colonialism.

At that session the Fourth Committee of the General Assembly had before it a report of the Secretary-General [10] on the progress achieved in the Non-Self-Governing Territories since the founding of the United Nations in accordance with the objectives set forth in Chapter XI of the Charter. After examining the report the Committee noted that, although progress had been achieved in some of the Non-Self-Governing Territories, a substantial number of Territories still remained non-self-governing and that in the great majority of them the achievements fell short of the needs of their inhabitants. [11]

The General Assembly, at its session of 1960, which saw one of the largest gatherings of heads of State and Government to mark the fifteenth anniversary of the founding of the United Nations, decided to include in its agenda an item entitled "Declaration on the Granting of Independence to Colonial Countries and Peoples".

The General Assembly discussed the item in plenary meetings between 28 November and 14 December. [12] The discussion centred mainly on two draft declarations: one introduced by the Union of Soviet Socialist Republics which would have proclaimed inter alia that "all colonial countries and Trust and Non-Self-Governing Territories must be granted forthwith complete independence", and that "all strongholds of colonialism in the form of possessions or leased areas in the territory of others must be eliminated" which was not put to the vote as a whole after its first three substantive paragraphs were rejected; and the other, sponsored by 43 Afro-Asian States, which was eventually adopted on 14 December 1960 as resolution 1514 (XV). [13]

The Declaration on the Granting of Independence to Colonial Countries and Peoples* proclaims that: (1) the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace

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* The full text of the Declaration is reproduced on the back cover of this issue.

and co-operation; (2) "all peoples" have the right to self-determination by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development; (3) "inadequacy of political, economic, social or educational preparedness" should never serve as a pretext for delaying independence; (4) all armed action or repressive measures of all kinds directed against dependent peoples shall cease; (5) "immediate steps" should be taken, in Trust and Non-Self-Governing Territories or all other Territories that had not yet attained independence, to transfer all powers to the peoples of those Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom; (6) 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; and (7) all States shall observe faithfully and strictly the provisions of the Charter, the Universal Declaration of Human Rights and "the present Declaration".

III. ESTABLISHMENT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

The Declaration on the Granting of Independence to Colonial Countries and Peoples did not specify the means by which the United Nations was to ensure its implementation.

At its sixteenth session the General Assembly adopted resolution 1654 (XVI) (see annex III), in which it noted with regret that, with a few exceptions, the provisions of the Declaration had not been carried out, and that armed action and repressive measures continued to be taken against dependent peoples. The Assembly called upon States concerned to take action without further delay with a view to the faithful application and implementation of the Declaration.

At the same time the resolution proceeded to establish a Special Committee of 17 members, to be nominated by the President of the General Assembly. 14/ The purpose of the Committee was to examine the application of the Declaration and to make recommendations on the progress and extent of its implementation. The Committee, known as the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, began work in 1962.

At the following session the General Assembly decided to expand the size and scope of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Special Committee was asked inter alia to continue to seek the most suitable ways for the speedy and total application of the Declaration to all Territories not yet independent; to propose specific measures for the complete application of the Declaration; to submit to the General Assembly a report with recommendations on all Territories to which the Declaration applied, which included Trust and Non-Self-Governing Territories; and to apprise the Security Council of any developments in those Territories which might threaten international peace and security. The membership of the Committee was enlarged to 24 by the addition of seven new members nominated by the President of the General Assembly. 15/ From 1975 to 1979, the membership of the Special Committee remained at 24. In December 1979, the Assembly decided to enlarge the membership to 25, and on the nomination made by the Assembly President, added Venezuela to the membership. In January 1985, Australia withdrew from the membership. For detailed information on the membership of the Committee during the past 25 years, see table 9.

Other organs which are concerned with matters relating to dependent Territories are the Trusteeship Council and the United Nations Council for Namibia.

The Trusteeship Council, one of the main organs of the United Nations, was established under the Charter and assigned the task of supervising the administration of Territories placed under the International Trusteeship System. The major goals of the System are to promote the advancement of the inhabitants of Trust Territories and their progressive development towards self-government.

Of the original 11 Trust Territories under the System only one remains, the Trust Territory of the Pacific Islands, administered by the United States, and which was designated a strategic area, under the authority of the Security Council. The Special Committee also discusses the question of the Trust Territory of the Pacific Islands during its sessions pursuant to the Declaration. All the other Trust Territories have attained independence, either as separate States or by joining neighbouring independent countries (see tables 5 and 6).

In 1967, the General Assembly established, under its resolution 2248 (S-V) of 19 May 1967, an 11-member United Nations Council for South West Africa to administer South West Africa until independence and to promulgate such laws, devices and regulations as necessary for the administration of the Territory until a legislative assembly was

established on the basis of universal adult suffrage. 16/ The Assembly also decided that the Council should entrust such executive and administrative tasks to a United Nations Commissioner for South West Africa who would be responsible to the Council. Subsequently, in June 1968, the Assembly, in its resolution 2372 (XXII), proclaimed that South West Africa would, from then on, be known as Namibia and that both the United Nations Council for South West Africa and the Commissioner would be renamed accordingly.

Over the years, the United Nations Council for Namibia, which has been enlarged to comprise 31 member States, 17/ has carried out an increasing variety of functions aimed at defending the rights and interests of the Namibian people until they are able to exercise their right of self-determination, freedom and national independence. In fulfilling its mandate, the Council has formulated its programme of work in close co-operation with the South West Africa People's Organization (SWAPO), which has been recognized by the General Assembly as "the sole and authentic representative of the Namibian people" by its resolution 31/146 of 20 December 1976.

IV. DECISIONS AND RECOMMENDATIONS OF THE GENERAL ASSEMBLY AND OF THE SPECIAL COMMITTEE OF A GENERAL NATURE CONCERNING DECOLONIZATION

A. Recommendations for the introduction of constitutional and political reforms

Most resolutions of the General Assembly and of the Special Committee concerning the implementation of the Declaration in relation to individual Territories contain recommendations of a constitutional or political nature. Though some of them reflect the special characteristics or circumstances of the Territories in question, others are common to most of them. Generally speaking the recommendations have emphasized:

(1) The inalienable right of the peoples of the Non-Self-Governing Territories to self-determination and independence;

(2) The need to speed up the decolonization process;

(3) The principle that it is ultimately for the peoples of the Territories themselves to determine their own future political status;

(4) Respect for the unity and territorial integrity of the Non-Self-Governing Territory concerned and the repudiation of any acts that might threaten such unity and integrity;

(5) The obligation of the administering Powers to create such conditions in the Territories concerned as would enable their peoples to exercise freely their inalienable right to self-determination and independence and the importance of fostering an awareness among those peoples of the possibilities open to them in the exercise of that right;

(6) The convening of a constitutional conference; the cessation of repressive acts by the colonial Power; the revocation of all racially discriminatory laws and the eradication of discriminatory practices; the removal of all restrictions on political activities and the guarantee of full democratic freedoms; the granting of an amnesty and the return of political exiles and refugees; and the holding of free elections on the basis of universal adult suffrage, in some cases with the participation of the United Nations.

B. Referral to the Security Council by the General Assembly and the Special Committee of situations in Non-Self-Governing Territories

Under Article 11 of the Charter, the General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. The Special Committee has been requested by the Assembly to apprise the Security Council of situations which might likewise pose a threat to international peace and security.

Under the terms of the above provisions, both the General Assembly and the Special Committee drew the attention of the Security Council on a number of occasions to the serious situation in southern Africa arising from South Africa's persistent illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its aggressive activities and acts of destabilization against neighbouring independent African States and its policies of apartheid, as well as its acquisition of nuclear-weapon capability, constituting a threat to international peace and security.

Taking into account the related recommendations of the General Assembly and the Special Committee and in the light of the critical situation obtaining in and around Namibia, the Security Council for its part has adopted a series of decisions, resolutions and statements in this regard.

C. Recognition of the legitimacy of the struggle of peoples under colonial rule and of the role of national liberation movements

At its twentieth session in 1965, the General Assembly for the first time recognized "the legitimacy of the struggle by the peoples under colonial rule to exercise their right to self-determination and independence" and at the same time invited "all States to provide material and moral assistance to the national liberation movements in colonial Territories". 18/

The following year the General Assembly went a step further and stated that the preservation of colonialism and its manifestations, including racism and apartheid, as well as attempts by some colonial Powers to suppress national liberation movements by repressive activities and the use of armed force against peoples, were incompatible with the Charter and the Declaration on decolonization. 19/ It furthermore declared that the continuation of colonial rule threatened international peace and security and that the practice of apartheid, as well as all forms of racial discrimination, constituted a crime against humanity; and urged "all States to provide material and moral assistance to the national liberation movements...". 19/

In 1967, the General Assembly declared 20/ that the persistence of colonialism, the suppression of liberation movements and the use of armed force against colonial peoples was incompatible not only with the Charter and the Declaration on decolonization but also with the Universal Declaration of Human Rights.

Successive United Nations resolutions have reiterated and strengthened these affirmations.

In 1980, on the occasion of the twentieth anniversary of the Declaration, the General Assembly adopted a Plan of Action for the Full Implementation of the Declaration 21/ similar to the one it had adopted in 1970, in which inter alia it declared that the continuation of colonialism in all its manifestations, including racism, apartheid and the exploitation of economic and human resources, was incompatible with the Charter, the Declaration and the principles of international law; reaffirmed that the policy of apartheid of the South African régime and its illegal occupation of Namibia violated the principles enshrined in the Charter and constituted a threat to international peace and security; reaffirmed the inherent right of peoples under colonialism in all its forms and manifestations to struggle by all means at their disposal against those colonial and racist régimes which suppressed their aspirations for freedom, self-determination and independence; and categorically rejected any agreement, arrangement or

unilateral action by colonial and racist Powers which ignored, violated, denied or conflicted with the inalienable right of peoples under colonial domination to self-determination and independence. The Assembly further stated that Member States should render all necessary moral and material assistance to the peoples under colonial domination in their struggle to exercise their right to self-determination and independence; and that they should intensify their efforts to promote the implementation of the resolutions of the General Assembly and of the Security Council relating to Territories and countries under colonial domination.

D. Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa

Another area of concern to the Special Committee has been that of the activities of foreign economic and other interests which are impeding the implementation of the Declaration.

The Special Committee considers this item yearly and, on its recommendations, the General Assembly has repeatedly declared that any administering or occupying Power that deprives the colonial peoples of their legitimate rights over the natural resources of their Territories, as well as their right to dispose of those resources in their best interests, violates the solemn obligations it has assumed under the Charter; reaffirmed that, by their exploitation of natural resources, the continued accumulation of huge profits for the enrichment of foreign settlers and the perpetuation of colonial domination and racial discrimination in the Territories, the activities of foreign economic, financial and other interests operating at present in the colonial Territories, particularly in southern Africa, constitute a major obstacle to political independence and racial equality, as well as to the enjoyment of the natural resources of those Territories by the indigenous inhabitants; reiterated that the exploitation and plundering of the marine and other natural resources of Namibia by South African and other foreign economic interests are illegal; condemned the plunder of Namibian uranium; and called once again upon all Governments that had not yet done so to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that own and operate enterprises in colonial Territories, in order to put an end to such enterprises and to prevent new investments that run counter to the interests of the inhabitants of those Territories. 22/

The General Assembly has requested the Special Committee to continue to monitor closely the situation in the remaining colonial Territories so as to ensure that all economic activities in those Territories are aimed at strengthening and diversifying their economies in the interests of the indigenous peoples and their speedy accession to independence and has, in that connection, requested the administering Powers concerned to ensure that the peoples of the Territories under their administration are not exploited for political, military and other purposes detrimental to their interests. 22/

E. Military activities and arrangements by colonial Powers in Territories under their administration which might be impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The Special Committee is also concerned with military activities and arrangements in colonial Territories which might be impeding the implementation of the Declaration.

On the recommendation of the Special Committee, the General Assembly has consistently repeated its conviction that the presence of military bases and installations in colonial and Non-Self-Governing Territories could constitute a major obstacle to the implementation of the Declaration; and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the populations of the Territories from exercising their right of self-determination and independence in accordance with the Charter; and has condemned all military activities and arrangements in colonial Territories which deny the peoples concerned their right to self-determination and independence.

The General Assembly has noted that, in southern Africa in general and in and around Namibia in particular, a critical situation continues to prevail as a result of South Africa's continued illegal occupation of the Territory, and demanded the immediate cessation of the war of oppression waged by the racist minority régime against the people of Namibia and their national liberation movement, as well as the urgent dismantling of all military bases in the Territory. 23/

F. Requests to specialized agencies and other international organizations

The Special Committee has also worked with various of the specialized agencies on the implementation of the Declaration. Since 1967 the General Assembly has discussed as a separate item the "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations", while the Special Committee has since 1973 assigned one of its Sub-Committees to monitor the related activities of the organizations concerned.

The General Assembly, the Economic and Social Council and the Special Committee have since requested the organizations concerned to render, in consultation with the Organization of African Unity, all possible moral and material assistance to the peoples concerned and their national liberation movements; to increase the scope of their assistance to refugees from the colonial Territories, including assistance to the Governments concerned in the preparation and execution of programmes of assistance and the introduction of the greatest possible measure of flexibility in the relevant procedures; to discontinue all support to and withhold any financial, economic, technical and other assistance from South Africa; and to ensure the representation of the colonial peoples by their national liberation movements. The Assembly and the Special Committee have expressed regret that the World Bank and the International Monetary Fund continue to maintain links with South Africa, and they have called for the severance of all links with that régime.

The General Assembly has also requested the Economic and Social Council to continue to consider, in consultation with the Special Committee, appropriate measures for the co-ordination of the policies and activities of the organizations of the United Nations system in this regard. During the course of their latest consultations held in June 1985, the presiding officers of the two bodies noted that, in response to the relevant resolutions of the United Nations bodies concerned, a number of international agencies and organizations had continued to extend assistance in varying degrees to the people of Namibia and other colonial Territories. However, they considered it imperative that the specialized agencies and all other organizations concerned take every possible step to intensify further their efforts with a view to providing all possible assistance to the oppressed peoples of Namibia and South Africa. (For a comprehensive review of the activities of the organizations concerned, see Decolonization Bulletin No. 25 of December 1985.)

G. Problems of small Territories

The principles set out in the Declaration apply no less to small Territories in the Caribbean, Atlantic or Pacific oceans. The Special Committee and the General Assembly have recognized that these Territories, because of their size, geographical location, population and limited natural resources, present special problems but that none the less the Declaration is entirely applicable to them.

In 1965 and subsequent years the General Assembly requested the Special Committee to pay particular attention to the small Territories. Territories. In its Plan of Action for the Full Implementation of the Declaration 21/ the Assembly declared that Member States should do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full implementation of the Declaration in all Trust Territories, Non-Self-Governing Territories and other colonial Territories, irrespective of their size.

As a result, the Special Committee, through the work of its Sub-Committee, has devoted an increasing amount of time to the problems of small islands and Territories. The Special Committee has insisted on the need to speed up the implementation of General Assembly resolution 1514 (XV) by enabling the peoples of these Territories freely to determine for themselves their future political status and form of government. It has stressed the importance of increased development assistance and of these Territories and the capacity of the inhabitants to exercise their inalienable right to self-determination. The Special Committee has, when the situation so demanded, requested the administering Power concerned to carry out specific reforms in the constitutional, political, electoral, educational and other fields; strongly opposed any attempt aimed at the partial or total disruption of the national unity or territorial integrity of these Territories; and, on some occasions, welcomed steps towards the economic and eventual political union of two or more small Territories.

Since the adoption of the Declaration, 25 Territories, each with a population of less than 1 million, on the Special Committee's list of Non-Self-Governing Territories have become independent and joined the United Nations. 24/ One small Trust Territory also became independent and joined the United Nations. 25/ Two have become fully self-governing. 26/ In addition, one small Trust Territory and two Non-Self-Governing Territories have become independent without joining the United Nations. 27/

H. Dissemination of information on decolonization

Since its establishment, the Special Committee has recognized the importance of publicity as an instrument for furthering the aims and purposes of the Declaration, and the continuing pressing need to take all possible steps to acquaint world public opinion with all aspects of the problem of decolonization with a view to assisting effectively the peoples of the colonial Territories to achieve self-determination, freedom and independence.

In 1973, the Special Committee decided that its Sub-Committee on Petitions should be renamed Sub-Committee on Petitions and Information* and should, in addition to its tasks relating to petitions and other communications, be charged with following the implementation of resolutions adopted by the General Assembly and by the Special Committee on the dissemination of information on decolonization. The Sub-Committee would also assist the Secretary-General in the discharge of the specific mandate entrusted to him in that connection. The Committee further specified that, in discharging its task, the Sub-Committee should, as far as necessary, maintain contact with the national liberation movements as well as with non-governmental organizations.

In discharging its mandate, the Sub-Committee holds periodic consultations with the Department of Public Information, with specialized agencies, and with representatives of a number of non-governmental organizations, the Organization of African Unity (OAU) and national liberation movements, and recommends to the Special Committee a series of proposals aimed at the widespread dissemination of information on decolonization, as well as publicity for the work of the United Nations in that field. These proposals relate to the organization of seminars, conferences and round tables at Headquarters and abroad, and special commemorative activities to highlight the plight of the peoples still struggling for self-determination, freedom and independence; they also include requests to the Secretariat to prepare studies and monographs on specific subjects in order to underline the importance of the United Nations in effecting the widest possible dissemination of true, accurate and topical information on decolonization as an instrument for furthering the purposes and principles of the Charter and of the Declaration, and for mobilizing public opinion.

The Special Committee considers the question of dissemination of information yearly and, on its recommendation, the General Assembly has repeatedly reaffirmed the importance of effecting the widest possible dissemination of information on the evils and dangers of colonialism; has requested the Secretary-General to continue to take concrete measures through all the media at his disposal, including

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* In 1976 the Sub-Committee was further renamed Sub-Committee on Petitions, Information and Assistance.

publications, radio and television, to give widespread and continuous publicity to the work of the United Nations in the field of decolonization; and has requested all States, in particular the administering Powers, the specialized agencies and other organizations of the United Nations system and non-governmental organizations having a special interest in decolonization to undertake or intensify, in co-operation with the Secretary-General and within their respective spheres of competence, the large-scale dissemination of information on decolonization. 28/

The Special Committee's recent activities on the dissemination of information include the Seminar with Non-Governmental Organizations Based in Europe, held at Vienna in February 1984 (A/AC.109/L.1499 and Add.1); a regional seminar at Port Moresby, in March 1985 (A/AC.109/821); and a journalists' encounter on decolonization, in New York, in August 1985 (see also Decolonization Bulletin No. 22 of June 1985, sect. III.H).

V. ACTIONS AND PROCEDURES RELATING TO DECOLONIZATION FOLLOWED BY THE SPECIAL COMMITTEE

A. Territories within the Special Committee's scope of work

In 1963, the Special Committee established a preliminary list of 64 Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples applied. This list, annexed to the report of the Special Committee and approved by the General Assembly at its eighteenth session (see table 2), included all the Trust Territories, all the Non-Self-Governing Territories on which administering Powers had been transmitting information under Article 73 e of the Charter, Namibia (then referred to as "South West Africa") and those Non-Self-Governing Territories about which no information had been transmitted, but which the Assembly had specifically deemed to be Non-Self-Governing Territories, namely, the Territories then under Portuguese administration and Southern Rhodesia, now Zimbabwe.

In 1965, the Special Committee expanded the list to include French Somaliland, now Djibouti, and that same year, the General Assembly directed the Special Committee to concern itself with Oman. In 1972, the Comoro Islands was included in the list and Hong Kong and Macao and dependencies were removed therefrom.

In the 25 years since the adoption of the Declaration, 52 Territories have attained self-government either as independent States or in association with other States. (For a complete list of Territories which have achieved independence or another form of self-determination, see tables 4 and 5.)

B. Consultations with the administering Powers, visiting missions, and observation and supervision of elections, referenda and plebiscites

Since its creation, the Special Committee has sent missions to discuss with representatives of the Administering Authorities questions connected with the Committee's sphere of work, as well as visiting missions to the Territories in order to obtain first-hand information on conditions in those Territories, and missions to supervise or observe various popular consultations or elections in Trust and Non-Self-Governing Territories.

Basically, the visiting missions concern themselves with gathering information on constitutional and political developments, economic development and social and educational conditions in a given Territory. To this end, members of the Mission hold extensive meetings with representatives of the administering Power, representatives of the local government, political leaders and the general public. In drawing conclusions and recommendations, the members of the Mission take into account the views expressed by all concerned, as well as their personal observations of the conditions in the Territories.

Once the conduct of popular consultations is determined, whether through referenda, plebiscites or elections, the role of the United Nations can take the form of either supervision, in which case the United Nations organizes and conducts all phases of the process; or observation, in which case the missions are directed to observe the act of popular consultation, including the campaign and polling arrangements, the casting of votes, the closure of voting, the counting of ballots and the declaration of results. In such cases, the direct arrangements (election regulations, wording of ballot, registration of voters, etc.) are the direct responsibility of the administering Power together with local authorities in the Territory concerned. (For a detailed description of the United Nations participation in popular consultations and elections, see Decolonization Bulletin No. 19 of December 1983.)

Between 1975 and 1985, at the invitation of the administering Powers concerned, the Special Committee dispatched 15 visiting missions to the Territories with which it was concerned, including a mission to the Turks and Caicos Islands to observe the general elections held in 1981. The General Assembly dispatched a mission to Djibouti, former French Somaliland, to observe the referendum and elections held in 1977; to New Hebrides to observe the elections held in 1979; and to the Cocos (Keeling) Islands to observe the act of self-determination in 1984.

Since 1975, the Trusteeship Council has dispatched 13 visiting missions to the Trust Territory of the Pacific Islands, including six periodic missions and 7 observer missions (in 1975, plebiscite in the Northern Mariana Islands; in 1978, referendum on the Federated States of Micronesia; in 1979, referenda in the Marshall Islands and Palau; in 1983, plebiscites in Palau, the Marshall Islands and the Federated States of Micronesia.

In 1976, the Special Committee also sent a high-level ad hoc group to the capitals of the front-line States and Ethiopia in connection with its consideration of the situation obtaining in the colonial Territories in southern Africa. (For a complete list of visiting missions and missions to observe acts of popular consultation, see tables 7 and 8.)

C. Receipt of petitions and hearing of petitioners

The receipt of petitions and the hearing of petitioners have constituted another means by which the Special Committee has sought to carry out its tasks.

Under Article 87 b of the Charter, the Trusteeship Council had been expressly authorized to accept and examine petitions. The Charter, however, was silent concerning the powers of the General Assembly to accept petitions or grant hearings to petitioners and the rules of procedure of the Assembly contained no provisions in this regard. In 1950 the Assembly adopted a resolution, in connection with the functions of the Trusteeship Council, stating that the right of petition was a fundamental human right, 29/ and in 1951 the Fourth Committee of the Assembly for the first time agreed to hear petitions from inhabitants of Trust Territories. In 1961, the Fourth Committee for the first time decided to hear petitioners from Non-Self-Governing Territories, and since then the granting of hearings to petitioners from or concerning Non-Self-Governing Territories has become an established practice of the Committee.

At its inception in 1962, the Special Committee on decolonization agreed that as an additional and supplementary means of acquiring information on Territories which have not yet attained independence it might hear petitioners and receive written petitions, and a full Sub-Committee on Petitions was established for this purpose. In 1973, the Sub-Committee was renamed Sub-Committee on Petitions and Information, and in 1976, Sub-Committee on Petitions, Information and Assistance.

Most of the petitioners ask for an opportunity to exercise their inalienable right to self-determination in accordance with the provisions of the Charter and the Declaration; express their concerns regarding the economic, social and educational conditions in their respective Territories; and bring to the attention of the appropriate United Nations bodies specific complaints or grievances, either as individuals, groups or associations.

The experience of the past 25 years has shown the important contribution that the receipt of petitions and the hearing of petitioners has made to the work of the Special Committee.

D. Meetings away from Headquarters

General Assembly resolution 1654 (XVI), which established the Special Committee, specifically authorized it to hold meetings elsewhere than at United Nations Headquarters. The Committee has held such meetings in various parts of Africa in 1962, 1965, 1966, 1967, 1969, 1972 and 1985, and in Lisbon in 1975, and Belgrade in 1979. By meeting away from Headquarters, and particularly in Africa, the Special Committee has sought to increase international awareness of the Committee's work, show its support for the liberation struggle in southern Africa and elsewhere, hear the views of the liberation movements and strengthen the ties between the United Nations and the Organization of African Unity. To the same end, the Special Committee and the United Nations Council for Namibia jointly held, in pursuance of General Assembly resolution 31/145 of 17 December 1976, an International Conference in Support of the Peoples of Zimbabwe and Namibia, at Maputo in May 1977.

Its last extraordinary session, at Tunis in May 1985, was held as established under the Programme of Activities in Observance of the Twenty-fifth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples. 30/ The session was attended by representatives at a very high level, commensurate with the importance attached to the occasion by the United Nations. At the closing meeting of the Tunis session, the Special Committee adopted a consensus on Namibia, 31/ in which it reaffirmed the right of the Namibian people to self-determination and independence in a united Namibia in accordance with the Charter and relevant United Nations resolutions relating to Namibia; and the legitimacy of their freedom struggle by all means at their disposal to achieve that right. The Committee also adopted unanimously the conclusions and recommendations on the two regional seminars held earlier in the year at Port Moresby and Havana. (For a detailed account of the proceedings of the extraordinary session held at Tunis, see Decolonization Bulletin No. 23 of October 1985.)

Notes

1/ Chapters XI, XII and XIII of the Charter.

2/ See table 1. The list was based on the replies sent by Member States to a letter from the Secretary-General requesting them to enumerate the Non-Self-Governing Territories under their jurisdiction on which they would transmit information under Article 73 e of the Charter.

3/ The Territories were: Cambodia and Laos (1953) (listed in 1946 as French Indo-China), Ghana (1957), Guinea (1958) (listed as French West Africa), Indonesia (1949) (listed as Netherlands Indies), the Federation of Malaya (1957), Morocco (1956) and Tunisia (1956).

4/ They were, in chronological order: the Panama Canal Zone (1947), Guadeloupe, French Guiana, Martinique and Réunion (1947), New Caledonia, French Settlements in Oceania and St. Pierre et Miquelon (1947), Malta (1947) (transmission of information was resumed in 1959), French Establishments in India (1948), Puerto Rico (1953), Greenland (1954), Netherlands Antilles and Surinam (1955), French West Africa, French Equatorial Africa, Madagascar, the Comoro Archipelago and French Somaliland (1957), Alaska (1959) and Hawaii (1959). The Comoro Archipelago and French Somaliland were reinstated in the list of Non-Self-Governing Territories in 1965 and 1972, respectively.

5/ Namely, Burma, Ceylon, India, Libya, Pakistan, the Philippines and the Sudan. In the case of the Philippines and India they were both founding members of the United Nations, though they gained independence only in 1946 and 1947 respectively. Pakistan became independent at the same time as India following the partition and was admitted to United Nations membership on 30 September 1947. Burma and Ceylon were regarded by the United Kingdom as self-governing in 1946, Libya was one of Italy's former colonies and its eventual destiny was not decided by the United Nations until 1949 (General Assembly resolution 289 (IV) A provided for the accession of Libya to independence in 1951), and the Sudan was technically an Anglo-Egyptian Condominium.

6/ Spain did eventually agree to transmit information. See statement by the representative of Spain in the Fourth Committee in 1960 (Official Records of the General Assembly, Fifteenth Session, (Part I), Fourth Committee, 1038th meeting, para. 27).

7/ Resolution 742 (VIII).

8/ Resolution 1467 (XIV). The Special Committee was composed of six members, three administering Powers (Netherlands, United Kingdom and United States) and three non-administering (India, Mexico and Morocco) in keeping with the principle of parity between colonial and non-colonial Powers in the membership of bodies dealing with colonial questions. This practice disappeared after 1960.

9/ Resolution 1542 (XV). The Territories listed were (a) Cape Verde; (b) Guinea, called Portuguese Guinea; (c) São Tomé and Principe; (d) São João Batista de Ajudá; (e) Angola, including the enclave of Cabinda; (f) Mozambique; (g) Goa and dependencies; (h) Macao; and (i) Timor.

10/ Progress of the Non-Self-Governing Territories under the Charter (United Nations publication, Sales No. 60.VI.B.1), vols. 1-5.

11/ This conclusion was eventually adopted by the General Assembly as resolution 1535 (XV).

12/ See Official Records of the General Assembly, Fifteenth Session, (Part I), Plenary Meetings, vol. 2, 925-939th and 944th-947th meetings.

13/ The resolution was adopted by a roll-call vote of 89 to none, with 9 abstentions. Those abstaining were: Australia, Belgium, Dominican Republic, France, Portugal, South Africa, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America.

14/ The 17 original members of the Special Committee were: Australia, Cambodia, Ethiopia, India, Italy, Madagascar, Mali, Poland, Syria, Tanganiyika, Tunisia, Union of Soviet Socialist Republics, United Kingdom, United States, Uruguay, Venezuela and Yugoslavia.

15/ Resolution 1810 (XVII). The new members were: Bulgaria, Chile, Denmark, Iran, Iraq, Ivory Coast and Sierra Leone.

16/ The 11 original members of the Council were: Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, Turkey, United Arab Republic, Yugoslavia and Zambia.

17/ Algeria, Angola, Australia, Bangladesh, Belgium, Botswana, Bulgaria, Burundi, Cameroon, Chile, China, Colombia, Cyprus, Egypt, Finland, Guyana, Haiti, India, Indonesia, Liberia, Mexico, Nigeria, Pakistan, Poland, Romania, Senegal, Turkey, Union of Soviet Socialist Republics, Venezuela, Yugoslavia and Zambia.

18/ Resolution 2105 (XX).

19/ Resolution 2189 (XXI).

20/ Resolution 2326 (XXII).

21/ Resolution 35/118 (reproduced in annex IV).

22/ Resolution 39/42.

23/ Decision 39/412.

24/ The Territories are: Antigua, Bahamas, Barbados, Belize, Botswana, Brunei Darussalam, Cape Verde, Comoros, Djibouti, Dominica, Equatorial Guinea, Fiji, Gambia, Grenada, Guinea-Bissau, Guyana, Malta, Mauritius, Saint Christopher and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Solomon Islands, Swaziland and Vanuatu.

25/ Samoa.

26/ Cook Islands and Niue.

27/ Nauru, Kiribati and Tuvalu.

28/ General Assembly resolutions 39/92 and 40/58.

29/ Resolution 435 (V).

30/ Resolution 39/93, annex.

31/ See A/AC.109/830.

TABLE 1

List of Non-Self-Governing Territories enumerated in General Assembly resolution 66 (I) of 14 December 1946

Australia

Papua

Belgium

Belgian Congo *

Denmark

Greenland **

France

French Equatorial Africa *
French Establishments in India *
French Establishments in Oceania **
French Guiana **
French Somaliland **
French West Africa *
Guadeloupe and dependencies **
Indo-China *
Madagascar and dependencies *
Martinique **
Morocco *
New Caledonia and dependencies **
New Hebrides under Anglo-French Condominium
Réunion **
Saint-Pierre et Miquelon **
Tunisia *

Netherlands

Curacao **
Netherlands Indies *
Surinam **

New Zealand

Cook Islands
Tokelau Islands

United Kingdom of Great Britain and Northern Ireland

Aden (Colony and Protectorate)
Bahamas
Barbados
Basutoland
Bechuanaland Protectorate
Bermuda
British Guiana
British Honduras
British Somaliland Protectorate *
Brunei
Cyprus *
Dominica
Falkland Islands
Fiji
Gambia
Gibraltar
Gold Coast (Colony and Protectorate)*
Grenada
Hong Kong
Jamaica
Kenya (Colony and Protectorate)
Leeward Islands
Malayan Union *
Malta ***
Mauritius
Nigeria *
North Borneo
Northern Rhodesia
Nyasaland
St. Helena and dependencies
St. Lucia
St. Vincent
Sarawak
Seychelles
Sierra Leone
Singapore
Swaziland
Trinidad and Tobago
Uganda Protectorate
Western Pacific-High Commission Territories (Gilbert and Ellice Islands Colony, British Solomon Islands Protectorate, Pitcairn Island)
Zanzibar Protectorate

TABLE 1 (continued)

United States of America

Alaska **
American Samoa
Guam
Hawaii **
Panama Canal Zone **
Puerto Rico **
Virgin Islands

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* Territories that achieved independence or were united with a neighbouring State prior to the adoption of the Declaration.

** Territories which did not become independent but were taken off the list between 19 and 1960 by the administering Power with or without the assent of the General Assembly.

*** Information discontinued in 1947; resumed in 1959.

TABLE 2

Preliminary list of Territories drawn up in 1963 to which the Declaration on the Granting of Independence to Colonial Countries and Peoples applied *

Territory	Area (square kilometres)	Area (square miles)	Population (midyear 1962 estimates in thousands)
(a) Trust Territories			
AUSTRALIA			
1. New Guinea	240,870	93,000	1,485
2. Nauru a/	21	8	5
UNITED STATES OF AMERICA			
3. The Trust Territory of the Pacific Islands b/	1,813	700	81
(b) The Territory of South West Africa			
SOUTH AFRICA			
4. South West Africa	823,264	317,863	545
(c) Territories which have been declared by the General Assembly to be Non-Self-Governing Territories within the meaning of Chapter XI of the Charter of the United Nations, but on which information is not transmitted by the administering Powers concerned c/			
PORTUGAL d/			
5. Angola, including the enclave of Cabinda	1,246,700	481,352	4,950
6. Mozambique	771,125	297,654	6,750
7. Guinea, called Portuguese Guinea	36,125	13,947	549
8. Cape Verde Archipelago	4,033	1,557	211
9. São Tomé and Principe and their dependencies	964	372	64
10. Macau and dependencies	16	6	169
11. Timor and dependencies	18,990	7,332	528
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND e/			
12. Southern Rhodesia	389,362	150,333	3,880

TABLE 2 (continued)

Territory	Area (square kilometres)	Area (square miles)	Population (midyear 1962 estimates in thousands)
(d) Non-Self-Governing Territories on which information is transmitted by the administering Powers concerned			
AUSTRALIA			
13. Cocos (Keeling) Islands	13	5	1
14. Papua	234,498	90,540	540
FRANCE AND UNITED KINGDOM			
15. New Hebrides f/	14,763	5,700	63
NEW ZEALAND			
16. Cook Islands	234	90	18
17. Niue Island	259	100	5
18. Tokelau Islands	10	4	2
SPAIN			
19. Fernando Póo	2,034	785	67
20. Ifni	1,500	579	50
21. Río Muni	26,017	10,045	188
22. Spanish Sahara	266,000	102,703	25
UNITED KINGDOM			
23. Aden	287,684	111,075	1,220
24. Antigua	442	171	58
25. Bahamas	11,396	4,400	111
26. Barbados	431	166	232
27. Basutoland	30,344	11,716	708
28. Bechuanaland	574,980	222,000	335
29. Bermuda	53	20	46
30. British Guiana	214,970	83,000	598
31. British Honduras	22,963	8,866	96
32. British Virgin Islands	153	59	8
33. Brunei	5,765	2,226	90

* Official Records of the General Assembly, Eighteenth Session, Annexes, Addendum to agenda item 23 (A/5446/Rev.1), pp. 288-289.

TABLE 2 (continued)

Territory	Area (square kilometres)	Area (square miles)	Population (midyear 1962 estimates in thousands)
UNITED KINGDOM (continued)			
34. Cayman Islands	259	100	8
35. Dominica	789	305	61
36. Falkland Islands	11,961	4,618	2.6
37. Fiji	18,272	7,055	421
38. Gambia	10,369	4,003	316 g/
39. Gibraltar	6	2	27
40. Gilbert and Ellice Islands	905	349	48
41. Grenada	344	133	90
42. Hong Kong	1,031	398	3,410
43. Kenya	582,646	224,960	8,676
44. Malta	316	122	329
45. Mauritius	2,096	809	702
46. Montserrat	83	32	13
47. North Borneo	76,115	29,388	470
48. Northern Rhodesia	746,256	288,130	2,550
49. Nyasaland	119,311	46,066	2,950
50. Pitcairn Island	5	2	0.1 h/
51. St. Helena	419	162	5
52. St. Kitts-Nevis-Anguilla	396	153	60
53. St. Lucia	616	238	92
54. St. Vincent	389	150	82
55. Sarawak	125,206	48,342	770
56. Seychelles	404	156	44
57. Singapore	581	224	1,740
58. Solomon Islands	29,785	11,500	128
59. Swaziland	17,363	6,704	275
60. Turks and Caicos Islands	430	166	6
61. Zanzibar	2,643	1,020	320
UNITED STATES			
62. American Samoa	197	76	21
63. Guam	549	212	70
64. United States Virgin Islands	344	133	36

a/ Nauru was administered by Australia on behalf of Australia, New Zealand and the United Kingdom.

b/ The Trust Territory of the Pacific Islands is designated as a strategic area under Article 82 of the Charter.

c/ In addition, French Somaliland and the Comoro Archipelago were added to the list in 1965 and 1972, respectively. Oman was also added in 1965 as a Non-Self-Governing Territory under the United Kingdom.

d/ General Assembly resolution 1542 (XV).

e/ General Assembly resolution 1747 (XVII).

f/ Administered jointly by France and the United Kingdom as a condominium.

g/ According to the 1963 census.

h/ According to estimate of 1961.

TABLE 3

Territories placed under the International Trusteeship System between 1946 and 1950

Australia

Nauru a/

New Guinea

Belgium

Rwanda-Urundi

France

Cameroons under French administration

Togoland under French administration

Italy

Somaliland under Italian administration

New Zealand

Western Samoa

United Kingdom

Cameroons under British administration

Tanganyika

Togoland under British administration

United States

Trust Territory of the Pacific Islands b/

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a/ Administered by Australia on behalf of Australia, New Zealand and the United Kingdom.

b/ Designated as a strategic area under Article 82 of the Charter.

TABLE 4

Trust and Non-Self-Governing Territories that have achieved independence since the adoption of General Assembly resolution 1514 (XV)

	Date of admission to the United Nations
Africa	
Algeria	8 October 1962
Angola	1 December 1976
Botswana	17 October 1966
Burundi	18 September 1962
Cape Verde	16 September 1975
Comoros	12 November 1975
Djibouti	20 September 1977
Equatorial Guinea	12 November 1968
Gambia	21 September 1965
Guinea-Bissau	17 September 1974
Kenya	16 December 1963
Lesotho	17 October 1966
Malawi	1 December 1964
Mauritius	24 April 1968
Mozambique	16 September 1975
Rwanda	18 September 1962
Sao Tome and Principe	26 September 1975
Seychelles	21 September 1976
Sierra Leone	27 September 1961
Swaziland	24 September 1968
Uganda	25 October 1962
United Republic of Tanzania [a/]	14 December 1961
Zambia	1 December 1964
Zimbabwe	18 April 1980

a/ The former Trust Territory of Tanganyika, which became independent in December 1961, and the former Protectorate of Zanzibar, which achieved independence in December 1963, united into a single State in April 1974.

TABLE 4 (continued)

	Date of admission to the United Nations
Asia	
Brunei Darussalam	21 September 1984
Democratic Yemen	14 December 1967
Oman	7 October 1971
Singapore	21 September 1965
Caribbean	
Antigua and Barbuda	11 November 1981
Bahamas	18 September 1973
Barbados	9 December 1966
Belize	25 September 1981
Dominica	18 December 1978
Grenada	17 September 1974
Guyana	20 September 1966
Jamaica	18 September 1962
Saint Christopher and Nevis	23 September 1983
Saint Lucia	18 September 1979
Saint Vincent and the Grenadines	16 September 1980
Suriname [b/]	4 December 1975
Trinidad and Tobago	18 September 1962
Europe	
Malta	1 December 1964

b/ By resolution 945 (X), the General Assembly accepted the cessation of the transmission of information regarding Suriname following constitutional changes in the relationship between the Netherlands, Suriname and the Netherlands Antilles which were embodied in the Charter of the Kingdom of the Netherlands.

TABLE 4 (continued)

	Date of admission to the United Nations
Pacific	
Fiji	13 October 1970
Kiribati	---
Nauru [c/]	---
Papua New Guinea	10 October 1975
Samoa	15 December 1976
Solomon Islands	19 September 1978
Tuvalu	---
Vanuatu	15 September 1981

c/ Kiribati, Nauru and Tuvalu, which became independent on 12 July 1979, 31 January 1968 and 1 October 1978, respectively, have not applied for United Nations membership.

TABLE 5

Dependent Territories that have become integrated or associated with independent States since the adoption of resolution 1514 (XV)

Territory	Remarks
Cameroons under British administration	The northern part of the Trust Territory joined the Federation of Nigeria on 1 June 1961 and the southern part joined the Republic of Cameroon on 1 October 1961.
Cook Islands	Fully self-governing in free association with New Zealand since August 1965.
Goa and dependencies	Nationally united with India in December 1961.
Ifni	Returned to Morocco in June 1969.
Niue	Fully self-governing in free association with New Zealand since August 1974.
North Borneo	North Borneo and Sarawak joined the Federation of Malaya in 1963 to form the Federation of Malaysia.
São João Batista de Ajudá	Nationally united with Dahomey (now Benin) in August 1961.
Sarawak	Sarawak with North Borneo joined the Federation of Malaya in 1963 to form the Federation of Malaysia.
West New Guinea (West Irian)	United with Indonesia in 1963.
Cocos (Keeling) Islands	Integrated with Australia in 1984.

TABLE 6

Territories listed as under Trusteeship or Non-Self-Governing in 1985

New Zealand

Tokelau

Portugal

East Timor

Spain

Western Sahara

United Kingdom of Great Britain and Northern Ireland

Anguilla
Bermuda
British Virgin Islands
Cayman Islands
Falkland Islands (Malvinas)
Gibraltar
Montserrat
Pitcairn
Saint Helena
Turks and Caicos Islands

United States of America

American Samoa
Guam
Trust Territory of the Pacific Islands
United States Virgin Islands

Territory directly administered by the United Nations a/

Namibia (formerly South West Africa)

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a/ Illegally occupied by the Republic of South Africa.

TABLE 7

Visiting missions dispatched by the Special Committee or by the General Assembly

1965	Cook Islands (elections supervision)
1966	Equatorial Guinea
1967	Aden
1968	Equatorial Guinea (referendum/elections supervision)
1971	Papua New Guinea (jointly with the Trusteeship Council)
1972	Niue Papua New Guinea (elections observation - jointly with the Trusteeship Council)
1974	Niue (referendum observation) Cocos (Keeling) Islands Gilbert and Ellice Islands (referendum observation)
1975	Cape Verde Montserrat Spanish Sahara
1976	British Virgin Islands Tokelau
1977	French Somaliland (referendum/elections observation) Cayman Islands United States Virgin Islands
1979	Guam New Hebrides
1980	Turks and Caicos Islands (April) Cocos (Keeling) Islands Turks and Caicos Islands (October/November) (elections observation)
1981	Tokelau American Samoa
1982	Montserrat
1984	Cocos (Keeling) Islands (act of self-determination) Anguilla

TABLE 8

Visiting missions dispatched by the Trusteeship Council

1947	Western Samoa	
1948	Ruanda-Urundi	
	Tanganyika	
1950	Nauru	
	New Guinea	
	Western Samoa	
	West Africa	(French Togoland
		(British Togoland
		(French Cameroons
		(British Cameroons
1951	Trust Territory of the Pacific Islands	
	Ruanda-Urundi	
	Somaliland	
	Tanganyika	
1952	Cameroons under French administration	
	Cameroons under British administration	
	Togoland under British administration	
	(Ewe and Togoland Unification Problem)	
	Togoland under French administration	
1953	Nauru	
	New Guinea	
	Trust Territory of the Pacific Islands	
	Western Samoa	
1954	Ruanda-Urundi	
	Somaliland	
	Tanganyika	
1955	Cameroons under French administration	
	Cameroons under British administration	
	Togoland under French administration	
	Togoland under British administration	
1956	Nauru	
	New Guinea	
	Trust Territory of the Pacific Islands	
	Western Samoa	

TABLE 8 (continued)

1957	Ruanda-Urundi Somaliland Tanganyika Togoland under French administration
1958	Cameroons under French administration Cameroons under British administration
1959	Nauru New Guinea Trust Territory of the Pacific Islands Western Samoa
1960	Ruanda-Urundi Tanganyika
1961	Trust Territory of the Pacific Islands
1962	New Guinea Nauru
1964	Trust Territory of the Pacific Islands
1965	Nauru New Guinea
1967	Trust Territory of the Pacific Islands
1968	New Guinea
1970	Trust Territory of the Pacific Islands
1971	New Guinea
1972	New Guinea (elections)
1973	Trust Territory of the Pacific Islands
1975	Trust Territory of the Pacific Islands (Plebiscite in the Northern Marianas)
1976	Trust Territory of the Pacific Islands
1978	Trust Territory of the Pacific Islands (Referendum on draft Constitution of the Federated States of Micronesia)

TABLE 8 (continued)

1979	Trust Territory of the Pacific Islands Referendum in the Marshall Islands Referendum in Palau
1980	Trust Territory of the Pacific Islands
1982	Trust Territory of the Pacific Islands
1983	Trust Territory of the Pacific Islands Plebiscite in Palau Plebiscite in the Marshall Islands Plebiscite in the Federated States of Micronesia
1985	Trust Territory of the Pacific Islands

TABLE 9

Membership of the Special Committee since its establishment

	1962	1963	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985
Afghanistan					X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Australia	X	X	X	X	X	X	X					X	X	X	X	X	X	X	X	X	X	X	X	
Bulgaria		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Cambodia a/	X	X	X	X																				
Chile		X	X	X	X	X	X					X	X	X	X	X	X	X	X	X	X	X	X	X
China											X	X	X	X	X	X	X	X	X	X	X	X	X	X
Congo												X	X	X	X	X	X	X	X	X	X	X	X	X
Côte d'Ivoire		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Cuba														X	X	X	X	X	X	X	X	X	X	X
Czechoslovakia											X	X	X	X	X	X	X	X	X	X	X	X	X	X
Denmark		X	X	X	X								X	X					X	X				
Ecuador							X	X	X	X	X													
Ethiopia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Fiji										X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Finland						X	X																	
Honduras							X	X	X															
India	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Indonesia											X	X	X	X	X	X	X	X	X	X	X	X	X	X
Iran (Islamic Republic of)		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Iraq		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Italy	X	X	X	X	X	X	X	X	X															
Madagascar	X	X	X	X	X	X	X	X	X	X														
Mali	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Norway								X	X						X	X					X	X		
Poland	X	X	X	X	X	X	X	X	X	X														
Sierra Leone		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Sweden										X	X	X					X	X					X	X
Syrian Arab Republic	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Trinidad and Tobago										X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Tunisia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Union of Soviet Socialist Republics	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
United Kingdom of Great Britain and Northern Ireland	X	X	X	X	X	X	X	X	X															
United Republic of Tanzania b/	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
United States of America	X	X	X	X	X	X	X	X	X															
Uruguay	X	X	X	X	X	X																		
Venezuela	X	X	X	X	X	X	X	X	X	X	X	X	X						X	X	X	X	X	X
Yugoslavia	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

a/ Former designation of the country.

b/ In 1964, Tanganyika (a member of the Special Committee in 1962 and 1963) and Zanzibar united to form the United Republic of Tanzania.

ANNEX I

Chapter XI of the Charter of the United Nations

Declaration regarding Non-Self-Governing Territories

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighbourliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

ANNEX II

Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter

(General Assembly resolution 1541 (XV) of 15 December 1960)

The General Assembly,

Considering the objectives set forth in Chapter XI of the Charter of the United Nations,

Bearing in mind the list of factors annexed to General Assembly resolution 742 (VIII) of 27 November 1953,

Having examined the report of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter, a/ appointed under General Assembly resolution 1467 (XIV) of 12 December 1959 to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter and to report on the results of its study to the Assembly at its fifteenth session,

1. Expresses its appreciation of the work of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter;

2. Approves the principles set out in section V, part B, of the report of the Committee, as amended and as they appear in the annex to the present resolution;

3. Decides that these principles should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit information under Article 73 e of the Charter.

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a/ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 38, document A/4526.

ANNEX II (continued)

Annex

Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations

Principle I

The authors of the Charter of the United Nations had in mind that Chapter XI should be applicable to territories which were then known to be of the colonial type. An obligation exists to transmit information under Article 73 e of the Charter in respect of such territories whose peoples have not yet attained a full measure of self-government.

Principle II

Chapter XI of the Charter embodies the concept of Non-Self-Governing Territories in a dynamic state of evolution and progress towards a "full measure of self-government". As soon as a territory and its peoples attain a full measure of self-government, the obligation ceases. Until this comes about, the obligation to transmit information under Article 73 e continues.

Principle III

The obligation to transmit information under Article 73 e of the Charter constitutes an international obligation and should be carried out with due regard to the fulfilment of international law.

Principle IV

Prima facie there is an obligation to transmit information in respect of a territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it.

Principle V

Once it has been established that such a prima facie case of geographical and ethnical or cultural distinctness of a territory exists, other elements may then be brought into consideration. These additional elements may be, inter alia, of an administrative, political, juridical, economic or historical nature. If they affect the relationship between the metropolitan State and the territory concerned in a manner which arbitrarily places the latter in a position or status of subordination, they support the presumption that there is an obligation to transmit information under Article 73 e of the Charter.

ANNEX II (continued)

Principle VI

A Non-Self-Governing Territory can be said to have reached a full measure of self-government by:

(a) Emergence as a sovereign independent State;
(b) Free association with an independent State; or
(c) Integration with an independent State.

Principle VII

(a) Free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed through informed and democratic processes. It should be one which respects the individuality and the cultural characteristics of the territory and its peoples, and retains for the peoples of the territory which is associated with an independent State the freedom to modify the status of that territory through the expression of their will by democratic means and through constitutional processes.

(b) The associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes of the people. This does not preclude consultations as appropriate or necessary under the terms of the free association agreed upon.

Principle VIII

Integration with an independent State should be on the basis of complete equality between the peoples of the erstwhile Non-Self-Governing Territory and those of the independent country with which it is integrated. The peoples of both territories should have equal status and rights of citizenship and equal guarantees of fundamental rights and freedoms without any distinction or discrimination; both should have equal rights and opportunities for representation and effective participation at all levels in the executive, legislative and judicial organs of government.

Principle IX

Integration should have come about in the following circumstances:

(a) The integrating Territory should have attained an advanced stage of self-government with free political institutions, so that its peoples would have the capacity to make a responsible choice through informed and democratic processes;

ANNEX II (continued)

(b) The integration should be the result of the freely expressed wishes of the territory's peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.

Principle X

The transmission of information in respect of Non-Self-Governing Territories under Article 73 e of the Charter is subject to such limitation as security and constitutional considerations may require. This means that the extent of the information may be limited in certain circumstances, but the limitation in Article 73 e cannot relieve a Member State of the obligations of Chapter XI. The "limitation" can relate only to the quantum of information of economic, social and educational nature to be transmitted.

Principle XI

The only constitutional considerations to which Article 73 e of the Charter refers are those arising from constitutional relations of the territory with the Administering Member. They refer to a situation in which the constitution of the territory gives it self-government in economic, social and educational matters through freely elected institutions. Nevertheless, the responsibility for transmitting information under Article 73 e continues, unless these constitutional relations preclude the Government or parliament of the Administering Member from receiving statistical and other information of a technical nature relating to economic, social and educational conditions in the territory.

Principle XII

Security considerations have not been invoked in the past. Only in very exceptional circumstances can information on economic, social and educational conditions have any security aspect. In other circumstances, therefore, there should be no necessity to limit the transmission of information on security grounds.

ANNEX III

Text of General Assembly resolution 1654 (XVI) of 27 November 1961 establishing the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Recalling the Declaration on the granting of independence to colonial countries and peoples contained in its resolution 1514 (XV) of 14 December 1960,

Bearing in mind the purposes and principles of that Declaration,

Recalling in particular paragraph 5 of the Declaration providing that:

> "Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom",

Noting with regret that, with a few exceptions, the provisions contained in the aforementioned paragraph of the Declaration have not been carried out,

Noting that, contrary to the provisions of paragraph 4 of the Declaration, armed action and repressive measures continue to be taken in certain areas with increasing ruthlessness against dependent peoples, depriving them of their prerogative to exercise peacefully and freely their right to complete independence,

Deeply concerned that, contrary to the provisions of paragraph 6 of the Declaration, acts aimed at the partial or total disruption of national unity and territorial integrity are still being carried out in certain countries in the process of decolonization,

Convinced that further delay in the application of the Declaration is a continuing source of international conflict and disharmony, seriously impedes international co-operation, and is creating an increasingly dangerous situation in many parts of the world which may threaten international peace and security,

ANNEX III (continued)

Emphasizing that inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence,

1. Solemnly reiterates and reaffirms the objectives and principles enshrined in the Declaration on the granting of independence to colonial countries and peoples contained in its resolution 1514 (XV) of 14 December 1960;

2. Calls upon States concerned to take action without further delay with a view to the faithful application and implementation of the Declaration;

3. Decides to establish a Special Committee of seventeen members to be nominated by the President of the General Assembly at the present session;

4. Requests the Special Committee to examine the application of the Declaration, to make suggestions and recommendations on the progress and extent of the implementation of the Declaration, and to report to the General Assembly at its seventeenth session;

5. Directs the Special Committee to carry out its task by employment of all means which it will have at its disposal within the framework of the procedures and modalities which it shall adopt for the proper discharge of its functions;

6. Authorizes the Special Committee to meet elsewhere than at United Nations Headquarters, whenever and wherever such meetings may be required for the effective discharge of its functions, in consultation with the appropriate authorities;

7. Invites the authorities concerned to afford the Special Committee their fullest co-operation in carrying out its tasks;

8. Requests the Trusteeship Council, the Committee on Information from Non-Self-Governing Territories and the specialized agencies concerned to assist the Special Committee in its work within their respective fields;

9. Requests the Secretary-General to provide the Special Committee with all the facilities and the personnel necessary for the implementation of the present resolution.

ANNEX IV

Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

(General Assembly resolution 35/118 of 11 December 1980)

The General Assembly,

Having decided to hold a special commemorative meeting [a] on the occasion of the twentieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Convinced that the Declaration has played and will continue to play an important role in assisting the peoples under colonial domination in their struggle for freedom and independence, and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to alien domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Reaffirming also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, [b]

Deeply conscious of the fact that twenty years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples the system of colonialism continues to exist in several areas of the world,

Mindful of the courageous struggle being carried out by the peoples of southern Africa for freedom, self-determination, independence and equal rights,

Noting with satisfaction the achievement of independence in the last twenty years by a number of Trust Territories and Non-Self-Governing Territories, most recently Zimbabwe and Vanuatu,

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a/ Official Records of the General Assembly, Thirty-fifth Session, Plenary Meetings, 93rd meeting.

b/ Resolution 2625 (XXV), annex.

ANNEX IV (continued)

Bearing in mind the important work accomplished by the United Nations and the international community with a view to securing the effective and complete implementation of the Declaration and other resolutions of the United Nations on the question of decolonization,

Reiterating the importance of publicity as an instrument for furthering the aims and purposes of the Declaration and of the role played in this connexion by a number of non-governmental organizations having a special interest in the field of decolonization,

Recalling its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

Determined to take all necessary measures leading to the complete elimination of colonialism in all its forms and manifestations without further delay,

1. Reaffirms the inalienable right of all peoples under colonial domination to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. Declares that the continuation of colonialism in all its forms and manifestations, including racism, apartheid and the exploitation by foreign and other interests of economic and human resources, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. Reaffirms that the policy of apartheid of the South African régime and its illegal occupation of Namibia violate the principles enshrined in the Charter and constitute a threat to international peace and security;

4. Reaffirms the inherent right of peoples under colonialism in all its forms and manifestations to struggle by all means at their disposal against those colonial and racist régimes which suppress their aspirations for freedom, self-determination and independence;

5. Categorically rejects any agreement, arrangement or unilateral action by colonial and racist Powers which ignores, violates, denies or conflicts with the inalienable right of peoples under colonial domination to self-determination and independence;

6. Adopts the Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples set forth in the annex to the present resolution.

ANNEX IV (continued)

Annex

Plan of Action for the Full Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

1. Member States shall do their utmost to promote, in the United Nations and the specialized agencies and other organizations within the United Nations system, effective measures for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, in all Trust Territories and Non-Self-Governing Territories and other colonial Territories, irrespective of their size, including the adoption by the Security Council of necessary measures against Governments and régimes that engage in any form of repression of colonial peoples which would seriously impede the maintenance of international peace and security.

2. Member States shall render all necessary moral and material assistance to the peoples under colonial domination in their struggle to exercise their right to self-determination and independence.

3. Member States shall intensify their efforts to promote the implementation of the resolutions of the General Assembly and of the Security Council relating to Territories and countries under colonial domination.

4. Member States shall intensify their efforts to end all political, military, economic and other forms of collaboration with South Africa, particularly in the nuclear field, including the supply of nuclear material and equipment or components thereof, the transfer of nuclear technology and financial, technical or other assistance to the nuclear programme of South Africa, the sale of uranium enrichment facilities to, and the purchase of uranium from, South Africa, and shall take measures to prevent such collaboration and purchases by corporations, institutions and other bodies or individuals within their jurisdiction.

5. Member States shall endeavour to adopt, both individually and collectively, measures to achieve the cessation of all new foreign investments in and financial loans to South Africa.

6. Member States shall continue to wage a vigorous and sustained campaign against activities and practices of foreign economic, financial and other interests operating in colonial Territories which are detrimental to the interests of the population of those Territories and shall adopt legislative, administrative or other measures to bring about the discontinuance of such activities and practices on the part of their nationals and companies within their jurisdiction.

ANNEX IV (continued)

7. Member States, as well as the organizations within the United Nations system, having regard to the relevant provisions of the Declaration on the Establishment of a New International Economic Order, contained in General Assembly resolution 3201 (S-VI) of 1 May 1974, and the Charter of Economic Rights and Duties of States, contained in Assembly resolution 3281 (XXIX) of 12 December 1974, shall ensure that the permanent sovereignty of the countries and Territories under colonial, racist and alien domination over their natural resources shall be fully respected and safeguarded.

8. Member States shall adopt the necessary measures to discourage or prevent the systematic influx of outside immigrants and settlers into Territories under colonial domination, which disrupts the demographic composition of those Territories and may constitute a major obstacle to the genuine exercise of the right to self-determination and independence by the people of those Territories.

9. Member States shall oppose all military activities and arrangements by colonial and occupying Powers in the Territories under colonial and racist domination, as such activities and arrangements constitute an obstacle to the full implementation of the Declaration, and shall intensify their efforts with a view to securing the immediate and unconditional withdrawal from colonial Territories of military bases and installations of colonial Powers.

10. Member States shall also adopt the necessary measures to prevent the recruitment, financing and training of mercenaries in their territories for use against the national liberation movements struggling for their freedom and independence from the yoke of colonialism, racism and apartheid.

11. Member States shall recognize that armed conflicts in which peoples are fighting against colonial and racist domination and occupation in exercise of their right to self-determination are international armed conflicts as provided for by Additional Protocol I [c/] to the Geneva Conventions of 1949. [d/] The legal status envisaged to apply to the combatants in the 1949 Geneva Conventions shall apply to persons engaged in armed struggle against colonial and alien domination and racist régimes. Those persons captured as prisoners shall be accorded the status of prisoners of war and their treatment shall be in accordance with the provisions of the Geneva Convention relative to the Treatment of Prisoners of War, of 12 August 1949. [e/]

12. Member States and the specialized agencies and other organizations of the United Nations system shall intensify their moral and material assistance to the national liberation movements recognized by the Organization of African Unity.

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c/ A/32/144, annex I.

d/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

e/ Ibid., No. 972, p. 135.

ANNEX IV (continued)

13. All States shall undertake measures aimed at enhancing public awareness of the need for active assistance to bring about the complete eradication of colonialism in all its forms and manifestations, including racism and apartheid, through the exercise of the right to self-determination. In particular, States shall endeavour to create satisfactory conditions for activities by national and international non-governmental organizations in support of the peoples under colonial domination.

14. All States shall co-operate fully with the United Nations Council for Namibia, the legal Administering Authority of the Territory until independence, in discharging the mandate entrusted to it under the terms of General Assembly resolution 2248 (S-V) of 19 May 1967 and subsequent resolutions of the Assembly.

15. All States shall also co-operate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the performance of its mandate.

16. The General Assembly draws the attention of the Security Council to the need to continue to give special attention to those situations where the denial of the right of peoples to self-determination, as defined in General Assembly resolution 1514 (XV), poses a threat to international peace and security and, in particular, the need:

(a) To consider imposing mandatory economic sanctions against South Africa, under Chapter VII of the Charter of the United Nations, including in particular a mandatory embargo on the supply of petroleum and petroleum products to South Africa;

(b) To reinforce the arms embargo against South Africa by adopting comprehensive mandatory measures to end all military and nuclear collaboration with the apartheid régime of South Africa.

17. The Special Committee shall continue to examine the full compliance of all States with the Declaration and with other relevant resolutions on the question of decolonization. Questions of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration. Where General Assembly resolution 1514 (XV) has not been fully implemented with regard to a given Territory, the Assembly shall continue to bear responsibility for that Territory until all powers are transferred to the people of the Territory without any conditions or reservations and the people concerned have had an opportunity to exercise freely their right to self-determination and independence in accordance with the Declaration. The Special Committee is hereby directed:

ANNEX IV (continued)

(a) To continue to seek the most suitable ways for the speedy and total application of the Declaration to all Territories which have not yet attained independence and to propose to the General Assembly specific measures for the complete implementation of the Declaration;

(b) To undertake a thorough review of the list of Trust and Non-Self-Governing and other Territories which have not yet attained independence to which the Declaration applies and to report thereon to the General Assembly at its thirty-sixth session;

(c) To continue to send visiting missions to the colonial Territories at periodic intervals in order to enable the Special Committee to obtain first-hand information on conditions in those Territories;

(d) To continue to examine the views expressed, orally or in writing, by the peoples of the colonial Territories as well as by representatives of non-governmental organizations and individuals with knowledge of conditions in those Territories. Particular consideration shall be given to oral petitions and written communications regarding the Territories on which information is not being transmitted as provided for by Article 73 e of the Charter or to which the Special Committee is denied access;

(e) To assist the General Assembly in making arrangements, in co-operation with the administering Powers, to secure a United Nations presence in the colonial Territories to enable it to participate in the elaboration of the procedural arrangements for the implementation of the Declaration and to observe or supervise the final stages of the process of decolonization in those Territories.

18. The United Nations shall intensify its efforts in disseminating information by all available means, including publications, radio and television, on the struggle of peoples for self-determination, independence and equal rights and against colonial domination, on the activities of the United Nations in the field of decolonization and on the role of the national liberation movements.

19. The specialized agencies and other organizations within the United Nations system shall render, or continue to render, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements.

20. Those non-governmental organizations with a special interest in the field of decolonization and actively opposed to colonialism in all its forms and manifestations are requested to intensify their activities in co-operation with the Secretary-General and the relevant organs of the United Nations.

ANNEX IV (continued)

Recorded vote on resolution 35/118:

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Gabon, Gambia, German Democratic Republic, Ghana, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Indonesia, Iran, Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Lucia, Sierra Leone, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: Belgium, France, Germany, Federal Republic of, Luxembourg, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Austria, Canada, Denmark, Finland, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Malawi, Mauritius, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden.

Absent: Dominica, Grenada, Haiti, India,* Saint Vincent and the Grenadines, Solomon Islands, Upper Volta.

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* The delegation of India subsequently informed the Secretariat that it wished to have its vote recorded as having been in favour of the draft resolution.

ANNEX V

Twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

(General Assembly resolution 40/56 of 2 December 1985)

The General Assembly,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514 (XV) of 14 December 1960,

Having held, in the year of the fortieth anniversary of the United Nations, a special commemorative plenary meeting in observance of the twenty-fifth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, a/

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Recalling also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, b/

Recalling its resolution 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity immediately and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of about one hundred States into sovereign existence,

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a/ See Official Records of the General Assembly, Fortieth Session, Plenary Meetings, 36th meeting.

b/ Resolution 2625 (XXV), annex.

Noting with satisfaction, in particular, that during the past twenty-five years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system, in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Deeply concerned at the fact that, twenty-five years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated, particularly in Namibia,

Strongly condemning the continuing illegal occupation of Namibia and the colonial oppression of its people by the racist régime of Pretoria, which completely disregards the inalienable right of the people of Namibia to self-determination and independence,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, apartheid and violations of the basic human rights of the peoples in the remaining colonial Territories, particularly in Namibia, will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. Reaffirms the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV);

2. Declares that the continuation of colonialism in all its forms and manifestations, including racism and apartheid, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. Expresses its conviction that the twenty-fifth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. Strongly condemns South Africa's continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its aggressive activities and acts of destabilization against neighbouring independent African States and its policies of apartheid, as well as its acquisition of nuclear-weapon capability, which constitute a threat to international peace and security;

5. Calls upon Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights, c/ as well as other relevant resolutions and decisions of the General Assembly and those of the Security Council;

6. Urges Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

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c/ Resolution 217 A (III).

7. Calls upon Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence, in accordance with the Charter and the Declaration;

8. Urges the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. Requests Member States to take legislative, administrative or other measures in respect of their nationals and the bodies corporate under their jurisdiction that illegally own and operate enterprises, including transnational corporations, in the international Territory of Namibia in order to put an end to such operations;

10. Urges Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa in respect of Namibia and to refrain from entering into any relations with South Africa which may lend legitimacy or support to its continued illegal occupation of that Territory;

11. Requests Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

12. Reaffirms that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration which will enable those Territories to achieve genuine independence and economic self-reliance;

13. Requests the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right to self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14. Further requests the administering Powers to preserve the cultural identity, as well as the national unity, of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15. Reaffirms its strong conviction that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

16. Calls upon the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in Territories under their administration;

17. Requests Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their Territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and apartheid;

18. Considers it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19. Urges Member States to ensure the full and speedy implementation of the Declaration and other relevant resolutions of the United Nations;

20. Invites the Security Council to continue to give special attention to the situation in and around Namibia and to consider imposing mandatory sanctions against South Africa under Chapter VII of the Charter;

21. Requests the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national liberation movements, to take measures to withhold from the apartheid régime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that régime until the people of Namibia have exercised their right to self-determination and independence in a united Namibia and until apartheid has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly and the Security Council;

22. Invites non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

23. Requests the Special Committee to continue to examine the full compliance of all States with the Declaration and with other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

24. Invites all States to co-operate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in the complete fulfilment of its mandate.

D E C L A R A T I O N

ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

The General Assembly,

Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in trust and non-self-governing territories,

Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

Welcoming the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3. Inadequacy of political, economic, social and educational preparedness should never serve as a pretext for delaying independence.

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in trust and non-self-governing territories or all other territories which have not attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6. 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.

7. All states shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States and respect for the sovereign rights of all peoples and their territorial integrity.

GUAM



uam, the southernmost and largest island in the Mariana archipelago, lies in the western Pacific Ocean about 2,400 kilometres east of Manila, Philippines, and 2,100 km south of Tokyo, Japan. The indigenous ethnic group of its population is the Chamorros, of Indonesian stock, with Spanish and Filipino influences. English and Chamorro are the official languages.

Guam's population is growing at an accelerating rate. Since the 1980 census, the population has increased from 105,979 to an estimated 127,675 in 1987—about 23 per cent. If the current growth rate remains constant, the population will double by the year 2012. Population density is about 235 per square kilometre. Of all the inhabitants, 103,791 are *bona fide* local residents and 23,884 are United States military personnel and their dependants. Ethnically, about 50 per cent of the inhabitants are Chamorros, 25 per cent are Filipino, 15 per cent migrated from the United States mainland and 10 per cent are Korean, Chinese, Japanese, Micronesian and Indian.

The United Nations dispatched a visiting mission to the Territory in 1979.

HISTORICAL BACKGROUND

In 1521, Ferdinand Magellan, a Portuguese explorer sailing under Spanish auspices, reached Guam during his circumnavigation of the globe. Spain later claimed Guam and other Mariana islands in 1565. Spanish colonization commenced in 1668 and ended in 1898 when United States forces took Guam during the Spanish-American War.

From 1899 to 1941, Guam was under United States

LOCATION: Western Pacific

CAPITAL: Agana

AREA: 540 square kilometres

POPULATION (1987 Est.): 127,675

ADMINISTERING POWER: United States

Naval Administration. At the outbreak of the Second World War, the island was seized by the Japanese. United States forces recaptured it in July 1944, and the United States Naval Administration resumed responsibility for the Territory.

In June 1950, Guam was made an unincorporated Territory of the United States. (An unincorporated Territory is one which has not been incorporated into the body politic of the United States by an act of Congress making the Constitution of the United States expressly applicable to it.)

ADMINISTRATION

Guam is administered under the Organic Act of 1950, which made it an unincorporated Territory of the United States under the supervision of the Secretary of the Interior and conferred United States citizenship on the Guamanian people. Universal adult suffrage applies to Guamanians 18 years of age and older. Guamanians are ineligible to vote in national elections while resident in the Territory.

Since 1972, the Territory has had a non-voting delegate in the United States House of Representatives. The delegate is elected for a two-year term.

The Government of Guam consists of executive, legislative and judicial branches. Executive power is vested in a Governor who, together with a Lieutenant Governor, is elected for a four-year term. The Governor is responsible for general supervision and control of all bodies of the executive branch and submits to the Secretary of the Interior an annual report on transactions of the Government for transmission to the United States Congress. The Governor may issue executive orders and regulations, recommend bills to the Legislature, make his views known to that body and veto legislation.

Legislative power is vested in a unicameral body composed of 21 Senators elected for two-year terms by legislative districts. The Legislature may override the Governor's veto. The United States Congress reserves the right to annul laws enacted by the Guam Legislature.

The Federal District Court of Guam has a presiding judge appointed by the United States President for an eight-year term. The Court has jurisdiction over all cases arising under the United States Constitution, treaties and laws. The Superior Court of Guam handles cases arising under the laws of Guam.

ECONOMIC AND SOCIAL CONDITIONS

The majority of Guamanians were involved in subsistence agriculture until the Second World War. After that, the United States Department of Defense established military bases, generating employment in the construction and service sectors. The formation of a civilian Government in 1951 increased the number of available non-agricultural jobs.

The United States armed forces maintain military facilities on Guam. More than 16,188 hectares (30 per cent of the total area) are reserved for use by the Department of Defense. The Air Force and the Navy maintain major military installations. The Coast Guard and the United States Army Corps of Engineers also have facilities.

Attempts have been made recently to reduce the central economic role of the United States military and to develop a more integrated and diversified economy. The private sector has been undergoing a period of rapid expansion, stimulated by the successful promotion of tourism which, in turn, has led to a construction boom and prosperity in the commercial sector. Continuing efforts are also being made to promote the development of light industry and the establishment of Guam as a regional financial, educational and administrative centre.

According to press reports, gross business income on Guam rose from $713 million in 1977 to $2.1 billion in 1987.

Guam's economy is based on two main sources of revenue: United States military spending and tourism. Federal funds distributed in Guam in 1987 amounted to more than $680 million, of which $300 million was for salaries and $100 million for purchases in the local economy.

In 1988, a record total of 586,000 tourists, about 85 per cent of them from Japan, visited Guam. This represented an increase of 102,000, or 20 per cent, over the 1987 figures. Tourist expenditure amounts to $373 million a year.

There are more than 300 foreign sales corporations, collectively paying about $250,000 per year in license fees. In 1987, eight offshore banking institutions and four foreign banks were operating in Guam. In 1987, Guam had a total of 23 banks and savings and loan associations, with deposits totalling $709.3 million.

Approximately 30 per cent of the land in Guam is reserved for the Department of Defense, 1 per cent is used by the Federal Government for non-military purposes and 19 per cent belongs to the Government of Guam. About 50 per cent is privately owned. There are approximately 10,000 land-owners, 94 per cent of whom own less than two hectares of land each.

The United States military retains 10,125 hectares of land for contingency purposes, rather than immediate operation needs. Much of this is prime agricultural and commercial real estate and some of it borders on Apra harbour.

In 1977, in response to expressions of Guamanian dissatisfaction, the Department of the Navy, in co-operation with the Department of the Air Force, prepared a study known as the Guam Land Use Plan, recommending the release of 2,100 hectares of surplus land so that it could be developed.

Subsequently, the Navy transferred to the Government of Guam 190 hectares of land on Cabras Island, as well as the land used for airport expansion at the Naval Air Station and several parcels at Apra harbour. There are reports that the Department of Defense had agreed to release 1,416 hectares, or 86 per cent of the total land (1,638 hectares) currently designated for eventual release.

Although Guam is considered a natural location for a major fishing industry, the local fishing sector remains relatively undeveloped. In 1987, the estimated catch from trolling, bottom fishing and spear fishing totalled 307 metric tons valued at $1.6 million, a decrease from 412 tons valued at $2 million in 1986.

The manufacturing sector employs approximately 5 per cent of the total private sector and represents only 3 per cent of the total employment sector. The small-manufacturing sector includes varied firms engaged in

wood-carving, bag making, boat building, water bottling and in greeting cards, chocolate, clocks, surf-boards and tourist souvenirs. The larger manufacturing sector includes printing plants, bread and pastry factories, a watch company and textile factories.

Guam has relatively poor natural conditions for commercial agriculture. Only about 400 of the approximately 32,000 hectares of arable land owned by the Government of Guam or by individuals are utilized for agriculture.

According to press reports, the largest decrease in employment occurred in the agriculture industry, when it fell from 200 to 150 during 1987 and 1988. Estimates for 1987 indicated that the agricultural sector, which employs less than 1 per cent of the work-force, contributes approximately $7.5 million to the island's billion-dollar economy.

The Port of Guam at Apra harbour is reported to be one of the finest deep-water ports in the Pacific Basin. The port and a modern international airport provide Guam with extensive cargo and passenger facilities.

The housing situation is undergoing a strong resurgence as part of the general economic upturn. In 1986/87, Guam received $7.8 million in Federal grants for public housing. This upsurge is also having an impact on the construction industry. The largest increase in employment was in the construction industry, which employed 3,600 in September 1988, compared with 2,500 during the same period in 1987.

By September 1988, the labour force totalled 47,740—or 2,890 more than in 1987. Of that number, 30,300 workers were in the private sector and 17,440 worked for the Government of Guam. An additional 7,120 workers were employed by the United States Federal Government.

In November 1988, of the 1,436 alien workers involved in construction in Guam, more than 56 per cent were from the Republic of Korea, 37 per cent from China and 7 per cent from the Philippines.

On 1 January 1989, the minimum wage in Guam increased from $3.35 to $3.75 an hour.

Medical care is generally of a high standard and health conditions are good. In addition to a 147-bed government-owned hospital, there is a United States Naval Hospital and 12 medical and dental clinics.

Education is compulsory for children between six and 12 years of age. In 1988, there were 24 elementary schools, six middle schools, five academic high schools and one vocational high school. Guam Community College offers high school programmes and higher education preparation.

The University of Guam offers undergraduate programmes in liberal arts, sciences and professional studies, as well as 16 graduate programmes.

PUBLIC FINANCE

A two-year budget went into effect in fiscal year 1988/89. Total government revenue for 1986/87 had amounted to $257 million. Expenditure for the same period amounted to $220 million. Revenue for 1989/90 is projected to amount to approximately $459 million. For fiscal year 1989/90, projected government expenditure amounts to $351 million.

FUTURE POLITICAL STATUS

In September 1976, a referendum sponsored by the Guam Political Status Commission was held. The majority voted that Guam should remain a Territory with a separate constitution.

In 1977, a 32-member Constitutional Convention was elected to draft a constitution which was subsequently presented to and approved by the Congress and the President of the United States. In a referendum held in August 1979, the Guamanian people overwhelmingly rejected the proposed constitution.

In January 1982, a second political status referendum was held in which the voters were asked which of the following seven alternatives they preferred as "the ultimate goal of the Territory of Guam": (*a*) statehood; (*b*) independence; (*c*) free association; (*d*) the status of incorporated Territory (i.e. with a local constitution); (*e*) commonwealth status; (*f*) the *status quo*; or (*g*) other.

Commonwealth status received 4,914 votes (49.5 per cent), just short of an absolute majority. Every village on the island was reported to have opted for Commonwealth status.

In a run-off political status referendum held in September 1982, Guamanian voters by a large majority expressed preference for a United States Commonwealth as the future status of the Territory of Guam.

Subsequently, in February 1984, the Guam Legislature established an eight-member Commission on Self-Determination to prepare a draft Commonwealth Agreement which, if acceptable to the people, would be submitted for consideration to the United States Congress. In plebiscites held during 1986 and 1987, the people of Guam approved a draft Commonwealth Act drafted by the Commission.

In March 1988, the draft Commonwealth Act was introduced in the United States House of Representatives and the Senate, where it was referred to two House committees and a Senate committee. Subsequently, a seven-member Guam Commission on Self-Determination chaired by the Governor of Guam, Joseph Ada, was given responsibility for obtaining United States congressional approval of the draft Commonwealth Act.

In his State-of-the-Territory address in February 1989, Governor Ada stressed that the people of Guam had rejected territorial status for that of a Commonwealth. He pointed out that under the Territory's present unincorporated status, the United States Congress, without limitations on its power, could dispose of Guam and its people and, therefore, the time had come for Guam to have the protection offered by Commonwealth status. Governor Ada later stressed that Commonwealth status would address a wide variety of Federal constraints that had hampered Guam economically, politically and socially.

According to press reports, it might be several years before United States congressional committees complete consideration of the draft Commonwealth Act.

During the forty-fourth (1989) regular session of the United Nations General Assembly, the representative of the United States stated in the Fourth Committee in October that his Government believed Guam had become virtually self-governing. It was represented in the United

States House of Representatives by an elected delegate who could vote in any committee and be chairman of any sub-committee. Competitive free elections were held on a regular basis. The people of Guam, while desiring to maintain their unique cultural identity, had affirmed and reaffirmed in election after election their strong desire to maintain a close relationship with the United States.

The United States representative stated that the presence of military facilities and personnel in Guam was a direct manifestation of co-operative and negotiated arrangements achieved with Guam's leadership. Guamanian leaders had told the Special Committee on decolonization that Guamanians welcomed the armed forces and considered it an honour to serve in the United States Army. A very high percentage of military personnel in Guam were Guamanians, including many indigenous Chamorros.

In a statement to the Special Committee in August 1990, the representative of the United States stated that her Government did indeed recognize the unique cultural identity of the Chamorro people as it recognizes the cultural identities of various ethnic, national and other groups that make up the inhabitants of the United States Territories and indeed of the United States citizenry. The United States Government, however, is constitutionally required to treat all peoples as equals under the law with equal political status. That applied to the Chamorro people, who have an inalienable right to self-determination as do all the other inhabitants of the Territory of Guam.

She further stated that, with respect to military installations, land was in the process of being transferred from the Department of Defense to the Government of Guam for a water sewage treatment plan, a school and a branch of the Guam Community College. The Defense Department was examining also the feasibility of moving the activities of the Brewer Field Naval Air Station to Anderson Air Force Base.

In August 1989, Governor Ada and other members of the Guam Commission on Self-Determination met with officers of the Special Committee at United Nations Headquarters.

Governor Ada stated then that Guam was pleased to be affiliated with the United States. He recalled that a Federal official of the United States had recently characterized Guam as "self-governing". He could not agree with that since, under the current interpretation of the United States Constitution, Guam could be disposed of by the United States Congress as the latter saw fit. The people of Guam had called for an end to their current 'non-status' as an unincorporated Territory and for recognition of their right to self-determination, greater autonomy, self-government and a measure of political sovereignty.

Governor Ada further stated that an inter-agency panel of the United States Government had presented a draft review of the legislation which was unsatisfactory to the people of Guam. The Guam Commission on Self-Determination remained hopeful that the United States Congress and the United States Administration would grant Guamanians the status they sought and deserved.

In November 1990, the General Assembly adopted by consensus a resolution which reaffirmed the inalienable

right of the people of Guam to self-determination and independence and the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination.

The Assembly reiterated that one of the obstacles to economic growth in Guam was the holding of large tracts of land by the United States Federal authorities and called upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights.

It urged the administering Power, in co-operation with the territorial Government, to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources.

Representatives of the Territory participated in the regional seminar for the Pacific, held in Vanuatu in May 1990, as part of the Programme of Activities in Observance of the Thirtieth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Objective Justice

A United Nations Review Dedicated to the Promotion of Justice through the Self-determination of Peoples, the Elimination of Apartheid and Racial Discrimination, and the Advancement of Human Rights

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Complete Decolonization—Objective 2000

If there is one activity above all others that has affected the universality of the United Nations, making it truly representative of the international community of States, it is the process of decolonization—a process that the Organization set in motion in its earliest days. More than half the United Nations current membership of 159 nations were former colonies. This represents the achievement of self-determination by more than 80 million people, leaving fewer than 2 million today who still do not directly govern themselves. They reside in 17 Non-Self-Governing Territories and one Trust Territory.

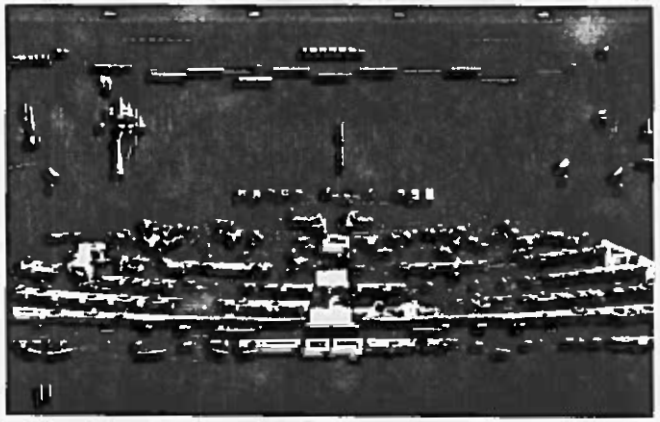
The process continues. The goal is a world free of dependent Territories by the year 2000.

The United Nations interest in this process is understandable, since the aspirations of the dependent peoples of the world were encouraged by the United Nations Charter itself. Respect for "the principle of equal rights and self-determination of peoples", set forth in the Charter as one of the purposes of the United Nations, is expanded upon in three separate chapters—XI to XIII—setting out the obligations of Member States responsible for administering dependent Territories. Two separate bodies—the Trusteeship Council and a Special Committee—watch to see that these obligations are carried out:

Trusteeship Council. Chapters XII and XIII established the International Trusteeship System—by which States administering Trust Territories agreed to promote the progressive development of their inhabitants towards self-government or independence—and the Trusteeship Council to help administer that System. The United Nations played its earliest decolonizing role in taking over the supervision of the administration of Mandates of its predecessor organization, the League of Nations, and assumed the same task for Territories detached from States after the Second World War. Expanding on the League's system for supervising

Mandated Territories, the United Nations set up the Trusteeship Council to accept petitions, to hear petitioners and to send visiting missions to the Territories, and it called for annual reports from administering States on conditions in the Territories.

UN Photo



The Trusteeship Council chamber at United Nations Headquarters, New York

The Trusteeship Council has five members: China, France, the USSR, the United Kingdom and the United States. These are the same States that are permanent members of the Security Council. Of the original 11 Trust Territories placed under the International Trusteeship System, only one remains: the Trust Territory of the Pacific Islands (Micronesia), designated as a "strategic" Territory. The Charter gave the Security Council responsibility to approve the terms of trust agreements, or their amendment or termination. The other Trust Territories have achieved independence or have chosen to unite with a neighbouring sovereign State.

Special Committee on Decolonization. Chapter XI of the Charter, entitled "Declaration regarding Non-Self-Governing Territories", set out the obligations of administering States towards dependent Territories that were outside the trusteeship framework. The interests of the inhabitants of the Territories are paramount, and administering States accept as a "sacred trust" the obligation to promote their well-being. Those States are required to send information regularly to the Secretary-General on economic, social and educational conditions in the Territories for which they are responsible.

Thirty years ago, to speed the process of decolonization, the General Assembly proclaimed the Declaration on the Granting of Independence to Colonial Countries and Peoples (*see appendix I below*). By this document, Member States declared that subjecting peoples to alien subjugation, domination and exploitation was a denial of their fundamental human rights. They also affirmed the right of all peoples to self-determination, forbade armed action or repressive measures against dependent peoples, and called for the transfer of all powers to those peoples in accordance with their freely expressed wishes.

In 1961, the Assembly set up the Special Committee on the Situation with regard to the Implementation of

UN Photo/M. Grant



The Special Committee on Decolonization in session in 1990.

the Declaration on the Granting of Independence to Colonial Countries and Peoples as its main body concerned with

progress of all peoples under colonial rule towards self-determination and independence. Also known as the Special Committee on Decolonization or the Special Committee of Twenty-four, it studies the information submitted by the administering States, makes recommendations on implementing the Declaration, dispatches missions to Territories to get first-hand information, receives communications and hears individuals or representatives of organizations and Governments. It also keeps an eye on foreign businesses and other interests operating in Territories, as well as on military activities there, and their effect on the decolonization process. In some decisions, such as those pertaining to Guam, Bermuda and the Trust Territory of the Pacific Islands, for example, it has reaffirmed its conviction that the administering Power must ensure that the presence of military bases and installations does not hinder the populations from exercising their right to self-determination and independence. It also examines the assistance given to the Territories' people by the organizations and organs of the United Nations system.

Two sub-bodies assist the Special Committee in its work: the Sub-Committee on Small Territories and the Sub-Committee on Petitions, Information and Assistance.

The Special Committee's work is reviewed each year by the General Assembly at plenary meetings and through the Assembly's Fourth Committee, which devotes its work exclusively to decolonization issues. The Fourth Committee's recommendations serve as a basis for Assembly decisions on decolonization.

The Special Committee currently has 25 members: Afghanistan, Bulgaria, Chile, China, Congo, Côte d'Ivoire, Cuba, Czechoslovakia, Ethiopia, Fiji, India, Indonesia, Iran (Islamic Republic of), Iraq, Mali, Norway, Papua New Guinea, Sierra Leone, Syrian Arab Republic, Trinidad and Tobago, Tunisia, USSR, United Republic of Tanzania, Venezuela and Yugoslavia.

The Committee annually reviews the list of Territories to which the Declaration is applicable. In that connection, it has, since 1972, reviewed the applicability of the Declaration to Puerto Rico and, while it has not made any

recommendation to the General Assembly on the matter, it has affirmed the inalienable rights of the people of Puerto Rico in accordance with the Declaration.

Thirtieth Anniversary of the Declaration: In 1988, the General Assembly recalled that 1990 would mark the thirtieth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. It also sought to set a time-limit for the attainment of independence by the remaining dependent Territories. Thus it declared the period 1990-2000 as the International Decade for the Eradication of Colonialism. In 1989, in addition to calling for a special commemorative meeting of the General Assembly in October 1990 (described in an article below), it asked the Special Committee to prepare the text of a commemorative declaration highlighting the work accomplished during the past 30 years and taking into account the plan of action for the International Decade. The motto for the anniversary was "Complete decolonization—objective 2000".

On 20 November 1990, by resolution 45/33, the General Assembly adopted the text of the commemorative declaration by 124 votes in favour to 2 against (United Kingdom and United States), with 21 abstentions (Belgium, Belize, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, Norway, Panama, Poland, Portugal, Romania and Sweden).

The two States which cast negative votes contended that the text reflected the rhetoric of the past; new thinking and new language were necessary, they said, and they felt that the Special Committee should reconsider its approach to decolonization. They objected to the notion that the only means of concluding the process of self-determination was independence.

Others, which abstained, said they felt the text did not take into account positive developments that had taken place in South Africa; they considered that the recent independence of Namibia had removed the question of *apartheid* from the decolonization agenda. *(For the text of the commemorative declaration, see appendix II.)*

Decolonization is not enough if it is not accompanied by respect for human rights, General Assembly President Guido de Marco, of Malta, said on 10 October 1990.

UN Photo/M. Grant



Guido de Marco, of Malta, President of the forty-fifth session of the General Assembly.

De Marco, Malta's Minister for Foreign Affairs, was speaking at a solemn meeting of the Assembly held to commemorate the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which the Assembly had adopted on 14 December 1960. The meeting was the final event of a year-long series of activities carried out to observe the anniversary.

That Declaration "was not voted in a vacuum," De Marco recalled. "[It] was drafted and approved by an international community which was becoming more and more aware of the importance of ensuring individual human rights and dignity. In 1918 the same General Assembly over which I now have the honour to preside spelled out a warning: disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind...

"Let us today," he added, "renew our efforts and commitments in resolving in harmony and co-operation the colonial vestiges of the remaining Non-Self-Governing Territories; not disregarding our responsibility, however, towards those people who rightfully feel cheated when the full sovereignty of the State is not matched by full respect for the obligations imposed by the Universal Declaration of Human Rights".

De Marco stressed the role of the Declaration on decolonization, and of the United Nations body monitoring its application. "The 1960 Declaration," he said, "is in itself a landmark, for it has ..contributed in no small manner to fulfilling the peoples' aspirations to the full enjoyment of freedom and the independence of their homelands...

"The process of decolonization has seen the emergence of 80 new States," he said. "Many of us here have lived through and contributed towards this process, and hence cherish the memory of the day when our countries became sovereign States."

He recalled that 750 million people were living under colonial rule in 1945, while in 1990 only about 2 million live in Non-Self-Governing Territories.

The Special Committee on Decolonization plays an important role, de Marco said. "Established in 1961 to monitor the implementation of the 1960 Declaration on decolonization, the Special Committee over the years has assiduously pursued its assigned task and considered the situation in no less than 46 Non-Self-Governing Territories... Time has proved that, with political will and mutual co-operation on the part of all concerned, questions concerning Non-Self-Governing Territories can be settled peacefully."

According to United Nations Secretary-General Javier Pérez de Cuéllar "the international community has every reason to be proud of the important role that it has played in helping the peoples of former colonial territories to win their freedom.

"In the years that have elapsed since the Declaration was adopted the world has witnessed one of the most remarkable developments of our time. 50 Trust and

Non-Self-Governing Territories have been enabled to exercise their right to self-determination...

"As a result of the process of decolonization, today the United Nations is a far more representative and stronger body than it was three decades ago," he said.

UN Photo/M. Grant



UN Secretary-General Javier Pérez de Cuéllar, at left, and Special Committee on Decolonization Chairman Tesfaye Tadesse

The Special Committee, he observed, "has discharged with great credit its special responsibilities for monitoring the implementation of the Declaration. It has succeeded in mobilizing international support for the legitimate aspirations of the colonial peoples...

"The United Nations continues to uphold its commitment to the political, economic and social advancement of the remaining 18 Non-Self-Governing Territories," he added. "The objectives set forth in the Declaration continue to be applicable to them today as they were when that historic document was adopted."

For Special Committee Chairman Teslaye Tadesse, of Ethiopia, "realism in approach is necessary to chart an effective course of action that will enhance the objectives of decolonization in the case of these remaining Territories...

"The approach we adopt," he said, "should take due account of the specific needs and particular conditions of the Territories concerned. In its annual review...the Committee has endeavoured to assess the full extent of such peculiarities in an attempt to determine the stage reached by the Territories, in particular in the conduct of their respective affairs and in the broader area of self-government...

"It is my earnest hope that, as the Assembly meets during the course of this final decade of the twentieth century, the Committee of Twenty-four will be able to report that no more Non-Self-Governing Territories remain on its list," the Chairman concluded.

UN Photo



Ambassador Ibrahim Gambari of Nigeria, Chairman of the Special Committee against *Apartheid*

Ibrahim Gambari, of Nigeria, Chairman of the Special Committee against *Apartheid*, said that the Declaration had "set the framework and direction for the political, economic and social developments that dominated the agenda of international, and even national politics in the following 30 years..."

Representatives of the Groups of African, Asian, Eastern European, Latin American and Caribbean, and Western European and other States also addressed the meeting.

Seminars Eye Progress in Decolonization

"[There] cannot be anything more reprehensible in life than having someone else make your decisions for you."

These words of I. S. Mulitauaopele, High Talking Chief of American Samoa, sum up the spirit of two United Nations seminars on decolonization held in 1990 in Vanuatu and in Barbados.

The seminars were part of the activities organized by the United Nations General Assembly for the thirtieth anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples. That landmark document gave impetus to the great independence movement that swept the world in the 1960s and 1970s, leading to the birth of some 80 new nations.

The Assembly in 1989 decided to hold two regional seminars on decolonization, in the Caribbean and in the Pacific, since most of the remaining 18 Non-Self-Governing Territories are located there.

The events were organized by the United Nations Special Committee on Decolonization—the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

The seminars were held to review the specific problems of the Territories. To draw up strategies on how to assist the peoples of the Territories as they progress towards self-determination, special attention was given to the views of their representatives, and the Committee made exceptional efforts to secure their participation. The administering Powers also provided support, and the Vanuatu seminar saw the presence of the largest number of representatives from the Territories at a Special Committee seminar.

Decolonization of the Pacific.

The seminar for Asia/Pacific was held at Port Vila, Vanuatu, from 9 to 11 May 1990. It was attended by 61 participants—representatives of Non-Self-Governing Territories, administering Powers (New Zealand and Portugal), members of the Special Committee, and non-governmental organizations (NGOs), as well as eminent persons. The seminar was conducted by Tesfaye Tadesse, Chairman of the Special Committee and Ethiopia's Permanent Representative to the United Nations.

Members of the Special Committee taking part in the event were Chile, Fiji, Indonesia, Norway, Tunisia, the United Republic of Tanzania and Yugoslavia. Five members of the South Pacific Forum—a political and economic organization of 15 countries and Territories of the region—also attended: Australia, Papua New Guinea, New Zealand, Solomon Islands and Vanuatu.

UN Photo/Saw Lwin



Father Walter Lini, Prime Minister of the Republic of Vanuatu

Father Walter Lini, Prime Minister of Vanuatu, addressed the opening meeting. "Many, if not most, of the world's remaining Non-Self-Governing Territories can be found here in the South Pacific," he said. "In a sense, we now have our own 'Namibias' and our own 'Palestines'—potentially explosive colonial situations that cry out for international attention."

The Prime Minister proposed measures to speed up decolonization. "This decade should begin with a visit by the

Secretary-General of the United Nations, or a specially designated representative of the Secretary-General, to each of the remaining Non-Self-Governing Territories," he said.

"An urgent appeal should be issued at the highest levels," he continued, "urging those who are still administering Non-Self-Governing Territories to establish the necessary conditions, as soon as possible, to enable the peoples of those Territories to gain their political and economic independence prior to 31 December 1999."

Individual nations, Lini said, should be urged "to consider the adoption of legislation discouraging commercial enterprises from continuing or initiating activities that are prejudicial to the exercise of the right of self-determination and independence by the peoples of the remaining Non-Self-Governing Territories".

Countries could also be requested to adopt legislation promoting the human rights of the peoples of the Territories, and facilitating their recourse to judicial proceedings in order to gain economic and social restitution, Lini said.

In the view of Ambassador Tadesse, the administering Powers should assist the economic development of the Territories in close consultation with the local representatives. The Powers should also safeguard the permanent sovereignty of the peoples of the Territories over their natural resources, he said.

The participants heard representatives of several Non-Self-Governing Territories—American Samoa, Guam, New Caledonia and Tokelau.

New Caledonia's Rock Wamytan, of the Front de libération nationale kanak socialiste (FLNKS), expressed the hope that by 1998 the Kanak people would have all the necessary skills to exercise their right to self-determination. Yann Céléne Uregei, of the Front uni de libération kanak (FULK), felt that the 10-year period until self-determination stipulated by France was too long.

Leland Bettis, Executive Director of the Guam Commission on Self-determination, said that in 1987 Guamanian voters had approved a Commonwealth Act which, when approved by the United States Congress, would allow Guam to be internally self-governing. The draft Act, which had been before that Congress for two and a half years, contained a mechanism by which Guam's indigenous inhabitants would exercise their right to self-determination in line with the 1960 General Assembly Declaration. Ron Rivera, Chairman of Guam's Organization of People for Indigenous Rights, said his organization supported the draft Act, which would provide for self-determination for his people.

Casimilo Perez, Official Secretary of the Office for Tokelau Affairs, said that the people of Tokelau asked for the opportunity to develop a form of Government, acceptable to both Tokelau and the United Nations, in their own time and at their own pace.

For the time being, they were happy to remain linked to New Zealand as a Non-Self-Governing Territory.

I. S. Mulitauaopele, High Talking Chief and Special Assistant to the Governor on Public Affairs, said that American Samoa was by every means self-governing. The entire Government and public service were made up almost exclusively of Samoans. All decisions were made by the American Samoans, who also owned 90 to 95 per cent of the land. It was the wish of his people to maintain their relationship with the United States, which, he said, was based on mutual respect and care.

The discussion that followed highlighted the main issues in the region. Participants held that the administering Powers had the responsibility to ensure that political, economic and social conditions were developed to the extent that the people of the Territory could make a free choice about self-determination, unimpeded by lack of political, economic or social self-sufficiency.

Programmes for economic and social advancement should be expanded as the Territories accede to independence, participants stated, thus enhancing the opportunity of the people to determine their future without the threat of economic reprisal. Adequate economic infrastructures should be created, and transport and communications should be upgraded, to overcome the adverse economic effects of remoteness and isolation.

Noting that most Territories depend on food imports, speakers felt that programmes of agricultural advancement should have high priority, and that trade relations should be extended to more countries.

UNICEF/Carolyn Watson



A villager of the island of Tanna, south of the main island of Efate where the Vanuatu capital of Port Vila is located, stands beside yams stored near the village meeting house

The tourist industry continued to be the main economic activity of some island Territories, participants noted. While tourism is a major source of revenue, they felt that it should be developed with extreme care, to ensure that scarce land was not alienated from the people. The development of tourism should be carefully monitored, to avoid cultural disruption and the marginalization of the local population.

On 11 May 1990, the participants unanimously adopted a report on the seminar. The Special Committee and the United Nations would carefully study the proposals made at the seminar, Ambassador Tadesse said, for completing the decolonization process by the end of the decade.

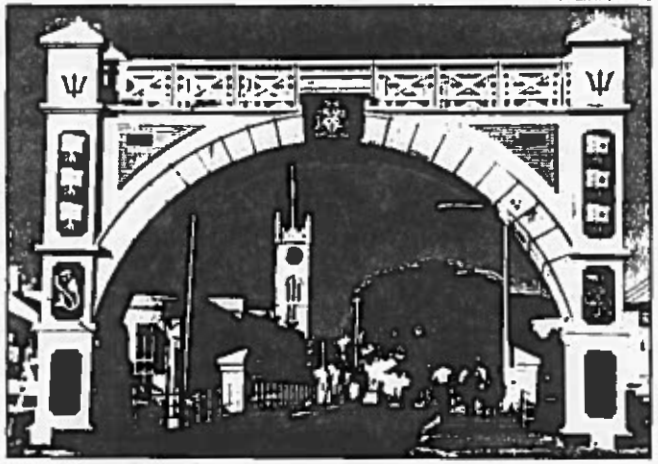
...and the Caribbean

The seminar for the Caribbean was held at Bridgetown, Barbados, from 19 to 21 June 1990. It was attended by 59 participants—representatives of Non-Self-Governing Territories, United Nations bodies, intergovernmental organizations and NGOs, as well as eminent persons. No administering Power accepted the Committee's invitation to participate.

Conducted by Ambassador Tadesse, the meeting was attended by seven members of the Special Committee—Afghanistan, China, Côte d'Ivoire, Cuba, Czechoslovakia, Norway, and Trinidad and Tobago. Other States which attended the seminar included Argentina and Barbados.

L. Erskine Sandiford, Prime Minister of Barbados, spoke at the opening session. "Barbados believes that all peoples should determine freely their present and future status," he said, "whether they wish to retain their status with the

Allan Montaine



The Independence Arch, in Bridgetown, was erected to commemorate Barbados' twenty-first anniversary of its independence, achieved in 1966

colonial or administering Power in the foreseeable future, or whether they wish to retain that status in the short- or medium-term until they can adjust their economic, social or political circumstances.

"This seminar is for us much more than a commemoration," he said. "This seminar offers an opportunity

for a serious exchange of ideas and reflections on the future. Hopefully, it will result in...a call for international co-operation to make the last decade of the twentieth century truly the world's last decade of colonialism.

"The highest form of political, economic, social and cultural independence in each individual Caribbean Territory will come through regional integration and self-reliance," he added. "For political freedom to be real, it must rest on independent economic foundations."

Tadesse recalled that the General Assembly had recognized the need for flexibility in the process of self-determination: on 15 December 1960 it had indicated that a Territory could be said to have reached self-government by emergence as a sovereign independent State, by free association with an independent State, or by integration with an independent State.

This offered clear options to the Territories, Tadesse said, and refuted misleading views that the Special Committee had nothing but independence to offer. In fact some Territories had achieved independence, and others self-government in the form of integration or free association with another State.

The seminar heard representatives of Anguilla, Bermuda, the British Virgin Islands, Montserrat, the Turks and Caicos Islands, and the United States Virgin Islands.

Territories whose economy was based on a single industry should make serious attempts at diversification, said Phyllis Fleming-Banks, of the National Council of Women of Anguilla. Fishing and agriculture should be aggressively developed. Foreign investment and land alienation should be monitored through relevant laws. With education and the co-operation of the international community, self-determination could become a reality, she said.

C. Walton Brown, Jr., Chairman of the Committee for the Independence of Bermuda, stated that the Territory had one of the world's highest per capita incomes, negligible unemployment, a strong international financial base and political stability. Those conditions had primed Bermuda for independence, he said. But racial unease and the lack of political leadership would result in continued British colonial rule for some time. If Bermuda was to gain international respect and control over its own destiny, he observed, it would eventually have to sever the colonial link.

"The British Virgin Islands will not be bullied, provoked, coerced or sweet-mouthed into independence," stated Ralph T. O'Neal, Deputy Chief Minister and Minister for Natural Resources and Labour of that Territory. He stressed that the majority of the population did not want independence. The Special Committee must respect the wishes of the majority, he said, and find a way to deal with the small States which do not wish to opt for independence.

John Osborne, Chief Minister and Minister for Finance of Montserrat, said that it would be a mistake to demand independence under the existing economic conditions in Montserrat. While he believed in self-determination, the people were hindered from exercising that right because of the economic situation. Without a sound infrastructure, it would be impossible to convince people to accept independence.

Not everyone in Montserrat wanted independence, he said. Many feared that the economy would falter. Although most people wished to retain a special relationship with the United Kingdom, Montserrat should be in a position, in the not too distant future, to express its right to self-determination and join the international community of nations, he said.

Alden Durham, Leader of the Opposition in the Turks and Caicos Islands, considered that the 1988 Constitution was "thrust upon us by the British". It had vested supreme power in the colonial Governor, and had legislated a voting system giving more weight to some votes than to others.

There was no programme for the independence of the Territory, he said. His party viewed independence as inevitable, and felt that the Territory should not rely on the British for ever. It was therefore committed to developing a sound economic base and a cadre of trained personnel, so that independence could be sustained.

Carlyle Corbin, Representative for External Affairs of the Government of the United States Virgin Islands, said that the constitutional mechanisms governing the relationship of the Territory with its administering Power did not emanate from international law, but from United States domestic law. The current political relationship and any change in status rested with the United States Congress. This had led to unilateral application of certain laws by the United States, without consulting the Territory's Government.

That process was supported by the courts of the United States, which tended to interpret the relationship as if the Territory had chosen the political status of integration. But without a referendum on that status, such a position was inconsistent with international law, he said.

Participants discussed the main issues facing the region. With the independence of Namibia in April 1990, the decolonization process had entered a new phase, they said, and innovative approaches were needed to complete decolonization. Participants deemed it essential to call on the United Nations to observe or supervise the final act of self-determination in the Territories.

Some Territories have a low level of economic development owing to their limited natural resources, participants noted. Until there was greater self-reliance, the economies of the Territories would remain dependent, and be controlled by the administering Powers and other interests. The administering Powers should thus support economic growth and diversification.

Some speakers urged the administering Powers to discourage any systematic influx of immigrants and settlers, to avoid disruption of the demographic composition of the Territories.

Others expressed concern over military installations and activities in the Caribbean Territories, pointing out security risks and other adverse consequences.

Many participants stressed the need to protect the environment and prevent the disposal of toxic wastes. They recalled the responsibility of the administering Powers to ensure that activities within their jurisdiction do not cause damage to the environment.

Participants stressed the vulnerability of the Caribbean Territories to drug trafficking and money-laundering, and called on the international community to co-operate with the territorial Governments in fighting the drug problem.

On 21 June 1990, the participants adopted by acclamation the report of the seminar. The Special Committee would study the report carefully, Tadesse said, in particular the need for further dissemination of information on decolonization.

* * *

On 20 August 1990, the Special Committee unanimously adopted the reports of the seminars. It asked the Secretariat to prepare for its 1991 session a working paper on how to translate into action the proposals put forward at the seminars, taking particular account of the views of the representatives of the Territories.

Palau—In Search of Its Destiny

In February 1990, the voters of Palau, an island group in the Pacific Ocean with a population of about 13,770, once again set off for polling stations to decide their future political status. Palau, for several years now, has been in the process of deciding on a means of self-determination—a process that has brought its people to the verge of entering into a Compact of Free Association with the United States. But after several plebiscites on the Compact, the Palauans still have not adopted it.

The Trust Territory of the Pacific Islands, with a total population estimated at 168,431 in 1986, is made up of some 2,000 islands scattered over 7.8 million square kilometres of the western Pacific, north of the Equator. Palau, the least populated of the Pacific Islands that were placed under United States administration by the terms of a Trusteeship Agreement between the United Nations and the United States concluded in 1947, is the only one that has not yet finalized the terms under which its Compact with the United States will go into effect. It is one of four constitutional Governments in the Trust Territory; the others are the Federated States of Micronesia (comprising the four states of Kosrae, Pohnpei, Truk and Yap), the Marshall Islands and the Northern Mariana Islands.

The Northern Marianas opted for Commonwealth status in 1975. In 1983, the Federated States of Micronesia and the Marshall Islands approved Compacts of Free Association with the United States. The Congress of the United States also approved them, with some amendments, in 1985 and they were signed by the President of the United States in January 1986.

In May 1986, the Trusteeship Council noted in its resolution 2183 (LIII) that the peoples of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia and Palau had freely exercised their right to self-determination in plebiscites observed by United Nations visiting missions and had chosen free association with the United States in the case of the Marshall Islands, the Federated States of Micronesia and Palau and Commonwealth status in the case of the Northern Mariana Islands.

The Council further requested the United States, in consultation with the four entities, to agree on a date not later than 30 September 1986 for the full entry into force of the Compacts and Commonwealth Covenant, and considered that the United States had satisfactorily discharged its obligations under the terms of the Trusteeship Agreement and that it was appropriate for that Agreement to be terminated with effect from the above date.

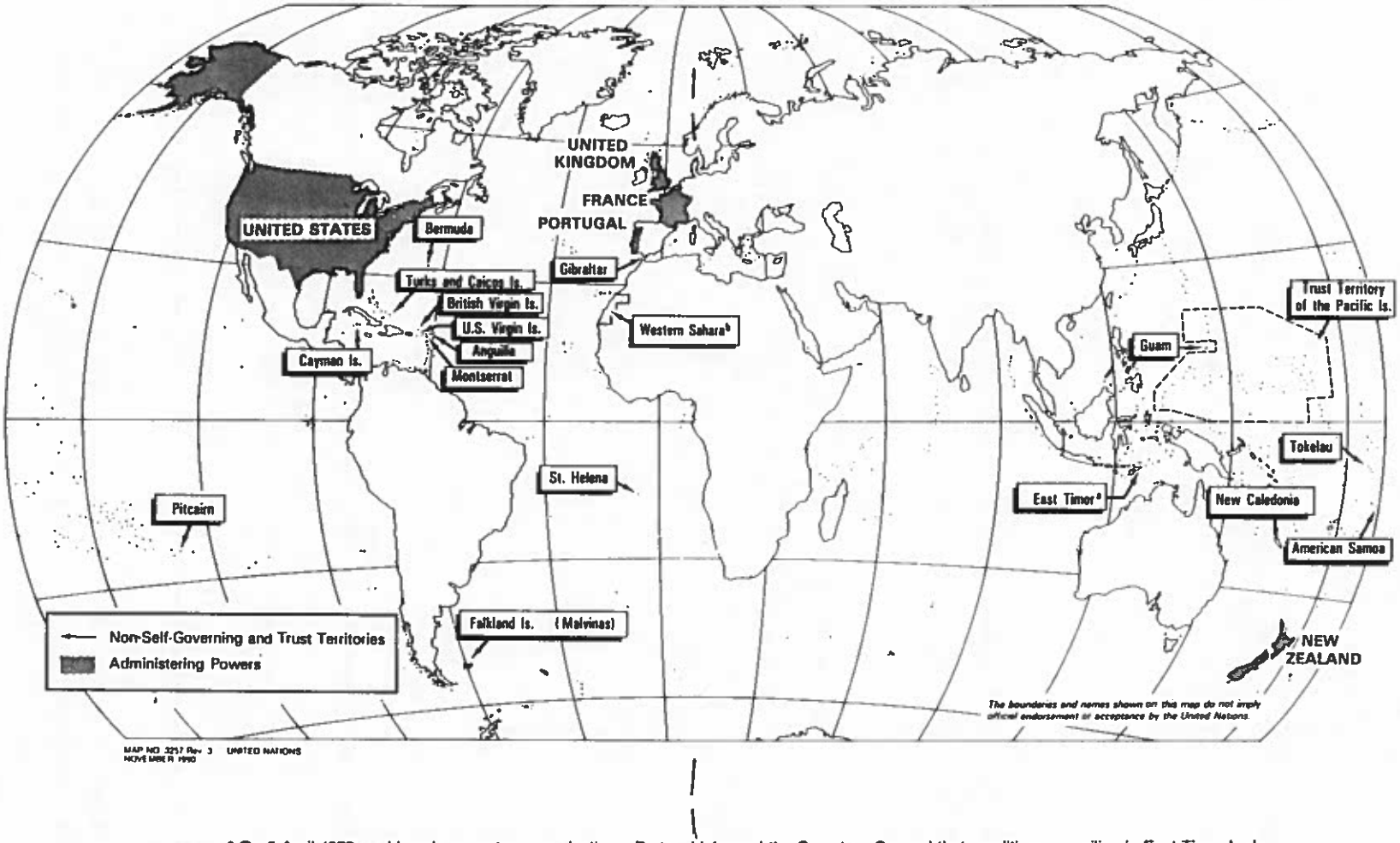
UN Photo/Y Nagata



A farmers' produce market on Koror Island, Palau.

It only remained for Palau to take the necessary measures to approve the new political status. In December 1989, the United States President signed into law a Congressional resolution authorizing the entry into force of the Compact of Free Association between the United States and Palau, subject to approval by the Palauan people.

Seven plebiscites have been held in Palau on the Compact of Free Association which were observed by United Nations visiting missions sent by the Trusteeship Council.



[a] On 6 April 1979, and in subsequent communications, Portugal informed the Secretary-General that conditions prevailing in East Timor had prevented it from assuming its responsibilities for the administration of the Territory.

[b] By resolution 45/21 of 20 November 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. It expressed its conviction that the continuation of direct dialogue between the parties to the conflict could contribute to the completion of the joint good offices process aimed at promoting a just and definitive solution of the question of Western Sahara by the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the United Nations Secretary-General.

majority necessary for ratification. The Government of Palau was, therefore, reviewing options to resolve its current status.

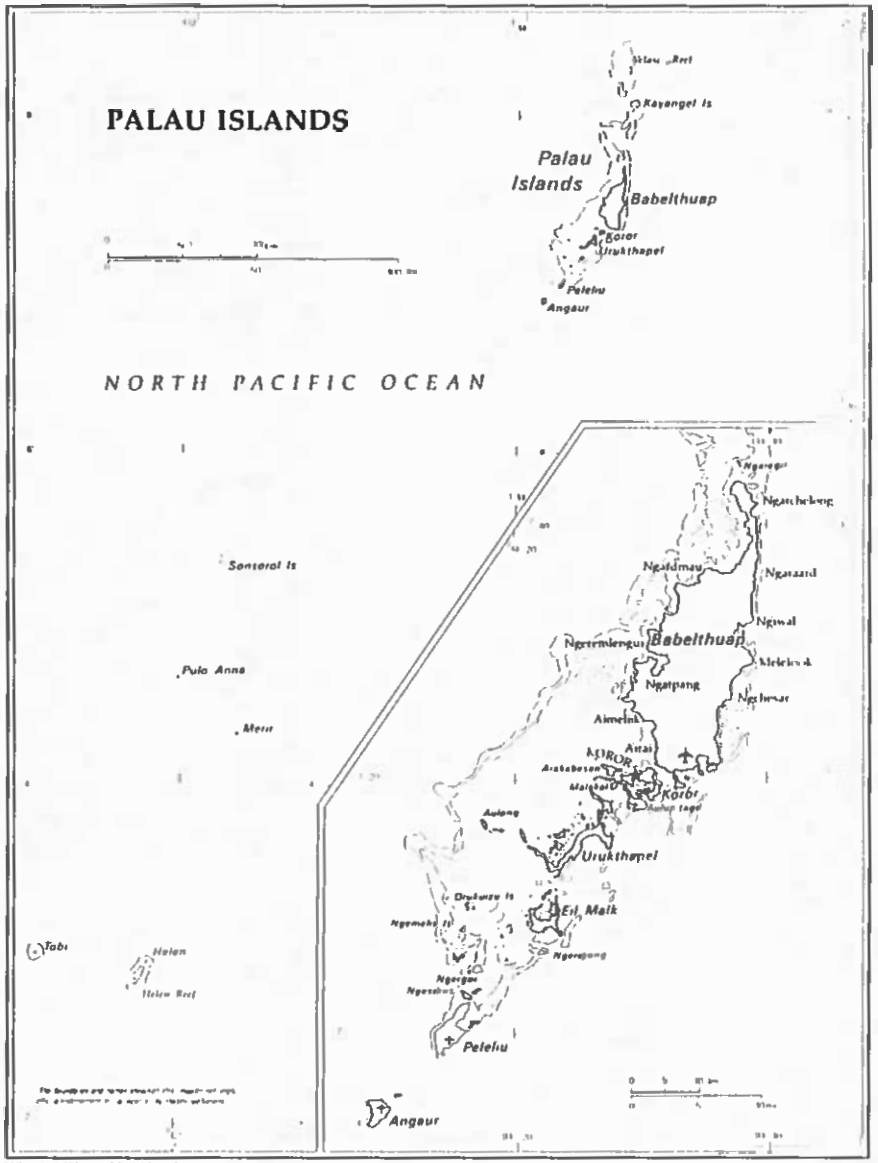
According to the present arrangements, legislative power in Palau is vested in the *Olbul Era Kelulau*, consisting of a House of Delegates and a Senate, whose members serve four-year terms. Executive power is vested in a President, who is elected for a four-year term. A Council of Chiefs advises the President on matters concerning traditional laws and customs. Palau is composed of 16 states, which were formerly clusters of loosely linked hamlets. Judicial power in Palau is vested in a Supreme Court, a National Court and lower courts of limited jurisdiction established by law.

UN Photo/Y. Nagata



A bonito catch is unloaded at a Koror Island wharf in Palau.

At a time when the United Nations is commemorating the thirtieth anniversary of the adoption of the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, the Pacific Islands remain the last Trust Territory of 11 such Territories of the International Trusteeship System set up under Chapter XII of the United Nations Charter. It is, moreover, the only strategic Trust Territory under Article 83 of the Charter, falling under the jurisdiction of the Security Council. The Trusteeship Council performs, on behalf of the Security Council, the func-



tions of the United Nations under the Trusteeship System relating to political, economic, social and educational matters. The Trusteeship Agreement may only be terminated by a decision of the Security Council. The Trusteeship Council in June 1990 noted with satisfaction assurances given by the United States that it would continue to fulfil its responsibilities under the Charter and the Trusteeship Agreement. On 22 December 1990, the Security Council, expressing the hope that the people of Palau would be able in due course to complete the process of freely exercising their right to self-determination, determined, in the light of the entry into force of the new status agreements for the Federated States of Micronesia, the Marshall Islands and the Northern Mariana Islands, that the objectives of the Trusteeship Agreement had been fully attained, and that the applicability of that Agreement had terminated with respect to those entities.

Decolonization into the 1990s

Ambassador Tesfaye Tadesse, Chairman of the Special Committee on Decolonization and Ethiopia's Permanent Representative to the United Nations, answered questions on where the international community stands on decolonization.

How many Territories remain under the Committee's consideration?

The list of Trust and Non-Self-Governing Territories drawn up in 1962, when the Special Committee started its work, comprised 64 Territories to which resolution 1514(XV)—the Declaration on decolonization—applied. Since then, that number has diminished steadily as more dependent Territories acceded to independence. We note with satisfaction that today only 18 such Territories, most of them small island Territories spread across the Caribbean and the Pacific, remain on the list. These Territories are Anguilla, American Samoa, Bermuda, the British Virgin Islands, the Cayman Islands, East Timor, the Falkland Islands (Malvinas),

UN Photo



Ambassador Tesfaye Tadesse, of Ethiopia, Chairman of the Special Committee on Decolonization.

Gibraltar, Guam, Montserrat, New Caledonia, Pitcairn, St. Helena, Tokelau, the Trust Territory of the Pacific Islands (Micronesia), the Turks and Caicos Islands, the United States Virgin Islands and Western Sahara.

Do you expect to add any other Territories to the list?

Only the General Assembly is empowered to add or subtract a Territory from the list. The Special Committee's mandate is to examine the application of the Declaration contained in Assembly resolution 1514(XV) and to make suggestions and recommendations on the progress and extent of its implementation.

How effective has the Committee been?

Judging by the opinions widely expressed, both orally and in written form, the United Nations has been extremely successful in the field of decolonization. In fact, one could say that it truly figures as one of the United Nations' greatest successes. The Special Committee, by virtue of its mandate, is the General Assembly's body which, at the grass roots level, serves as a catalyst for the implementation of the Assembly resolution on the matter. I would venture to say that over the past 29 years, the Committee has brought a more than modest contribution to the Organization's success in promoting the exercise by peoples of colonial Territories of their fundamental right to self-determination and independence.

What are the next priorities, since Namibia's independence?

The United Nations' deep involvement in the process of the independence of Namibia may, in the past, have overshadowed the no less active role the Organization has played, and continues to play, in decolonizing the other Trust and Non-Self-Governing Territories. As I indicated before, most of them are small Territories in the Caribbean and the Pacific.

Now that Namibia has at last joined the community of independent nations, our efforts should concentrate on how best to help the remaining Territories exercise their right to self-determination and independence. First and foremost, Member States should reiterate their support for the principles embodied in the Charter and the Declaration on decolonization, bearing in mind that such factors as a Territory's size, number of inhabitants or limited resources should not prevent its people from exercising their inalienable right to self-determination.

To this end, we must continue to listen attentively to the wishes of the peoples of the Territories and study their concerns, as each Territory has its own characteristics and particular concerns.

The two regional seminars that the Committee held in the Pacific and the Caribbean regions this year *[described in a preceding article]*, in observance of the thirtieth anniversary of the Declaration, were very helpful in that respect. They provided the Committee with the opportunity to hear, at first hand, the wishes of the populations of a number of Territories in those regions from their duly mandated representatives at those seminars. Those views, which were amply reflected in the seminar reports, clearly show how conditions may differ from one Territory to another.

The Committee will take due account of these realities in its future activities in order to meet effectively the expectations of the people concerned and to enhance the process of self-determination.

What Territories are expected to be the most difficult to decolonize?

It appears that nowadays nobody questions the right of the peoples of the Non-Self-Governing Territories to self-determination. That right, which derives from one of the fundamental principles of the Charter, is generally recognized and accepted. Wherever such a right is respected, the task of the Committee is greatly facilitated.

Most of the remaining colonial Territories, as I stated before, are small islands facing specific challenges owing to their size, geographical location and, in many cases, scarcity of resources. At the regional seminars in the Pacific and the Caribbean, some of their leaders gave priority to meeting those challenges in order to best prepare them to

exercise fully their right to self-determination. In that context, they emphasized the responsibility of the administering Powers concerned and called on the international community to assist them in improving the economic and social conditions in the Territories.

It is therefore essential that, while the decolonization effort must continue to be guided by a full commitment to the principles contained in the Declaration on the Granting of Independence to Colonial Countries and Peoples—as well as Assembly resolution 1541(XV) which sets out the options available in that regard—the specific conditions and special needs of the dependent Territories must also be taken into account for the speedy fulfilment of the aspiration of the peoples freely to determine their future.

How co-operative are the administering Powers, and is there any chance of getting them to co-operate more?

To fulfil its mandate under optimum conditions, the Committee requires the full co-operation of the administering Powers. Such co-operation can take many forms. There are three aspects of it, however, which the Committee considers essential: the provision of timely and up-to-date information on the Territories, inviting visiting missions to those Territories, and the participation of the administering Powers in the Special Committee's work.

As regards the first aspect, although most of the administering Powers, under their Charter obligations, continue to submit information to the Secretary-General on the Territories under their administration, there it still room for improvement in the receipt of up-to-date and detailed information on the Territories concerned.

Secondly, in past years administering States invited the United Nations to send visiting missions to the Territories. Those missions had provided the Committee with an opportunity to meet with the peoples of the Territories and to learn about political, economic and social conditions at first-hand. The periodicity of such missions also enabled the Committee to assess developments in those fields. The information thus gathered was very helpful to the

Committee in preparing its recommendations. In recent years, however, invitations from administering Powers have not been forthcoming. This, of course, has deprived the Committee of one of its best means of accurately assessing developments and prevailing conditions in the Territories.

With respect to the participation of the administering Powers in the work of the Committee, we note with regret that some of them do not participate in its meetings or have ceased to do so.

In view of the importance we attach to the co-operation of those Powers, we will continue to do our utmost to persuade them that it is in the interests of all parties concerned that they join us in our efforts in the decolonization process. In this connection, we were gratified to note the assistance the administering Powers provided to the Committee in facilitating the participation of representatives of the Territories under their administrations in the regional seminars in the Pacific and the Caribbean organized earlier this year. We hope that as the atmosphere in international relations continues to improve, the day will soon come when the Committee and all the administering Powers will work side by side to attain the objectives of the Declaration and enable the world to be free from all vestiges of colonialism by the end of the decade, as envisaged by the international community.

What are the most urgent needs of the Territories?

In the majority of the remaining Territories, which continue to face the challenges arising from remoteness, limited natural resources, scarcity of arable land and limited local markets, a great deal remains to be accomplished. Moreover, a number of those Territories, because of their geographical location, are exposed to the devastating effects of frequent hurricanes.

The international community must continue to examine the economic and social conditions in the small island Territories and formulate concrete suggestions that may help to bring about solutions to their specific problems.

We must continue to give particular attention to the concerns of their peoples, such as:

- the need for programmes to guide and assist economic development in the Territories through greater self-reliance,
- the need for adequate agricultural programmes aimed at reducing the heavy dependency on food imports,
- the creation of adequate economic infrastructures and upgrading of transport and communications, to overcome the adverse economic effects of remoteness and isolation,
- the need for an increased transfer of resources to the Territories, to create new economic activities and general employment, and
- the development of their tourist industry without causing cultural disruption or marginalization of the local population.

What activities of foreign economic and other interests are impeding decolonization?

Given the lack of economic self-sufficiency of the Territories, the role of foreign economic interests in them has become a matter of serious concern. The inflow of appropriate foreign investment remains a major factor of economic growth and social advancement. However, it is essential to ensure that such investments benefit the populations of the Territories by improving their standard of living and enhancing economic self-sufficiency. Therefore, emphasis should be placed on activities that promote the welfare of the people and contribute to the development of the Territories.

Having said that, it should be stressed that the Committee has in its resolutions noted the danger of activities of foreign economic interests that could pose an obstacle to decolonization. Some activities could result in plundering natural resources, damaging the environment, introducing social imbalances, or involving the Territories in illicit activities, such as money laundering, funds smuggling and drug trafficking. The Committee continues to denounce those

types of activities. It is essential to ensure that the Territories are protected from such negative activities.

What is the view of the Special Committee on military activities in the Territories by administering Powers?

The Special Committee, in its decisions with respect to military activities and arrangements by colonial Powers in Territories under their administration, reaffirms its conviction that the presence of military bases and installations in the Territories could constitute a major obstacle to the implementation of the Declaration. The Committee considers it to be the responsibility of the administering Powers to ensure that the existence of such bases and installations do not hinder the populations of the Territories from exercising their right to self-determination and independence in conformity with the Charter and the Declaration. The Committee urges the administering Powers to continue to take all necessary measures not to involve the Territories in any offensive acts or interference against other States and to comply fully with Charter principles, the Declaration and United Nations decisions relating to this question. The Committee calls upon the administering Powers to terminate such activities and dismantle such bases, and deprecates the continued alienation of land in colonial Territories for military installations.

What Territories are affected by drug trafficking or money laundering? What is being done?

Because of their small size, geographical location and insufficient means to patrol their coastlines and supervise their internal financial markets, some of the Territories are vulnerable to drug trafficking and related activities.

Although this phenomenon has been observed mainly in the Caribbean Territories, no Territory is absolutely and permanently immune from the pernicious effects of drug trafficking or money laundering.

In its annual consideration of particular Territories, the Special Committee has consistently called upon the administering Powers to take all necessary measures, in co-

operation with the territorial governments, to counter problems related to drug trafficking.

What Territories are experiencing environmental damage? What is being done?

All of the remaining small Territories, in addition to being vulnerable to natural disasters—as demonstrated by the recent passage of hurricanes Hugo in the Caribbean and Ofa in the Pacific, which caused vast environmental damage to the islands—are also exposed to the risks of being used for toxic waste dumping endangering their ecologies.

The Special Committee has consistently called for assistance to the Territories to mitigate the effects of natural disasters and to improve their disaster prevention and preparedness. It has also consistently drawn the attention of the administering Powers to the possible hazards of toxic waste dumping. It continues to monitor the situation in each Territory closely and to report to the General Assembly.

What are the problems relating to foreign exploitation of natural resources?

In assessing the problems of foreign exploitation of the Territories' natural resources, we must reaffirm that the people of the Territories are the rightful owners of their natural resources, including marine resources, and that the international community must remain vigilant to see that these resources are developed in ways that help improve living standards, promote economic self-reliance and preserve the values, traditions and integrity of their societies. The problems related to foreign exploitation of natural resources must be viewed in the context of the difficult problems and unique handicaps faced by the Territories. As I have already said, those problems include remoteness, vulnerability to natural disasters, constraints in transport and communications, great distances from market centres, heavy dependence on the export of few commodities and heavy dependence on imports.

On the one hand, foreign economic activities in the territories have resulted in the development of export-related activities in sectors such as fisheries, agriculture, manufacturing, mining and particularly tourism in several

Caribbean and other Territories. On the other hand, of urgent global concern, particularly in the Pacific, has been the impact of large-scale pelagic driftnet fishing and its depletion of the living marine resources.

In some instances, foreign economic activities have made insufficient efforts to stimulate local employment and to transfer skills. There has been little training of indigenous personnel, specially in technical, engineering, marketing and supervisory activities. Development in this area also calls for increased efforts by the administering Powers to expand technical and post-secondary education.

The tourist industry continues to be the main economic activity of some island Territories, given their attractive climate and environment. Other Territories are likely to engage in this activity in the future. While recognizing that tourism could be a major source of revenue for the Territories, given their limited natural resources, tourism development should be undertaken only with extreme care to ensure that the scarce land resources are not alienated from the people of the Territory. It should be carefully monitored to avoid cultural disruption and ensure that the local population is not marginalized.

When a Territory has become independent, what is done for its continued development?

Once a Territory becomes independent, its people must assume the exigencies of a new government, including all responsibilities for future development. Therefore, after independence many former Territories often require assistance from the international community owing to the unique problems they face, which I have already mentioned.

The international community has a network of agencies to assist in economic and social development, as can be seen most recently in the case of Namibia. The international network consists of the United Nations and its specialized agencies, as well as regional organizations.

Do you consider the target of the Decolonization Decade realistic?

Ten years to settle the question of the remaining Territories seems fairly reasonable. It does imply, however,

that all parties concerned, and the international community as a whole, should redouble their efforts to assist the peoples of those Territories in the vital areas I indicated earlier, so they can speedily prepare themselves to freely exercise their right to self-determination and independence and assume the responsibility of nationhood.

What role are NGO's playing in decolonization?

The role played by the non-governmental organizations in the decolonization process since the establishment of the United Nations is well known and greatly appreciated by the international community. Their actions at the grass-roots level, based on the realities of the Territories, have been essential in providing urgently needed assistance and in mobilizing world public opinion in favour of the principle of self-determination as enshrined in the Charter. Their most recent achievement was their invaluable contribution to the long process that led to the independence of Namibia.

The remoteness and isolation of most of the remaining Territories make the contributions of those organizations even more important. The testimony of NGOs as petitioners at our sessions, which is a clear indication of their familiarity with the issues, has always been a major source of information inasmuch as the Committee has had limited opportunities to visit the Territories.

How can the United Nations help?

As I stated earlier, if there is a field of activity where the success of the United Nations remains undisputed, decolonization is that field. I have no doubt that the Organization will continue to be involved in decolonization activities until such time as the last colonial and Non-Self-Governing Territory has exercised its right to self-determination and independence. As in the past, it will continue to serve as a catalyst for the promotion of the political, economic and social advancement of the peoples of the remaining Territories so as to enable their inhabitants to choose freely their future status before the year 2000, the target date set by the General Assembly.

Declaration on the Granting of Independence to Colonial Countries and Peoples

General Assembly resolution 1514(XV) of 14 December 1960

The General Assembly,

Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

Welcoming the emergence in recent years of a large number of dependent Territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such Territories which have not yet attained independence,

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3 Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4 All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5 Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other Territories which have not yet attained independence, to transfer all powers to the peoples of those Territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6 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.

7 All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.

Thirtieth Anniversary of the Declaration on the Granting of Independence to Colonial Countries and Peoples

General Assembly resolution 45/33 of 20 November 1990

The General Assembly,

Recalling the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in its resolution 1514(XV) of 14 December 1960,

Recalling also its resolution 43/47 of 22 November 1988, entitled "International Decade for the Eradication of Colonialism",

Having commemorated in plenary meeting, in the year of the forty-fifth anniversary of the United Nations, the thirtieth anniversary of the Declaration,

Recalling the provisions of the Charter of the United Nations, in which the peoples of the world proclaimed their determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Recalling also the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations,

Recalling further its resolutions 2621(XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 35/118 of 11 December 1980, the annex to which contains the Plan of Action for the Full Implementation of the Declaration, as well as its resolution 40/56 of 2 December 1985,

Considering that the process of national liberation is irresistible and irreversible, and recalling that the Declaration solemnly proclaimed the necessity speedily and unconditionally to put an end to colonialism in all its forms and manifestations,

Recognizing the significant and commendable role played by the United Nations, since its very inception, in the field of decolonization and noting the emergence, during this period, of more than one hundred States into sovereign existence, in particular noting with satisfaction the attainment of independence by Namibia following the holding of free and fair elections under the supervision and control of the United Nations, and the subsequent admission of independent Namibia as a Member of the United Nations on 23 April 1990,

Noting with satisfaction, in particular, that during the past thirty years a large number of former colonial Territories have achieved independence, mainly through the courageous liberation struggle carried out by the peoples of those countries, led by their national liberation movements, and that many former Trust and Non-Self-Governing Territories have exercised their right to self-determination and independence in accordance with the Declaration,

Noting also with satisfaction the important contribution made by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in furthering the aims and objectives of the Declaration with a view to the liberation of peoples from colonial rule,

Noting further with satisfaction the active and important role being played by former colonial Territories, as States Members of the United Nations and members of the other organizations of the United Nations system, in the realization of the purposes and principles of the Charter, the preservation of international peace and security, decolonization and the promotion of human progress, as well as the profound impact thereof on contemporary international relations,

Conscious of the fact that the Declaration has played an important role in assisting the peoples under colonial rule and will continue to serve as an inspiration in their efforts to achieve self-determination and independence in accordance with the Charter and in mobilizing world public opinion for the complete elimination of colonialism in all its forms and manifestations,

Noting with satisfaction the work accomplished by the two regional seminars held by the Special Committee in Vanuatu and Barbados on the occasion of the thirtieth anniversary of the Declaration,

Deeply concerned at the fact that, thirty years after the adoption of the Declaration, colonialism in the world has not yet been totally eradicated,

Reaffirming that all peoples have the right to self-determination and independence and that the subjection of peoples to colonial domination constitutes a denial of fundamental human rights and is a serious impediment to the maintenance of international peace and security and the development of peaceful relations among nations,

Increasingly aware of the importance of economic, social and cultural development and self-reliance of colonial countries and peoples for the attainment and consolidation of genuine independence,

Convinced that the total eradication of racial discrimination, *apartheid* and violations of the basic human rights of the peoples in the remaining colonial Territories will be achieved peacefully and most expeditiously by the faithful and complete implementation of the Declaration,

Noting that the large majority of the remaining Non-Self-Governing Territories are small island Territories,

Determined to take effective measures leading to the complete and unconditional elimination of colonialism in all its forms and manifestations without further delay,

1. *Reaffirms* the inalienable right of all peoples under colonial rule to self-determination and independence in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514(XV);

2. *Declares* that the continuation of colonialism in all its forms and manifestations, including racism and *apartheid*, is incompatible with the Charter of the United Nations, the Declaration and the principles of international law;

3. *Expresses its conviction* that the thirtieth anniversary of the Declaration should provide an opportunity for Member States to rededicate themselves to the principles and objectives enunciated in that document and for concerted efforts to be made to remove the last vestiges of colonialism in all regions of the world;

4. *Strongly condemns* South Africa's aggressive activities and acts of destabilization against neighbouring independent African States and its policies of *apartheid*, as well as its acquisition of nuclear weapon capability, the use of which would heighten tension and increase the threat to regional as well as international peace and security;

5. *Calls upon* Member States, in particular colonial Powers, to take effective steps with a view to the complete, unconditional and speedy eradication of colonialism in all its forms and manifestations and to the faithful and strict observance of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights, as well as other relevant resolutions and decisions of the General Assembly and those of the Security Council;

6. *Urges* Member States to do their utmost to promote, in the United Nations and the specialized agencies and other organizations of the United Nations system, effective measures for the full and speedy implementation of the Declaration in all colonial Territories to which the Declaration applies;

7. *Calls upon* Member States to render, as a matter of urgency, all moral and material assistance to the peoples under colonial rule in their struggle to exercise their right to self-determination and independence in accordance with the Charter and the Declaration;

8. *Urges* the administering Powers and other Member States to ensure that the activities of foreign economic and other interests in colonial Territories do not run counter to the interests of the inhabitants of those Territories and do not impede the implementation of the Declaration;

9. *Urges* Member States to discontinue all economic, financial, trade and other relations with the racist minority régime of South Africa that run counter to the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa and to refrain from entering into any relations which may lend legitimacy or support to its policies of *apartheid*;

10. *Requests* Member States, as well as the organizations of the United Nations system, to ensure that the permanent sovereignty of the colonial Territories over their natural resources is fully respected and safeguarded;

11. *Reiterates* the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the peoples of the Non-Self-Governing Territories of their inalienable right to self-determination and independence in conformity with the Declaration contained in General Assembly resolution 1514(XV), which fully applies to the dependent Territories;

12. *Reaffirms* that all administering Powers are obliged, under the Charter and in accordance with the Declaration, to create economic, social and other conditions in the Territories under their administration which will enable those Territories to achieve genuine independence and economic self-reliance;

13 *Requests* the administering Powers concerned to adopt the necessary measures to discourage or prevent any systematic influx of immigrants and settlers into the Territories under their administration which might disrupt the demographic composition of those Territories and prevent the genuine exercise of the right of self-determination and independence by their peoples, and to avoid any forced displacement, complete or partial, of the population of colonial Territories;

14 *Further requests* the administering Powers to preserve the cultural identity as well as the national unity of the Territories under their administration and to encourage the full development of the indigenous culture, with a view to facilitating the unfettered exercise of the right to self-determination and independence by the peoples of those Territories;

15 *Reaffirms its strong conviction* that the presence of all kinds of military bases and installations in colonial Territories could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Powers concerned to ensure that the existence of such bases and installations does not hinder the peoples of the Territories from exercising their right to self-determination and independence in conformity with the purposes and principles of the Charter and the Declaration;

16. *Calls upon* the administering Powers concerned to continue to take all necessary measures not to involve those Territories in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the United Nations relating to military activities and arrangements by colonial Powers in the Territories under their administration;

17. *Requests* Member States, in particular the administering Powers, to adopt appropriate measures to prevent the recruitment, financing, training and transit of mercenaries in their Territories for use against the national liberation movements struggling for freedom and independence from the yoke of colonialism, racism and *apartheid*;

18 *Considers* it incumbent upon the United Nations to continue to play an active role in the process of decolonization and to intensify its efforts for the widest possible dissemination of information on decolonization, with a view to the further mobilization of international public opinion in support of complete decolonization;

19 *Urges* Member States to ensure the full and speedy implementation of the Declaration contained in General Assembly resolution 1514(XV) and other relevant resolutions of the United Nations;

20 *Requests* the specialized agencies and other organizations of the United Nations system to render, or continue to render, within their respective spheres of competence, all possible moral and material assistance to the peoples of the colonial Territories and to their national

liberation movements, to take measures to withhold from the *apartheid* regime of South Africa any form of collaboration or assistance in the financial, economic and technical fields and to discontinue all support to that regime until *apartheid* has been eradicated and a non-racial, united and democratic State based on the will of all South African people has been established in accordance with the relevant resolutions and decisions of the General Assembly, including the Declaration on *Apartheid* and its Destructive Consequences in Southern Africa, and those of the Security Council;

21. *Invites* non-governmental organizations having a special interest in the field of decolonization to intensify their activities in co-operation with the United Nations;

22. *Requests* the Special Committee to continue to examine the full compliance of all States with General Assembly resolution 1514(XV) and other relevant resolutions on the question of decolonization, to seek the most suitable ways for the speedy and total application of the Declaration to all Territories to which it applies and to propose to the General Assembly specific measures for the complete implementation of the Declaration in the remaining colonial Territories;

23 *Invites* all States to co-operate fully with the Special Committee in the complete fulfilment of its mandate.

Territories to which the Declaration on Decolonization Continues to Apply

(as at 31 December 1990)

Territory	*Administering Authority*
Africa:	
Western Sahara	Spain
Asia and the Pacific	
American Samoa	United States
East Timor	Portugal[2]
Guam	United States
New Caledonia	France
Pitcairn	United Kingdom
Tokelau	New Zealand
Trust Territory of the Pacific Islands	United States
Atlantic Ocean, Caribbean and Mediterranean.	
Anguilla	United Kingdom
Bermuda	United Kingdom
British Virgin Islands	United Kingdom
Cayman Islands	United Kingdom
Falkland Islands (Malvinas)	United Kingdom
Gibraltar	United Kingdom
Montserrat	United Kingdom
St. Helena	United Kingdom
Turks and Caicos Islands	United Kingdom
United States Virgin Islands	United States

[1] 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 an international nature in connection with the administration of the Territory. In view of the cessation of its participation in the temporary administration established on the Territory, in December 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.

[2] On 20 April 1977, Portugal informed the Secretary-General that effective exercise of its sovereignty over the Territory had ceased in August 1975 and that the only information that could be transmitted would concern the first months of 1975. In subsequent years, Portugal further informed the Secretary-General that conditions prevailing in East Timor continued to prevent it from assuming its responsibilities for the administration of the Territory.

Territories* that Have Attained Independence or Have Become Integrated or Associated with Independent States since the Adoption in 1960 of the Declaration on Decolonization

State or other entity	*Year of independence or change of status*	*Former administering power (and former name)*
Angola	1975	Portugal
Antigua and Barbuda	1981	United Kingdom
Bahamas	1973	United Kingdom
Barbados	1966	United Kingdom
Belize	1981	United Kingdom (British Honduras)
Botswana	1966	United Kingdom (Bechuanaland)
Brunei Darussalam	1984	United Kingdom (Brunei)
Cape Verde	1975	Portugal
Cocos (Keeling) Islands	1984[a]	Australia
Comoros	1975	France
Cook Islands	1965[b]	New Zealand
Democratic Yemen	1967	United Kingdom (Aden)
Djibouti	1977	France (Territory of the Afars and the Issas)
Dominica	1978	United Kingdom
Equatorial Guinea	1968	Spain (Fernando Poo and Rio Muni)
Fiji	1970	United Kingdom
Gambia	1965	United Kingdom
Goa and dependencies	1961[d]	Portugal
Grenada	1974	United Kingdom
Guinea-Bissau	1974	Portugal (Portuguese Guinea)
Guyana	1966	United Kingdom (British Guiana)
Ifni	1969[e]	Spain
Jamaica	1962	United Kingdom
Kenya	1963	United Kingdom
Kiribati	1979	United Kingdom (Gilbert Islands)
Lesotho	1966	United Kingdom (Basutoland)
Malawi	1964	United Kingdom (Nyasaland)
Malta	1964	United Kingdom
Mauritius	1968	United Kingdom
Mozambique	1975	Portugal
Namibia	1990	South Africa[f] (South West Africa)
Niue	1974[b]	New Zealand
North Borneo	1963[g]	United Kingdom
Oman	1971	United Kingdom
Saint Kitts and Nevis	1983	United Kingdom
Saint Lucia	1979	United Kingdom
Saint Vincent and the Grenadines	1979	United Kingdom
Sao Tome and Principe	1975	Portugal
Sarawak	1963[g]	United Kingdom
Seychelles	1976	United Kingdom
Sierra Leone	1961	United Kingdom
Singapore	1965	United Kingdom

State or other entity	*Year of independence or change of status*	*Former administering Power (and former name)*
Solomon Islands	1978	United Kingdom
Suriname	1975	Netherlands (Dutch Guiana)
Swaziland	1968	United Kingdom
Trinidad and Tobago	1962	United Kingdom
Tuvalu	1978	United Kingdom (Ellice Islands)
Uganda	1962	United Kingdom
Vanuatu	1980	France and United Kingdom (New Hebrides)
West New Guinea (West Irian)	1963[a]	Netherlands
Zambia	1964	United Kingdom (Northern Rhodesia)
Zimbabwe	1980	United Kingdom (Southern Rhodesia)

[*] Does not include Trust Territories.

[a] Integrated with Australia.

[b] Became fully self-governing in free association with New Zealand.

[c] On 22 May 1990 Democratic Yemen and Yemen merged to form a single State, the Republic of Yemen.

[d] Nationally united with India.

[e] Returned to Morocco.

[f] In 1966, the General Assembly terminated South Africa's Mandate and placed the Territory under the direct responsibility of the United Nations until its independence.

[g] North Borneo and Sarawak joined the Federation of Malaya in 1963 to form the Federation of Malaysia.

[h] United with Indonesia.

Area code for all (212)

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U.S. Documents (Misc.)

1. Department of State brief on U.S. Territories given to student in 1989.

2. Background Paper from Department of Interior to Department of State on not reporting to the U.N. on U.S. Territories (probably early 1989)

3. Statement of USUN to Subcommittee on Small Territories (1985)
   NOTE: A case study in misinformation.

From State Dept.

U.S. TERRITORIES: AMERICAN SAMOA, GUAM, AND VIRGIN ISLANDS

Article 73(e) of the UN Charter requires transmission of "statistical and other information of a technical nature relating to the economic, social, and educational conditions" in non-self-governing territories. The U.S. furnishes such information twice a year (in the spring to the Committee of 24 and in the fall to the Fourth (Decolonization) Committee) on American Samoa, Guam and U.S. Virgin Islands. In addition, we provide information on political developments in these territories. The latest U.S. statement to the Fourth Committee is attached (from October, 1988). Also attached are the 43rd UNGA's resolutions on each of the territories.

Current U.S. Position

Inhabitants of these three U.S. territories participate in regular, competitive, free elections--the most recent ones were held in November, 1988. In addition, the electorate in each territory is served by a completely free press. Each of these island territories elects its own governor and its own law-making body. Each of these territories is represented in the United States Congress by a delegate who may chair subcommittees of the House of Representatives. Each of these territories, in election after election, has shown that it values its relationship with the United States and wishes to retain it.

The U.S. maintains that it is ultimately within the authority of the Administering Power to determine when its obligations under Article 73(e) cease. In this regard, the status of Guam may undergo a change in the next few years. Voters in Guam approved a draft commonwealth act in referenda held in August and November 1987. Guam's Congressional Delegate, Ben Blaz, introduced the Guam Commonwealth Act bill (HR 98) into the House of Representatives last year. Subsequently, Senator J. Bennett Johnston introduced the act in the Senate. Hearings have not yet been scheduled. If the Commonwealth Act is passed by Congress and signed by the President, the United States will no longer provide information to the UN on Guam. As in the case of Puerto Rico, the United States government will consider the assumption by Guam of commonwealth status to be a valid act of self-determination as defined by relevant UN resolutions. Guam will then be a commonwealth of the United States and its political status will no longer be the proper subject for consideration by the UN or by any other international forum.

The Territorial Government of the U.S. Virgin Islands is also making preliminary preparations to hold a nonbinding referendum later this year on a number of options with regard to the future political status of the territory.

American Samoa wishes to continue its current status with the United States. There are no plans for seeking to alter this status in any way.

BACKGROUND PAPER
FROM THE SECRETARY OF THE INTERIOR
TO THE SECRETARY OF STATE

As a member of the United Nations, the United States has consistently abided by the principles of Chapter XI of the United Nations Charter, in particular article 73(e). Our nation has transmitted regularly to the Secretary General of the United Nations information on conditions in areas to which the General Assembly of the United Nations refers as the United States' "non-self-governing territories"[1].

In June 1946 the then Secretary General asked the opinion of each member of the United Nations on the factors to take into account in determining which were the "non-self-governing territories" to which Chapter XI of the Charter referred.[2] In August 1946 the then Acting United States Secretary of State transmitted to the Secretary General information on six non-contiguous areas under United States sovereignty and one under its administration. In doing so, the Acting Secretary noted that the United States Government had used a purely pragmatic approach in selecting the territories on which to submit information.[3]

It was, therefore, the United States as the metropolitan power for these areas and not the General Assembly which determined those areas under its sovereignty or administration on which to submit reports under article 73(e). In fact, another metropolitan power, the United Kingdom, in 1948 stated emphatically that it was for the metropolitan power alone to decide which territories came within the scope of Chapter XI.[4]

If the United States were now unilaterally to cease

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1 The General Assembly has seven main committees, of which the Fourth Committee is one. One of the Fourth Committee's special committees is the C-24.

2 Department of State, The United States and Non-Self-Governing Territories (Washington, D.C.: U.S. Government Printing Office, 1947)(hereinafter cited as State) 20-21.

3 State at 21.

4 Emil John Sady, The United Nations and Dependent Peoples (Washington, D.C.: The Brookings Institution, 1956)(hereinafter cited as Brookings) 82.

transmitting information on American Samoa, Guam and the Virgin Islands, its actions would be far from unique, even should it do so without an explanation to the General Assembly. In 1948 four other metropolitan powers, Australia, Belgium, France, New Zealand and the United Kingdom, opposed the General Assembly's discussing or deciding the appropriateness of a metropolitan power's decision that a territory had ceased to be "non-self-governing".[5]

France has especially laid out its position that the determination of the territories to which article 73(e) applied lay exclusively within the metropolitan power's competence.[6] In substantiating their decisions not to transmit information on certain of their territories, both France and the United Kingdom have cited the phrase in article 73(e) which makes the transmission of information "subject to such limitations as ... constitutional considerations may require."[7] The United Kingdom, in particular, has laid claim to this emphasis for territories which, as the metropolitan power, it has vested with responsibility for economic, social and educational matters.[8]

It has not been the unswerving policy of the General Assembly or its Fourth Committee to object to a metropolitan power's ceasing to report on one or more of its territories. It has sometimes found such a decision justified.[9]

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5 Brookings at 82-83.

6 Brookings at 83.

7 Brookings at 86.

8 Id.

9 Brookings at 89.

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PRESS RELEASE

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Press Release USUN 35-(85)
May 3, 1985

Statement by Ambassador Harvey J. Feldman, Alternate United States Representative to the United Nations for Special Political Affairs, in the Sub-Committee on Small Territories, on Guam, May 3, 1985

Mr. Chairman, this is my first opportunity to appear before this subcommittee. May I say in all sincerity what a great pleasure it is for me to see you in the chair. My delegation believes you have guided this committee's work with exemplary fairness under difficult circumstances. I know that other delegations share our view of the quality of your chairmanship.

I come before you today to discuss the situation on Guam. Guam's status, presently regulated by an act of Congress, has been the subject of considerable discussion among Guamanians in recent years, and I would like to comment upon this in my remarks today.

In the view of my delegation, the people of Guam have exercised, and continue to exercise, their right to self-determination on a regular and effective basis. I know that some non-Guamanians might challenge this, principally because they have never liked the choice of political status made by the Guamanians, namely to maintain their relationship with the United States. But it is contrary to the UN Charter and General Assembly Resolutions 1514 and 1541 to attempt to force on a people a political status that does not reflect their wishes. Self-determination means that the people -- in this case the people of Guam -- not outsiders, determine their future.

In what manner are the people of Guam seeking to alter their relationship with the United States? In September 1982, there was a plebiscite in which Guam's voters were asked to state their preference on a variety of political status options. Approximately 50% voted in favor of Commonwealth status. Twenty-six percent chose statehood in the United States. Five percent sought incorporated territory status. Three point eight (3.8%) percent selected independence. Four percent chose free association. In a run-off, 75% chose Commonwealth. Pursuant to the results of that plebiscite, the government of Guam is moving forward in its efforts to establish that commonwealth status. Guam's Commission on Self-Determination, the umbrella organization established to deal with the status question, works on the basis of a broad bipartisan consensus. Its

meetings are open to all who wish to attend, and observers are allowed to participate fully. The Commission hopes to hold a local referendum on a draft commonwealth act by this summer. I might add that I was privileged to attend a meeting of the Commission during a visit to Guam in February. I was struck by the candor and directness with which its members, representing every segment of the political spectrum on Guam, seriously addressed the most fundamental political questions: Guam's status, its relationship with the United States, citizenship law, immigration, voting rights, Guam's relation to the U.S. Constitution.

Turning now to the economy, my delegation has mixed results to report. Guam's economy remains rather more dependent on government activities than we would like to see. The current governor, Ricardo Bordallo, has shown sensitivity to the negative impact that too large a public service sector can have upon development, and with the support of the Federal government, is attempting to eliminate unnecessary and costly activities and government regulation or control.

Last year, private sector employment did rise, while government employment was trimmed. Unemployment was down to 8.1 percent, still too high, but a significant improvement over levels during the 1981 recession and not much above the continental U.S. rate. Under federal legislation the Guamanians helped to shape, Guam has become the home of over 200 foreign sales corporations, helping Guam move rapidly into the world of international trade. The Governor of Guam frequently travels to the United States and to countries in Asia to attract new businesses, especially high-technology corporations.

At the same time, local businesses are not being overlooked. The government of Guam has recently established a non-profit corporation to help existing local businesses expand and grow. The tourism industry continues to thrive. The construction industry is in good shape, both in terms of hotel and business construction and government and military projects. Housing construction has made progress but will continue to need attention.

We realize there are areas in the economy that continue to be underdeveloped. For example, we think more needs to be done in local agriculture and fisheries. But the Guam government's commitment to stimulating private business activity is one of the best guarantees for economic advance -- as has been demonstrated time and again not only in the United States, but also in countries such as China and Hungary.

The U.S. federal government respects the wish of Guamanians to control their own destiny, both politically and economically. We recognize that we must help when and where appropriate -- and we will do so. The United States provides over 80 million dollars in federal assistance each year.

I would like briefly to address the question of the U.S. military presence on Guam, since this is a matter about which the C-24 resolution last year expressed some concern. The vast majority of Guamanians have welcomed the presence of, and security provided

by, the U.S. military. Guamanian youth choose to serve in much higher proportions in the U.S. armed forces than does the continental U.S. population. This is their choice. There is no national service program. All enlistments are voluntary. Perhaps so many Guamanians volunteer because of Guam's sufferings under hostile occupation during World War II. The U.S. military presence provides a guarantee they will not have to suffer again. Last year's C-24 resolution conjured up an an imaginary threat of aggression from Guam against who knows what potential innocent victim. Now we all know that there are indeed wars of aggression being fought in Asia -- one in Southeast Asia, in Cambodia, one in South Asia, in Afghanistan. U.S. troops on Guam are not engaged in either, and will not be, though the victims of those aggressions might wish they were, on their behalf. I hope that the fair-minded members of this sub-committee will continue to resist the rather fanciful, and offensive, suggestions from last year's draft and work for a more balanced, realistic section on military activities this year.

I would like also to comment upon the question of land use by the military in Guam. We know that this is a sensitive question, because land is a scarce resource in Guam. The Department of Defense has just released nearly 2000 acres of land that was previously under military control. The Government of Guam is currently studying the various options on how that land might be most effectively used. Another thorny problem, about which some of you may have heard in the C-24 seminars in Port Moresby and Havana, is the question of compensation for lands taken over by the U.S. government from 1944 to 1963. In 1983, a settlement was signed by representatives of the claimants and the U.S. Department of Justice providing for $39.5 million in compensation to the former landowners. On February 8, 1985, the U.S. District Court of Northern California, responsible for Guam, decided that that amount was fair and reasonable. Individual claimants may choose not to participate in the settlement and, instead, to press their own claims. This is quite acceptable. It is their choice. The C-24 heard in Havana from representatives of a group whose members may choose to opt out. The committee should be aware that that group is a small minority, not a representative sample, of the claimants.

Which brings me to my last point. It is very disturbing to me that the Committee of 24 chose to invite to represent Guam at the Port Moresby and Havana seminars two groups without prior consultation with the United States, as was its obligation under standard committee procedures. I have met representatives of the groups which were invited. I am impressed by the eloquence and the passion of some of their representatives. I am not impressed, however, by the wisdom of the committee in pretending that these groups come close to representing the broad political visions and aspirations of the people of Guam. I believe that no one is better able to rectify that serious imbalance than the gentleman seated to my right: Benjamin Blaz. Congressman Blaz, Guam's delegate in the U.S. House of Representatives, is the elected representative of the people of Guam, chosen by the Guam electorate in the election of November, 1984. Guam elects a Congressman every two years. It elects a governor and legislature every four years. All political

parties participate. None are excluded. Ours is not a system where one slate is presented in a mockery of what an election is. Thus the principle of self-determination is exercised on Guam every two years. I am sure that the members of this sub-committee who value the principle of self-determination will listen respectfully and learn from Congressman Blaz' presentation, following which he and I will try to answer your questions. I hope you will take advantage of his presence, which is a great honor for my delegation and I believe for this committee. Thank you, Mr. Chairman.

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DECOLONIZATION

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REGIONAL SEMINARS ORGANIZED BY THE SPECIAL COMMITTEE ON DECOLONIZATION WITHIN THE CONTEXT OF THE INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

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INTRODUCTION

In 1960, the admission of 16 newly independent African States to membership in the United Nations represented another step towards universality in the world organization, and gave added impetus to the growing demand to eradicate colonialism. Reflecting this trend, the General Assembly, at its fifteenth session, adopted by a large majority the historic Declaration on the Granting of Independence to Colonial Countries and Peoples (resolution 1514 (XV)), in which it solemnly proclaimed the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations and declared that inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence. A year later, the Assembly established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to oversee the transition of Non-Self-Governing Territories from dependency to a political status of their own choosing.

From 1960 to 1989, the attention of the Special Committee was focused primarily on the larger Non-Self-Governing Territories; on Territories whose populations were oppressed by the administering Powers; and on Territories whose populations expressed a strong desire for independence. By 1990, when Namibia attained independence in elections supervised by the United Nations, all but 18 Territories had exercised the right to self-determination embodied in the Declaration, almost all of them choosing, in elections observed by the United Nations, to become independent.

Of the 18 Territories for which the Special Committee continues to be responsible, seven are island Territories in the Pacific and seven are island Territories in the Caribbean. These island Territories, the large majority of which have small populations and are without sufficient economic resources to be self-sustaining in the foreseeable future, present the Committee with a unique situation. It has become apparent that the Committee will have to demonstrate great flexibility, within the framework of the Declaration, in dealing with the problems posed by these Territories.

In 1988, in view of the steady progress in the field of decolonization, and in anticipation of the thirtieth anniversary of the Declaration, the General Assembly, by its resolution 43/47, declared the period 1990-2000 as the International Decade for the Eradication of Colonialism, and requested the Secretary-General to submit to the Assembly at its forty-fourth session a report that would enable it to consider and adopt a

plan of action aimed at ushering in, in the twenty-first century, a world free from colonialism.

At its forty-sixth session, the General Assembly, by its resolution 46/181, adopted the Plan of Action for the International Decade for the Eradication of Colonialism, aimed at ushering in, in the twenty-first century, a world free from colonialism. The Assembly, under the Plan of Action, mandated the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to organize during the Decade seminars in the Caribbean and Pacific regions alternately, as well as at United Nations Headquarters, to review the progress achieved in the implementation of the Plan of Action, with the participation of the peoples of the Non-Self-Governing Territories, their elected representatives, the administering Powers, Member States, regional organizations, specialized agencies, non-governmental organizations and experts.

In accordance with its mandate, the Special Committee convened two seminars during 1992-1993, one at St. George's, Grenada, from 17 to 19 June 1992, and the other at Port Moresby, Papua New Guinea, from 8 to 10 June 1993.

The primary objective of the Seminars was to address the economic and social conditions in the Non-Self-Governing Territories of the Caribbean and Pacific regions and to identify areas in which the international community could increase and enhance its participation in programmes of assistance and development and adopt a comprehensive and integrated approach to ensure the viable and sustainable development of the Territories concerned.

The topics considered by the Seminars assisted the Special Committee in focusing its attention on the specific concerns of the remaining Non-Self-Governing Territories. The Seminars gave expression to a broad range of views of the peoples of the Non-Self-Governing Territories. They also secured the participation of special guests, particularly personalities actively involved in the economic, social and political development of the region, and of organizations and institutions that focus on such development; of selected non-governmental organizations with long and established experience in island Territories; and of specialized agencies of the United Nations system, which have a special role to play in assisting the Special Committee in its future consideration of the remaining Territories.

Discussion at both seminars focused on the following themes:

Political questions

(a) Application of the principle of self-determination to small island Territories;

(b) Heightening the awareness of options available to the peoples of the Non-Self-Governing Territories under General Assembly resolutions 1514 (XV) and 1541 (XV) of 14 and 15 December 1960, respectively, concerning their future political status (emergence as a sovereign independent State; free association with an independent State; integration with an independent State);

(c) Importance of dissemination of information to and from the Non-Self-Governing Territories on the process of self-determination.

Economic and social questions

(a) Economic and social development in the small Territories and their impact on the exercise of the right of the peoples of those Territories to self-determination;

(b) Problems of small, structurally open economies: heavy dependence on imports, limited number of commodities and highly restricted internal markets;

(c) Food production: development of small-scale agricultural activities and of fisheries;

(d) Development of tourism: its impact on the economic and social sectors and on the environment;

(e) Addressing the issue of drug trafficking and money laundering;

(f) Development of financial management expertise and of skills necessary to negotiate and manage foreign investments; gaining access to adequate information systems;

(g) Development of industries and indigenous technological capacities, and manufacturing for export;

(h) Human resources development and the consequences of emigration and immigration;

(i) Role of the specialized agencies and international and regional organizations in the economic and social development of the Territories;

(j) Access of Non-Self-Governing Territories of the region to programmes and activities of the United Nations system with the aim of identifying areas in which technical and other assistance could be provided;

(k) Particular areas in which regional cooperation requires strengthening by both the Territories concerned and international agencies: preservation and protection of marine resources from over-exploitation; sea and air transport; disaster preparedness and relief; higher education; research and development; and regional pooling arrangements for sharing special skills and expertise;

(l) Enhancement of the role of women in the development of Non-Self-Governing Territories;

(m) Access to information and expertise in the development of small-scale industries in small Territories;

(n) Development of offshore financial centres in the Non-Self-Governing Territories: positive and negative aspects.

Questions of environment and development

(a) Implications for the island Territories of issues pertaining to the environment and to development, such as global warming, rising sea level, sustainable development and Agenda 21;

(b) Local efforts in national disaster preparedness: institutionalization and coordination of disaster relief, financing of public works projects, and training for disaster prevention;

(c) International and regional cooperation in order to mitigate the effects of natural disasters: provision of assistance and coordination of relief preparedness and prevention;

(d) Questions relating to the law of the sea and the Non-Self-Governing Territories of the region.

I. SEMINAR HELD AT ST. GEORGE'S, GRENADA, FROM 17 TO 19 JUNE 1992

The Seminar held at St. George's, Grenada, from 17 to 19 June 1992, was attended by 44 participants, including representatives of United Nations bodies, representatives of Bermuda, the British Virgin Islands, Montserrat, the Turks and Caicos Islands and the United States Virgin Islands; representatives of intergovernmental and non-governmental organizations; special guests and experts; and a delegation from the host country, Grenada.

The delegation of the Special Committee, which was led by its Chairman, Mr. Renagi Renagi Lohia, Permanent Representative of Papua New Guinea to the United Nations, comprised representatives of Bulgaria, Cuba, Czechoslovakia, Fiji, Mali, Trinidad and Tobago and Tunisia. Argentina was represented by an observer.

In his opening address, Senator the Honourable Tillman Thomas, Minister in the Ministry of Finance of Grenada, stated that the orientation of the Seminar envisaged consideration of the special development needs of island Territories, which was most opportune and should provide the basis for very stimulating discussions, particularly in seeking to relate the current forces of globalization to the objective of the eradication of colonialism.

He emphasized that the objectives of the International Decade for the Eradication of Colonialism could not be viewed in isolation from the emerging global trends and their impact on the conditions of life in the island developing Territories. The perennial problems of small States could benefit from the pooling of sovereignties and resources to enhance the conditions of life in those Territories.

In the next few years, Mr. Thomas said, the international tolerance of micro-States would be severely tested. Consequently, the decolonization process in the non-independent Territories might, conceivably, produce innovative constitutional forms as the peoples of those Territories considered and decided on their future political status while, at the same time, identifying viable trade, commercial and technological niches.

He concluded by stating that the challenges were enormous; island territories must be prepared to move forward in their own interest, resources must be allocated for the modernization of their education systems, and human resources development must be high on the list of development priorities, but the goals of social equity and justice, freedom and democracy, and respect for human rights and fundamental freedoms must not be compromised.

The Chairman of the Special Committee, Mr. Lohia, noted that the process of decolonization had entered a new and complex phase and there was a need for innovative approaches to challenges facing the remaining dependent Territories. He recalled that, during the two Seminars organized by the Special Committee in 1990, some ministers of dependent Territories had called for the refocusing of the energies of the Committee, and had asked it to urge the administering Powers to create conditions that could ensure the economic and social development of the Territories.

He noted that while a number of Territories in the Caribbean region had made remarkable progress towards self-reliance and enjoyed a high standard of living, others continued to suffer handicaps arising from such factors as their size, remoteness, vulnerability to natural disasters, the fragility of their ecosystems, heavy dependence on imports and a small number of commodities, weak indigenous technological capacities and a lack of skilled personnel.

In order to alleviate their situation, the Chairman stated, the international community, along with the administering Powers, should continue to be involved in the development effort. He noted with satisfaction the increased emphasis placed by the General Assembly on the responsibilities of the specialized agencies in the development process of those Territories.

During the ensuing discussion, representatives of six of the Territories of the region - Anguilla, Bermuda, the British Virgin Islands, Montserrat, the Turks and Caicos Islands and the United States Virgin Islands - articulated the aspirations and needs of their peoples.

Summary of statements made by representatives of Non-Self-Governing Territories

Anguilla

Mrs. Phyllis Fleming-Banks, representative of the National Council of Women of Anguilla, said that the Seminar was being held at the same time that Anguilla was celebrating the twenty-fifth anniversary of its revolution, or Anguilla's bid for self-determination.

Anguilla's rebellion from associated statehood with Saint Kitts and Nevis in 1967 had not been an impulsive act; it had been the culmination of more than a century of protests and objections to annexation to Saint Kitts.

The United Kingdom of Great Britain and Northern Ireland, she said, had always been unconcerned about the needs of Anguillans. Anguilla was ignored because it was not an economically viable colony. In fact, the United Kingdom had

attempted to relocate Anguillans in the nineteenth century rather than provide assistance during periods of famine and drought. Anguillans had defied the British then and were prepared to defy the forced union again in 1967.

Anguilla's quest for self-determination was a unifying force. Many were prepared to lay down their lives, and Anguilla had pleaded its case before the United Nations for two years. The United Nations, although sympathetic, had no answers at that time, even after Anguilla declared itself a republic and begged for United Nations protection.

A quarter of a century later, Anguilla's struggle for self-determination had taken it back into colonialism and dependent capitalist development; Anguillans were now "experiencing the trappings of direct colonialism".

She said that the administering Power claimed that it took very seriously its obligations for social and economic development of the island. The United Kingdom had told the Committee that Anguilla was an internally self-governing Territory and that Her Majesty's Government retained responsibilities only in respect of law, order, defence and international relations, including offshore finance. The Constitution, the United Kingdom said, had advanced as far as it reasonably could and any further changes must include independence. Her Majesty's Government had made it absolutely clear that it would help the people of Anguilla to become independent when and if that was their constitutionally expressed wish.

From that statement, Anguillans were to assume that the United Kingdom was preparing them to assume eventually overall responsibility for their country. Yet the United Kingdom had decided since 1986 not to take part in the work of the Special Committee for reasons it would not divulge to the Territories. How, she asked, could the persistent refusal to participate in the work of the Special Committee prepare Anguillans for self-government; she wondered how Anguillans were supposed to be prepared for independence if key positions were increasingly being turned over to expatriate British officials.

Following rapid economic and social growth, Anguilla was now ready for political education, Mrs. Fleming-Banks said. In 1984, Anguillans had told the Committee they did not want independence unless there was some deliberate effort to expose them to the aims of the Committee, so that they could make informed choices regarding self-determination. The Decade would end with Anguillans still being fearful about the isolation of independence; they would settle for British colonialism and increasing alienation of their country until another eruption took place.

For the goals of the Special Committee to have some meaning or relevance to the people in a Territory like Anguilla, the Committee must find a way to develop a relationship and communicate with the people. She called for the removal of the structural impediments to full participation of Non-Self-Governing Territories in the technical work of the United Nations and other international bodies.

On the role of women, she appreciated the Committee's efforts to involve women in its work. "When you touch the women", she said, "you strike the rock, you unleash a boulder, with which all ignorance and fears can be crushed".

Bermuda

Mr. Nelson B. A. Bascome, Jr., Member of Parliament of Bermuda, said that he represented the Progressive Labour Party, the official Opposition and the "Government-in-waiting".

He said that today we were witnessing "a more subtle approach of colonialism ... the destruction of segments of our communities is now indirect, so that victims can be led to participate in, and then blamed for, their own destruction".

Illegal drugs continued to frustrate and depress the situation even more, he continued. The illusion of many that drugs were a vehicle to provide a better lifestyle was also destroying certain communities.

Mr. Bascome stated that human resources development and education should be a priority. The continued existence of institutions created by colonialism should be investigated. It would give the Committee an understanding as to why several countries still remained Non-Self-Governing Territories.

Also of interest to Bermuda would be the position of the United Kingdom after Hong Kong was returned to China in 1997. Bermuda would then become the largest colony in terms of population. The United Kingdom currently seemed concerned with establishing itself as a major institution in the European financial community, and did not have as a priority the needs of its colonies.

Another concern was that administering Powers could still dictate terms to former colonies, he said. For example, with the independence of Namibia, South Africa maintained control of a vital port.

Finally, Mr. Bascome said that a Bermuda Progressive Labour Party Government would actively educate the population of Bermuda on the ramifications and responsibilities of national independence, with a view to preparing for that eventuality, to

be decided by the electorate at a future general election. He said: "It is independence for which we strive, but interdependence on which we survive".

Mr. Walton Brown, Chairman of the Committee for the Independence of Bermuda, spoke about the development of indigenous human resources in Bermuda. He said that Bermuda had enjoyed a comparatively high level of social and economic development and stability over the past 25 years, the reasons for which were unrelated to Bermuda's umbilical link to the administering Power. The United Kingdom provided no financial assistance to Bermuda, since it needed none. The island had been a self-governing colony since 1684, and had introduced universal suffrage and cabinet-style government in the 1960s. He said that it was thus "a vulgar Orwellian twist to cite Bermuda as a British dependent Territory".

Despite the many positive aspects of Bermuda today there were a number of both symbolic and practical reasons why Bermuda must move forward constitutionally and take its place among sovereign States.

Like many small Territories, Bermuda did not have readily available locally all the skills required to fill the many positions generated by the economy. Bermuda's expatriate workforce approximated some 23 per cent of the total workforce, and their occupations ranged from chief executive officers of international companies to nannies, waiters and office cleaners. More than half of the White population was not born in the island. Foreign-born Blacks accounted for about 10 per cent of the Black population.

One of the economic consequences of the existing immigration policy was that there was a widespread perception among Bermudians that insufficient opportunities were made available for them in key administrative and managerial posts that were held by foreign workers. Anxiety was heightened when long-term contract workers were granted "Bermuda Status" and were thus able to continue to hold their positions.

Many Bermudians believed that foreign workers, especially White executives, cared less about promoting Bermudians in key positions than they did about holding on to their own and, as a consequence, the hope that companies would take on a Bermudian understudy was blind faith. At the same time a "colonial mentality" prevailed, which validated contributions of outsiders and denigrated the product of local effort. That psychology of dependence was a logical outgrowth of the colonial condition from which Bermuda had yet to free itself.

Mr. Brown suggested that an annual limit on the number of work permits granted in any job category could provide an

incentive to companies to search out local resources and, where necessary, provide relevant and adequate training. He also suggested that greater legal protection was needed for immigrant workers in low-paying, unskilled jobs and recommended the establishment of a formal policy to ensure that the immigrant population better reflected the racial characteristics of the local population.

In terms of developing human resources skills in Bermuda, he said that problems arose when job opportunities for which students had trained locally and overseas did not materialize. In general, though, there was a genuine commitment to higher economic research on the island. Both the Government and the private sector should be encouraged to devote greater resources to research and development.

Developing a regional pool of expertise, he continued, was critical. The sharing with other countries of persons with different areas of knowledge and expertise would help in an appreciation of the talent already present in the region and allow the possibility of addressing many issues from within. Regional cooperation at that level could assist in a closer political union of the Caribbean and thus strengthen the unit. Some consideration should be given to the physical infrastructure needed to establish a regional pool of experts.

British Virgin Islands

Mr. Ralph T. O'Neal, Deputy Chief Minister of the British Virgin Islands, stated that he was heartened to read in a communication from the United Kingdom Government to the Special Committee that Her Majesty's Government took very seriously its obligations under the Charter of the United Nations towards the remaining dependent Territories and that its aid commitment to them would continue. That was especially heartening because the British Virgin Islands had been told in no uncertain terms that after 1993 the United Kingdom Government intended to cut off capital aid.

His Government held the United Kingdom Government responsible for the social and economic development of the Territory, a responsibility that Her Majesty's Government had been fulfilling to some degree.

Mr. O'Neal said that a serious problem was the transshipment of illegal drugs through the British Virgin Islands owing to its proximity to the United States of America, where it seemed "there was an appetite for drugs like the grave had for the dead". All the manpower and money of the United States had not been able to stem the flow of drugs to that country. The fight against drug trafficking had caused a serious drain on the resources of the

British Virgin Islands, which could have been used for development projects.

The United Kingdom did provide financial and technical assistance in the fight against illegal drugs, he acknowledged. However, there were difficulties in obtaining funds for other projects. For example, funds for a community college that were to have come from the United Kingdom Government were being held up pending a study to determine whether the college was indeed a "reasonable development need".

He urged the Committee to continue applying pressure on the administering Powers to assist in the social and economic development projects in their dependent Territories. Although the United Kingdom had assisted to some degree in the development plans of the British Virgin Islands, much more could still be done since the Territory was far behind.

Montserrat

Ms. Ruby Wade-Bramble, Independent Member of the Legislative Council of Montserrat, expressed the hope that influential nations with an interest in the Caribbean region would be able to persuade the United Kingdom to resume its participation in the work of the Special Committee. She stated that it was a pity that the United Nations had no effective mechanism for monitoring developments in dependent Territories. For instance, Montserrat had been forced to change its Passports and Immigration Ordinance to bring it into line with the United Kingdom's New Nationality Act, and the status of the people had been downgraded from "Citizen of the United Kingdom and Colonies" to "British Dependent Territories Citizen".

She further stated that, given the present state of the world, one needed to be realistic. A national flag, a national anthem and a constitutional instrument which indicated that the administering Power had agreed at last to cede control to the people of a Territory could create only short-lived emotional uplift if those developments were not linked to an economic development programme.

Mrs. Adelina Tuitt, Public Relations Officer of the Government of Montserrat, said that Montserrat was a very small country. Bearing in mind its size and position, she believed that leaning towards closer association with its Caribbean partners, and being a part of all regional and international organizations, such as the Organization of American States, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and possibly the United Nations, would be essential ingredients in the preparation for independence.

The economy of Montserrat had been based on tourism and to a large extent the construction industry. Owing to the low profitability of tourism, however, the economy needed to be diversified.

The need to become self-sufficient was foremost in the minds of the people of Montserrat since for any nation to progress the people must be able to feed themselves. Self-sufficiency was a prerequisite for achieving any future status, be it statehood in association with the United Kingdom, or independence.

Montserrat welcomed any assistance which the Special Committee could give to ensure economic growth.

Turks and Caicos Islands

Mr. Robert Hall, Minister for Health, Education, Welfare and Social Services of the Turks and Caicos Islands, commenting on the issue of independence, said that the manifesto of the ruling party stated that the Constitution must be amended to reflect the wishes of the people and that their elected representatives should be allowed to govern on their behalf. He stated categorically, however, that it was not their intention to seek independence but rather a greater degree of self-government. He said that they believed in "progress through partnership".

He did not think that the United Kingdom Government or anyone else should dictate the course that the Turks and Caicos Islands should take. However, he did hold that Government to its commitment under the Charter of the United Nations to ensure the social and economic development of the remaining Territories under its jurisdiction.

Mr. Hall stated that, in the past, he had been extremely critical of the attitude of the United Kingdom Government towards the Turks and Caicos Islands, and the apparent neglect of the Territory. He said that over the years he had "felt the piercing of their darts". That had resulted, actually, in a greater degree of understanding, and even mutual respect. He said that it would appear that the administering Power was now more willing to lend a sympathetic ear to the wishes of the people of the Turks and Caicos Islands.

He said that the $43 million aid package recently negotiated for the Turks and Caicos Islands was indicative of the desire of the administering Power to live up to its responsibilities. Regrettably, he said, there was no change in the United Kingdom's position on full internal self-government for the Territory. The United Kingdom Government wished to link the granting of full self-government to a formal schedule for independence. That was a condition that the Territory was not willing to accept. The Turks and Caicos Islands would like to move to full internal

self-government but did not wish to be tied to a timetable for independence after that.

Mr. Hall said that the specialized agencies could help to train and prepare the peoples of the dependent Territories for leadership positions, self-government and independence. Participation in the activities of the agencies was essential, and adequate financing should be provided to allow for participation. There was a feeling that more was said than done in the United Nations system, but he was hopeful that in the coming years more would be done than said.

The Minister concluded by stating that, although the Turks and Caicos Islands was not in the international limelight, it needed the assistance of the international community to develop to its fullest potential in the social, economic and political fields.

Mr. Wendal Swann, Member of the Legislative Council of the Turks and Caicos Islands, said that the Special Committee had every reason to be proud of its successes, but must reacquaint itself with its original purpose. In that respect, he welcomed the current ongoing reform process in the United Nations. He pointed out that, although the administering Power had ceased to cooperate with the Special Committee, its mandate remained unchanged. He emphasized that the Chairman had a duty to restore the credibility and effectiveness of the Special Committee at a time when the administering Powers were tightening their grip on the Non-Self-Governing Territories. He made the observation that the administering Power was not fulfilling its obligations under the Charter and resolutions of the United Nations. Mr. Swann also raised the issue of the control of the economies of Non-Self-Governing Territories by foreigners.

Mr. Swann criticized the Special Committee's approach and pointed out that it produced working papers that were often erroneous. He stated that the Committee needed to sharpen its focus on the peoples of the Territories. It also needed to improve its capacity to disseminate information to the Territories and to obtain relevant information from those dependencies. Ways must be found to circumvent the current problem of protocol.

Mr. Swann stated that the Non-Self-Governing Territories must be fully informed of the economic, social and other development assistance available from the United Nations and its associated agencies. He further suggested that the next seminar organized by the Special Committee should discuss issues submitted by the Territories themselves and be hosted by one of the dependencies.

United States Virgin Islands

Mr. Carlyle Corbin, representative for External Affairs of the Government of the United States Virgin Islands, said that the direct linkage between the decolonization process and the participation of non-independent Territories in the United Nations system had been well recognized by the United Nations. The General Assembly had called for special provisions in the terms of reference of specialized agencies and regional commissions to make possible the admission of Non-Self-Governing Territories as associate members or observers, and for the increasing participation of those Territories in the work of the technical bodies and specialized agencies of the United Nations system.

The peoples of the Territories themselves had also endorsed their direct involvement in programmes and activities of the United Nations system at regional decolonization seminars. A number of specialized agencies had taken steps to increase the participation of Non-Self-Governing Territories but others had not proceeded as quickly.

The Economic Commission for Latin America and the Caribbean (ECLAC) had been most active in fostering the participation of Non-Self-Governing Territories and associated Territories in the work of the United Nations system. ECLAC, and its associated subregional body, the Caribbean Development and Cooperation Committee (CDCC), had been studying the question of increased participation of non-independent countries in the United Nations system since 1985. CDCC had discovered that many United Nations institutions were not aware of their mandate to facilitate the participation of Non-Self-Governing Territories in their work programmes. In order to intensify activity in that area, CDCC had created a Working Group of Non-Independent Caribbean Countries to focus on the problems of access of those countries to programmes and activities of the United Nations system.

Mr. Corbin said that it continued to be of concern to some Non-Self-Governing Territories within the ECLAC system that the work programme of the Commission did not always allow for their participation, and resources were often used to include some but not all Commission members in certain Commission programmes.

Membership in the many United Nations technical bodies was usually limited to States Members of the United Nations. Accordingly, associate membership was not available. Even when the General Assembly directed those bodies to assist the Non-Self-Governing Territories, most were slow to comply, if at all.

For example, after the devastation caused by Hurricane Hugo in 1989, the General Assembly directed the relevant bodies of the

United Nations system to assist the United States Virgin Islands in reconstruction efforts. However, the organization concerned, the Office of the United Nations Disaster Relief Coordinator (UNDRO), believed that it had no mandate to assist the Territory, irrespective of the relevant resolutions.

Mr. Corbin suggested that the Special Committee should establish a procedure to ensure that in its resolutions it called upon the Secretary-General to inform United Nations bodies and agencies of their mandates regarding the Non-Self-Governing Territories. He believed that the Committee should request the Secretary-General to report on the implementation of its resolutions at a subsequent session of the Assembly. He also recommended that representatives of elected governments of Non-Self-Governing Territories be allowed to participate in the meetings of the Special Committee and its subcommittee in an official observer capacity in order to present their views to the Committee. Participation in that capacity should also be encouraged in technical conferences of the Organization, as well as in the General Assembly.

He was of the opinion that many of the structural impediments to full participation of Non-Self-Governing Territories in the technical work of the United Nations would be alleviated if the Territories had official observer status in the General Assembly, in recognition of the increasing level of self-government enjoyed by many of those countries.

Ms. Judith L. Bourne, representative of the United Nations Association of the Virgin Islands, made a statement on some aspects of the impact of immigration and emigration on the current activity with regard to self-determination in the United States Virgin Islands.

She said that for the United States Virgin Islands, which was planning an electoral poll on available status options in mid-1993, migration patterns were likely to affect the results of the poll appreciably. Insufficient exposure of the political representatives of the population to the norms of international law with regard to self-determination was another concern.

According to official United States census figures, the population of the United States Virgin Islands grew by 20 per cent between 1950 and 1960, by almost 95 per cent between 1960 and 1970, and by another 55 per cent between 1970 and 1980. Those substantial changes in the population were clearly not the result of a natural increase. The 1990 census showed that only about 45 per cent of the population was born in the Territory.

The requirements for voting in the electoral poll, or non-binding referendum, were United States citizenship, residence

in the United States Virgin Islands for at least 90 days and registration.

Ms. Bourne stated that, while there had been suggestions that a longer period of residence should be required for a poll that would define the direction of the self-determination process, such initiatives had been speedily smothered by elected political leaders who cited domestic United States law concerning residence requirements for periodic local elections. Effectively that would give more weight to the 12.3 per cent of the population that was born in the United States than to the 29.3 per cent born in other West Indian islands. Of the latter, only one quarter were United States citizens, although many had resided in the United States Virgin Islands for more than 25 years.

She said that, to date, the status of the United States Virgin Islands, and the basic structure of its Government, had always been determined by a force other than the people of the United States Virgin Islands.

The free immigration between the United States and the Territory forced young local graduates to compete with immigrants from the United States for openings in an environment in which business interests were dominated by persons who were themselves from the administering Power. That resulted in the emigration of those islanders to the United States in search of opportunity. Those economic emigrants also lost their eligibility to participate in self-determination decisions.

The United Nations must assist in educating the peoples of the United States Virgin Islands and other Territories about their right to participate in acts of self-determination and to negotiate with the administering Power on eligibility requirements.

II. SEMINAR HELD AT PORT MORESBY, PAPUA NEW GUINEA, FROM 8 TO 10 JUNE 1993

The Seminar held at Port Moresby, Papua New Guinea, from 8 to 10 June 1993, was attended by 56 participants, including representatives of United Nations bodies; representatives of American Samoa, Guam, New Caledonia, Tokelau and the Caribbean Non-Self-Governing Territories; representatives of intergovernmental and non-governmental organizations; special guests; and a delegation from the host country, Papua New Guinea.

The delegation of the Special Committee, which was led by its Chairman, Mr. Renagi Renagi Lohia, Permanent Representative of Papua New Guinea to the United Nations, comprised representatives of Chile, the Czech Republic, Fiji, Grenada,

Indonesia, Mali, Papua New Guinea, the Russian Federation, Sierra Leone, the Syrian Arab Republic and Tunisia. In addition, representatives of two administering Powers, New Zealand and Portugal, took part in the proceedings.

The Minister for Foreign Affairs of Papua New Guinea, Mr. John R. Kaputin, stated in an opening address that the Government of Papua New Guinea looked forward to a time when the Special Committee's purposes would have been achieved. He noted that United Nations concern with the rights of the people of dependent Territories was firmly founded in the Charter of the United Nations. Articles 1 and 55 referred to the principle of equal rights and self-determination of peoples; Articles 73 and 74 contained the declaration regarding Non-Self-Governing Territories; and Articles 75 to 91 provided for the international trusteeship system. The widest and most specific commitments were however contained in Article 73.

Although Article 73 referred specifically to Members of the United Nations "which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government", the principles it embodied clearly applied to all Members. Those principles included recognition that "the interests of the inhabitants of these territories are paramount", and that the obligation to promote their well-being to the utmost was a "sacred trust". He stressed particularly that furthering the well-being of the inhabitants of dependent Territories was not just a commitment or even a binding obligation but a "sacred trust".

Membership of the United Nations had become an almost unvarying accompaniment and symbol of independence, and changes in the membership of the United Nations had led to changes in the objectives of the General Assembly. The strength and urgency of the majority's determination to bring colonialism to a complete and early end had increased dramatically as a result. Thus the Declaration on the Granting of Independence to Colonial Countries and Peoples stated, without qualification: "... all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory".

The Foreign Minister stated that, like the Charter of the United Nations, the Declaration recognized and committed the United Nations to support for the right of self-determination. It was, moreover, quite explicit in affirming that the right should be exercised by nations and that independence should be the outcome. The determination of the United Nations to give effect to the Declaration was displayed in the agreement in 1961 to establish a special committee for the purpose, and in the decision reached one year later to expand the Special Committee's membership from 17 to 24.

He further stated that United Nations flexibility and realism concerning what had, in practice, been possible in particular cases was evident in its Members' willingness to accept that self-determination need not always be followed by independence. Nowhere was that willingness more clearly evident than in the South Pacific.

Thus, more than 70 years after the establishment of the League of Nations, almost 50 years after the Charter of the United Nations was concluded, and 30 years after the Declaration that colonial countries and peoples should be granted independence without delay, those present found themselves in a decade dedicated to the eradication of colonialism, attending a seminar concerned with the remaining dependencies in the South Pacific.

The Minister noted that colonialism had a much longer history than formal colonial rule. Colonial attitudes, behaviour and even institutions were quite widespread well before the major nineteenth- and twentieth-century European empires were established, and had often managed to outlast them. Thus, decolonization ought, in many respects, to be regarded as an objective rather than an achievement.

Overall, the process of eradicating colonialism from the South Pacific had been slow and progress uneven. Where decolonization had taken place, outcomes had varied quite widely. The last vestiges of colonialism had yet to be completely eliminated from the South Pacific. Partly in spite and partly because of its persistence, colonialism had an unusual feature: it tended to be self-destructive. The oppressive structures and practices integral to colonialism, and on which colonialism relied for its own survival, helped to stimulate public awareness of justice, rights and obligations which had been denied. Colonialism often gave rise to its own most vehement opponents.

The Foreign Minister concluded by noting that colonialism might not be listed as a major issue in the report of the Secretary-General entitled "An Agenda for Peace", but its lingering effects and the need for an ongoing process of decolonization deserved not only urgent attention but prompt and decisive action.

The Chairman of the Special Committee said that the Committee had been instrumental in bringing about the greatest political transition in human history: the decolonization of many nations.

Decolonization under United Nations guidance had entered the final phase of completion. The General Assembly had proclaimed the years 1990 to 2000 as the International Decade for the Eradication of Colonialism. Emphasis was being placed on

acceleration of the decolonization process in order to usher in, in the twenty-first century, a world free from colonialism.

In keeping with the provisions of General Assembly resolution 1541 (XV), the people of a Non-Self-Governing Territory might decide to opt for independence, for a form of free association or for integration with an independent State. The Committee recognized the importance of eliciting the views of the peoples of the Territories and that it had a leading role to play in those endeavours.

During the course of the regional seminars held in the Pacific and Caribbean regions, the Committee had become particularly sensitized to the fact that the process of decolonization had entered a new and complex phase, which demanded innovative approaches to challenges facing the remaining dependent Territories.

He noted that the Committee was fully aware that some Territories had made remarkable progress towards self-reliance and enjoyed a high standard of living, while others continued to suffer handicaps arising from such factors as size, remoteness, vulnerability to natural disasters, the fragility of their ecosystems, heavy dependence on imports and a small number of commodities, weak indigenous technological capacities and a lack of skilled personnel. In order to alleviate those difficulties, the international community, together with the administering Powers, should continue to be involved in assisting with progress in development.

In conclusion, the Chairman said that, over the years, the Committee had continued to reiterate the importance of on-the-spot information which could only be obtained by visiting missions to the Non-Self-Governing Territories. In that context, it continued to stress the importance of such missions to the dependent Territories and again renewed its call to administering Powers to invite the Special Committee to send such visiting missions to the Non-Self-Governing Territories.

The Seminar heard statements by representatives of four Non-Self-Governing Territories - American Samoa, Guam, New Caledonia and Tokelau - and the representative of the group of Caribbean Non-Self-Governing Territories.

Summary of statements made by representatives of Non-Self-Governing Territories

American Samoa

Mr. Tauese Pita Sunia, Lieutenant-Governor of American Samoa, stated that American Samoans had their own Constitution, which they reviewed every five years. They elected their

Governor and Lieutenant-Governor, members of the House of Representatives and their Congressman to represent them in the United States Congress. The judiciary comprised local jurists appointed by the Secretary of the Interior and the Governor, with legislative endorsement. American Samoans were by all means self-governing. The United States Secretary of the Interior reviewed any changes in their Constitution and appointed their Chief Justice and Associate Justice. The federal share of the operating costs of the territorial Government was submitted under the budget of the Department of the Interior. American Samoans applied for the rest of their federal aid directly to each federal funding agency, just like any state of the United States. They spent their local funds as they pleased.

With regard to the economic status of the Territory, Mr. Sunia said that the Territory was economically stable. About 70 per cent of the workforce employed in the tuna canneries was imported labour, which gave an indication of the available job opportunities. A new garment manufacturer was starting operations with the promise of 800 new jobs. Financial problems, such as the territorial Government's deficit, were caused by mismanagement and were irrelevant to political affiliation.

Mr. Sunia said that illiteracy did not exist in American Samoa; free compulsory education with free school transportation and free hot lunches and breakfast, free school books and equipment, and scholarships for on-island and overseas colleges made their educational system a beacon to many small independent nations. American Samoans had the most doctorate degrees, in proportion to population, in the South Pacific. Their college students attending United States colleges and universities were all eligible for student financial aid just like any other United States students.

Mr. Sunia also said that in American Samoa there was free universal medical care - practically free hospitalization and totally free medication. Cases which required specialized treatment or the use of equipment not available in American Samoa were referred to Hawaii at the Government's expense.

Mr. Sunia indicated that probably most important to American Samoans was the preservation of their social system. Their culture, which was the fa'a samoa, or "Samoan way of life" which their ancestors had developed for them, was a unique social system that allowed them to live with each other on limited space with the least conflict.

On the question of land, Mr. Sunia said that true self-government could be achieved only if property was controlled. American Samoans owned and controlled their own land. The United States had kept its promise and protected their land. What little land had been bought by the United States Navy

for its naval base had been turned over to the territorial Government when the Navy had left in 1950.

In conclusion, Mr. Sunia stated that American Samoa preferred to remain a Territory of the United States. American Samoans had had political status commissions and plebiscites, and it was the clearly stated wish of the people that they remain American Samoans.

Guam

Ms. Lourdes T. Pangelinan and Mr. Leland Bettis, representatives of the Guam Government, noted that Guam's colonial status was a sad truth that they hoped to change before the century drew to a close. They were eager to continue to work closely with the Special Committee, as they endeavoured to end their Territory's colonial status. Further, they noted that their direct participation represented a strong belief that international standards with respect to decolonization were inherently important and appropriate to Guam's proposal for developing its political status and ending its own colonial condition.

The representatives noted that the people of the Territory had proposed changes in their relationship with the administering Power. The process of decolonization had begun without full knowledge and appreciation of the international conventions and customs that guided it. As the people of Guam gained an awareness of the international process, it became clear that their proposals fitted well within international conventions. The representatives cited in particular the areas of resource control, immigration, land use and self-determination, where their proposal for status development mirrored international standards. They also noted that although there were differences between the activities of administering Powers, and differences in the particular circumstances affecting the status of Non-Self-Governing Territories, the problems associated with colonialism were universal in nature, and the solutions to those problems were universal in application. They said that continued and sharper focus on decolonization was vital for Guam because the process of decolonization had already taken too long. In that regard, they noted that Guam's recent political status proposal to the administering Power was the first real attempt fundamentally to change the island's political status, and that it was a proposal that had been driven exclusively by Guam.

The representatives noted that, in its 1982 plebiscite, Guam had chosen to seek a new political status, that of commonwealth. That new status would recognize the right of Guam's native people, the Chamorros, to determine the island's ultimate political future. They noted that, if adopted, the draft Commonwealth Act would establish a process of

decolonization for Guam, through self-determination of the Chamorros. Given the impact of immigration, they said it was necessary to define self-determination for Guam. They noted that the Chamorros had been colonized and that it would be the Chamorro people who would be empowered to decolonize Guam.

They noted that the status of commonwealth was not an immediate proposal for outright independence for Guam, nor was it a petition for incorporation into the United States. Rather, it accomplished a measure of self-government for Guam by endowing the Government of the people of Guam with powers of internal self-government while establishing a framework for decolonization through self-determination of the Chamorro people.

The commonwealth status sought by Guam was not a final one. One day, Guam and its indigenous people would exercise that final determination. The representatives said that, in the future, if the administering Power desired, Guam might seek full incorporation into the administering Power as a state of the union, with full and equal rights. Or, if the administering Power was willing, Guam might seek some other form of association between sovereign States. It was equally possible that one day the indigenous people of Guam would exercise their right to be fully independent. It was clearly stated, however, that the key was Guam's ability to make a decision about its decolonized status as an act of indigenous self-determination. The representatives said that, until such time as that decision was made by the Chamorro people of Guam, the people of Guam should at least have a measure of internal self-government and control over their resources.

The representatives noted that, economically, Guam continued to prosper. Fuelled by the continued growth of the tourist sector and the construction industry, the island's economic self-sufficiency had become a reality. Guam's economic development and economic stability would be further bolstered by the people of Guam's commonwealth proposal, which provided new opportunities for Guam, in particular in the areas of commerce, diversification of the economy and control over natural resources.

The representatives also noted that Guam's economic progress over the past decade had not been without an impact on the island's social environment. While tension underlay the economic progress (with crime of all types, traffic and related accidents, and a marked rise in Chamorro activism regarding Guam property held by the administering Power), advances were also noteworthy. Individual and household income had dramatically increased, as well as government revenues, during the period from 1982 to 1993. Additionally, over US$ 850 million in locally floated bonds had been made available in the past four years for educational, infrastructure and airport improvements.

Tokelau

The Ulu-O-Tokelau (titular head of Tokelau), Mr. Salesio Lui, said that Tokelau must be given the freedom to arrive at an appropriate act of self-determination rather than achieving it by responding to an external set of criteria.

He said that, since 1990, Tokelau had undergone the following major political changes:

(a) The Council of Faipule (elected representatives) had been formed to provide ongoing government when the General Fono (Council) was not in session, and to appoint from the three faipule a titular head to be known as "Ulu-O-Tokelau";

(b) The General Fono had asked New Zealand to formalize the present informal delegation, a function currently exercised by the Administrator to the General Fono and the Council of Faipule;

(c) In recognition of the changes in the political institutions of Tokelau, and the increased responsibilities being placed on them, the General Fono had called for a review of the Tokelau public service in order to identify changes necessary to enable the service properly to support the new political institutions; and for the heads of departments to be located on Tokelau soil;

(d) As a result of the general elections held in January 1993, Tokelau had found itself with a new, younger team of political leaders, to assume new and increased responsibilities.

The Ulu-O-Tokelau said that the Council of Faipule's discussions with the Government of New Zealand in May 1993 had confirmed that it was necessary for Tokelau to take a step-by-step approach using the present form of the Council of Faipule, whose term of office is from 1993 to 1995, as a period of consolidation; the period was needed for the people of Tokelau to understand the process of engaging in the business of governing; the changes must be in accordance with the wishes of Tokelau; and it was Tokelau's wish that its relationship with the Government and people of New Zealand would continue.

The Ulu-O-Tokelau said that without the proper infrastructural support it would be difficult for Tokelau to exercise self-government to a great extent. Transport needed to be improved and a more efficient form of telecommunications was needed. Tokelau was also seeking to establish radio services in the near future.

The Ulu-O-Tokelau said that the limited resources available determined how Tokelau could shoulder the new responsibilities. There was much dependence on the annual grant-in-aid from New

Zealand. The exclusive economic zone provided funds through the Pacific Islands/United States tuna treaty. Funds from extrabudgetary sources such as the United Nations Development Programme, UNESCO, the World Health Organization and other United Nations and Commonwealth agencies were the second-highest sources of revenue.

He continued by stating that Tokelau needed protection of its greatest resource, the sea. The exclusive economic zone needed protection from pollution, since it was a major source of livelihood for the people. An environment of small low-lying islands such as Tokelau's was vulnerable to pollution and to natural disasters. Tokelau was concerned if global warming, changing weather patterns and sea level rise were not naturally occurring phenomena but rather had been brought to Tokelau by human actions.

He said that the people of Tokelau looked forward to welcoming a United Nations mission to its shores in 1994.

New Caledonia

Mr. Paul Neaoutyine, President of the Front de libération nationale kanake socialiste (FLNKS), reaffirmed the extreme importance of General Assembly resolutions 1514 (XV) and 1541 (XV) and the Special Committee for the Kanak people, the colonial people of New Caledonia.

For the Kanak people and minority groups, the continuing reaffirmation by the United Nations of the right of peoples to self-determination and independence meant the possibility of escaping from colonial domination, and hence the right to dignity, sovereignty and independence.

For the Kanak people, French colonialism had a long history, already marked by conflicts between the indigenous people and colonial settlers, and characterized by factors which still constituted today's reality, such as the plundering of the land, the confinement of indigenous people on reservations, a special status for Kanaks and a religious education for Kanaks.

Jacobinism, or Parisian centralism, had been a constant factor in the statutory history of Kanaky. Following the traditional colonial statute applied from 1853 to 1946, the dozen or so overseas Territory statutes which had been applied thereafter conformed to the same principle and reserved the main powers for France; all had been adopted by the French Parliament.

There had been only four opportunities for an evolution towards decolonization. The first had arisen with the country's initial routine inclusion in the list of Non-Self-Governing Territories, and had disappeared in 1946. The second had emerged

with the Outline Law of 1956 and had vanished in 1963. The third had grown out of the Pisani statute, adopted in 1985, which provided for the holding of a referendum by 31 December 1987; that statute had been adopted as a result of a demonstration organized by FLNKS on 11 November 1984 to call for a boycott of the Lemoine statute, which had resulted in 15 deaths. The fourth and last had arisen with the current statute, which had been obtained after the murder of some 20 people by the French army during a demonstration to protest against the pro-French parody of a referendum organized by the Chirac-Pons Government in September 1987.

Those grave incidents had aroused democratic consciousness in France, leading to a change in the parliamentary majority and the opening of new negotiations in Paris. Those negotiations had culminated in 1988 in the so-called Matignon-Oudinot Agreement and the adoption by referendum of an act establishing a new, transitional status for Kanaky, pending the holding of a referendum on self-determination in 1998. That act provided for the decentralization of local powers through the establishment of three provinces.

The referendum act set a general goal, over a 10-year period, of redistribution among the country's regions and population groups. Such redistribution should make it possible, through local development, for population groups to have a voice, regardless of social and economic constraints. It provided for the sharing of wealth and the mobilization of productive investment for the development of the country's regions and islands.

During the medium-term assessment of the Agreement, held in Paris in February 1993, FLNKS had made it clear to the two other signatories that it deemed the degree of implementation of the redistribution programmes to be insufficient in all areas, including local economic development, education, training, health and social services and primary infrastructure.

In the view of FLNKS, five years after implementation of the Matignon-Oudinot Agreement there had been no significant improvement in the situation of the indigenous Kanak people, the principal victims of colonization in Kanaky, which would have indicated that any real decolonization was under way in the Territory. FLNKS had continued to participate in the process by calling for the opening of the talks on the 1998 referendum and the future of the country.

In signing the Agreement, the late President Tjibaou had assumed that, following the Ouvéa massacre, France, which prided itself on being the birthplace of human rights, would ultimately recognize the right of the Kanak people to independence and thus

move towards independence for them. That prospect was a long way from being realized.

The decolonization of Kanaky and of the Kanak people had a long history largely because France had always declined to accept United Nations principles and procedures and continued to consider their case as falling solely within the framework of the French Constitution. In 1946, France had withdrawn New Caledonia from the list of countries to be decolonized. In 1963, France had abrogated the Outline Law providing for self-determination and, following the Territory's reinclusion in the list in 1986, had refused to cooperate with the Special Committee.

On behalf of FLNKS, Mr. Neaoutyine stated that the 1988 Agreement related only to the 10-year transitional status which was to bring about redistribution and prepare for a self-determination referendum, which had still not been discussed despite their requests. Moreover, the Rassemblement pour la Calédonie dans la République (RPCR) was already seeking to prolong the status quo of 25 years' standing to beyond the year 2000. It no longer seemed possible to prepare the country for independence on the basis of a common will, either with RPCR or the current French Government.

The representative of FLNKS also emphasized the danger posed by the flow of foreign migrants, which continued to make the Kanak people a minority in their own home. FLNKS had no control over the electoral corpus for 1998, in view of which it wished to obtain United Nations intervention in the referendum process. It needed anti-colonialist partners to assist the Territory in resolving the issues which had so far remained without a solution. Moreover, there was the question of the relative weakness of a people made a minority in their own home.

On behalf of FLNKS, Mr. Neaoutyine stated that the struggle for dignity and independence was an inalienable right of all peoples throughout the world and was not negotiable.

He reiterated that the objective of FLNKS remained that of full sovereignty and independence and that, since 1853 and 1958, in addition to their stolen freedom, the unkept promises were more than ever a deceit, an abuse and an insult to the progressive conscience of mankind.

Non-Self-Governing Territories of the Caribbean region

Mr. Carlyle Corbin, representative of the Non-Self-Governing Territories of the Caribbean region, referred to perceived constitutional limitations affecting the access of the Non-Self-Governing Territories to programmes and activities of the United Nations system, and of the international community as a whole.

He indicated that a successful decolonization process would be determined in large measure by the level of implementation by the United Nations of its own mandates in the field of decolonization.

One such mandate was the participation of Non-Self-Governing Territories in the United Nations system. He described briefly the background to the legislative authority for such participation, emanating from resolutions of the United Nations General Assembly and Economic and Social Council.

Mr. Corbin outlined a number of activities in furtherance of participation of Non-Self-Governing Territories in the United Nations system that might be of interest to the Pacific region.

He pointed out that the Caribbean Development and Cooperation Committee (CDCC) had been involved in that issue on behalf of Caribbean Non-Self-Governing Territories since 1985, and from 1985 to 1992 had adopted a number of resolutions on the question.

He made particular reference to a 1988 resolution creating the Working Group of Non-Independent Caribbean Countries, and subsequent resolutions defining its mandate.

He also noted that part of that mandate was to begin consultations with Pacific non-independent countries to ensure that the activities of CDCC would benefit Non-Self-Governing Territories in the Pacific region.

Mr. Corbin went on to outline a number of recommendations of the Seminar held in Grenada in 1992 which might be of interest to the participants in the Pacific Seminar, including collaboration between the Special Committee and the relevant regional institutions in the Caribbean and Pacific in requesting specialized agencies of the United Nations system to increase the participation of the Non-Self-Governing Territories as associate members, and initiation of a dialogue with the governing councils of United Nations bodies to facilitate that activity; actions by United Nations technical organizations to examine ways of permitting the participation of Non-Self-Governing Territories in programmes, especially relating to the environment, assistance to small island developing countries, population and other areas; actions by the General Assembly and the Economic and Social Council providing for observer status in their technical activities, as in the case of the United Nations Conference on Environment and Development, held at Rio de Janeiro in June 1992, and observer status in the General Assembly.

Regarding recent developments, the representative reported the adoption by CDCC in 1992 of a resolution calling for formal collaboration between the Working Group of Non-Independent

Caribbean Countries and the Special Committee on activities to benefit the Non-Self-Governing Territories in the Pacific and the Caribbean.

He also noted successful efforts by the Working Group in obtaining observer status for the Non-Self-Governing Territories in the Pacific and the Caribbean at the Rio de Janeiro Conference and the Global Conference on the Sustainable Development of Small Island Developing States, to be held in Barbados in 1994, and ongoing efforts with regard to the International Conference on Population and Development, to be held at Cairo in 1994.

III. CONCLUSIONS OF THE SEMINARS

At the end of the seminars, participants adopted summaries of the discussions. The essential elements of the views expressed at the two seminars are set out below.

Political issues

Participants in the seminars reaffirmed the importance of the Charter of the United Nations, particularly Article 73 e concerning Non-Self-Governing Territories, as well as General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and resolution 1541 (XV) of 15 December 1960, containing the principles which should guide Members of the United Nations in determining whether or not a Non-Self-Governing Territory can be said to have reached a full measure of self-government by (a) emergence as a sovereign independent State; (b) free association with an independent State; or (c) integration with an independent State.

Participants praised the United Nations, in particular the Special Committee, for the role they had played in the decolonization process during the past 33 years. They expressed continued support for the Declaration and the need for its implementation in the remaining Non-Self-Governing Territories.

Participants reaffirmed that the question of territorial size, geographical isolation and limited resources should not constitute an obstacle to the exercise by the peoples of the Non-Self-Governing Territories of their right to self-determination.

Where General Assembly resolution 1514 (XV) had not been fully implemented, the international community should continue to bear responsibility for the Territories until the peoples concerned had an opportunity to exercise freely their right to self-determination.

Some participants considered that sovereignty resides in the people of some of the Non-Self-Governing Territories and their duly constituted Governments.

Participants called upon the Special Committee to continue to review the list of Non-Self-Governing Territories to which the Declaration applies.

Participants were generally of the view that in the decolonization process there is no alternative to the principle of self-determination. All options consistent with resolution 1541 (XV) should therefore be considered legitimate as long as it can be ascertained that they are the freely expressed wishes of the peoples concerned.

It was suggested that the question of free association should be studied further. Some participants suggested that there was scope for developing, within United Nations norms on decolonization, as another option for some very small Non-Self-Governing island Territories, a political status combining aspects of both integration with an independent State and free association with an independent State. It was suggested that this option could involve a supportive constitutional relationship with the former administering authority or another independent State in the region; could permit the island Territory to exercise autonomy to the full extent of its people's desire, including the exploitation of its exclusive economic zone and the right to be a member of relevant international organizations; could commit the partner State to providing ongoing economic and other assistance, in conjunction with other States and international organizations; and could be safeguarded not only by a contractual relationship with the island Territory but also by a treaty obligation to the international community. The status should be freely chosen by an act of self-determination, with the right to change the status by a further act of self-determination at a future date.

Some participants stated that free association should take the form of a revocable compact, unilaterally terminable by either party.

Participants considered that the peoples of the Non-Self-Governing Territories have the right to formulate, amend and adopt their own constitutions.

Some representatives of Non-Self-Governing Territories and participants called upon administering Powers to recognize international standards with respect to the migration of settlers and other migrants into Non-Self-Governing Territories, as such migration contributes to demographic disruption and threatens the genuine exercise of self-determination.

Some representatives of Non-Self-Governing Territories proposed that provisions be implemented for representatives of elected Governments of Non-Self-Governing Territories to participate in the meetings of the Special Committee and its subcommittee or other appropriate organs of the United Nations during consideration of their Territories with regard to decolonization.

Participants called upon the Special Committee to intensify its dissemination of information on decolonization directly to the peoples of the Non-Self-Governing Territories, with a view to raising awareness among the peoples of the applicability of international principles to the self-determination process. They recommended that the Territories themselves should also provide up-to-date information to the Committee in time for the preparation of its working papers.

Some participants, including representatives of Non-Self-Governing Territories, called upon the Special Committee to concentrate its efforts on the particular problems of the remaining Non-Self-Governing Territories, which differ in many respects from previous colonial situations.

Participants considered that the Special Committee should re-examine the nature of the information it disseminates to Non-Self-Governing Territories concerning self-determination. They believed that the United Nations had a unique opportunity and responsibility to bring together the most advanced solutions for converting national separation into global unity. To this end, they called for creative solutions to replace traditional practices and outdated resolutions.

Representatives of Non-Self-Governing Territories and participants called for greater measures of cooperation with the Special Committee by administering Powers.

Some participants noted that for many very small Non-Self-Governing island Territories, the real enemy was the fear of future neglect. They considered that the Special Committee should focus not only on how soon their colonial status could be terminated but on how they could be assured that they would have the right to maintain their own special identity and at the same time receive the continuing economic and other assistance on which their well-being depended.

Participants recognized that there might be Non-Self-Governing Territories which were content with the current relationship with their administering Powers, and at present wished no change in their political status.

In that regard, some participants urged the Special Committee not to emphasize that all Non-Self-Governing

Territories should conduct an act of self-determination by the year 2000, so that they could continue to keep open their options on future political status. They urged the continuation of the Special Committee after the year 2000, in order to provide international oversight for those Non-Self-Governing Territories which did not wish to make a definitive decision on their future political status before that date.

Economic and social development

Participants expressed the view that the administering Powers, in cooperation with the territorial Governments and the specialized agencies, should take the necessary measures to ensure sustained and balanced development of the economies of the Non-Self-Governing Territories, based on the needs and plans of those Territories. Participants noted that economic development in many Non-Self-Governing Territories was hindered by factors such as their relatively small size, limited internal markets, lack of natural resources, vulnerability to natural disasters and heavy dependence on imports. They recommended that in Territories whose economies were mainly based on one industry, serious attempts should be made at diversification. Sectors such as fishing and agriculture should be developed and educational awareness campaigns should be conducted to sensitize the peoples of the Territories to the negative effects of too much reliance on imported food.

Some participants urged the Special Committee to seek formal collaboration with relevant regional groups, with the goal of increasing participation of Non-Self-Governing Territories in programmes and activities of the different organizations of the United Nations system.

Some participants called upon the Special Committee to request the Economic and Social Council and the General Assembly to include provisions in their resolutions for elected Governments and/or authorities to participate in technical meetings in an observer capacity.

Participants called upon administering Powers to recognize the right of the peoples of the Non-Self-Governing Territories to complete jurisdiction over the disposition of the land and ocean-based resources in Non-Self-Governing Territories.

Given their small economies, many participants recognized that it was extremely difficult for the Non-Self-Governing Territories to achieve economies of scale similar to those of larger countries. Some participants suggested that the General Assembly should be encouraged to invite the administering Powers to facilitate the promotion of trading relationships between the

Non-Self-Governing Territories and the neighbouring States of the region.

Participants noted that, given their attractive climate and environmental conditions, the tourism industry had become an important economic activity in some Non-Self-Governing Territories. While recognizing that tourism could be a major source of revenue for those Territories owing to their limited natural resources, participants considered that, in the development of that industry, account should be taken of the need to ensure that scarce land resources were not alienated from the people of the Territories; moreover, the expansion of tourist facilities should be carefully monitored to avoid cultural disruption and marginalization of the local population.

Participants also noted that, in order to promote diversification and economic development in Non-Self-Governing Territories, tourist facilities located on their soil should primarily rely on the use of locally purchased products. Regarding the protection of the environment, participants suggested that national parks should be created in areas particularly vulnerable to environmental damage, and information programmes should be launched to educate the local population, as well as tourists, on the need to safeguard the environment.

Participants took note of the vulnerability of the Territories to illicit activities, such as drug trafficking, money laundering and other forms of crime and, in this connection, called upon the administering Powers concerned and the international community to take all necessary measures in cooperation with the territorial Governments to combat those problems.

Participants emphasized the need to provide the populations of the Non-Self-Governing Territories with the necessary educational and technical skills for public administration. Some noted, however, the problem of the "brain-drain" which affects a number of the Territories. It was also pointed out that Territories with relatively high standards of living attracted large numbers of immigrants with resultant effects on the ownership of economic interests, among other matters. This combination of in-and-out migration patterns has seriously affected the demographic composition of some populations, which, in turn, could have a substantial impact on the expression of popular desires with respect to self-determination.

Participants believed that regional organizations should assist Non-Self-Governing Territories in increasing their access to markets and should institute measures to enable Non-Self-Governing Territories to benefit fully from existing preferential trade arrangements.

Participants also believed that international organizations should assist Non-Self-Governing Territories in upgrading their indigenous technological infrastructures and in promoting successful local technologies.

Participants recalled that regional organizations could assist in developing a regional programme of cooperation in the management of regional exclusive economic zones, which would aim, inter alia, at protecting marine resources from illegal exploitation, delimiting maritime boundaries and reviewing fisheries legislation. They expressed the hope that those Non-Self-Governing Territories having observer status in the South Pacific Forum Fisheries Agency would benefit from the programme and that other Territories would be encouraged to participate in it.

Participants recommended that the Special Committee should urge regional organizations such as the Caribbean Community and the South Pacific Forum to provide special opportunities in their programmes, activities and conventions for the full and meaningful participation of the Non-Self-Governing Territories.

Participants recommended that the Special Committee should request the United Nations Development Programme, the United Nations Environment Programme and the World Bank to make accessible appropriate resources and expertise to the Non-Self-Governing Territories in order to enable them to participate in regional organizations.

Environment issues

Regarding protection of the environment, participants suggested that national parks should be created in areas particularly vulnerable to environmental damage, and information programmes should be launched to educate the local population, as well as tourists, on the need to safeguard the environment.

With regard to environmental issues such as global warming, participants noted with alarm that rising sea levels could have potentially disastrous effects on some Non-Self-Governing Territories, since even a relatively small rise of the ocean level could cause extensive damage to waterfront-based industries and public facilities and ultimately even threaten the Territory's existence. Participants called for the observance by all States of the decisions reached at the United Nations Conference on Environment and Development, held in June 1992 at Rio de Janeiro, concerning the need to preserve and protect the environment while permitting sustainable development to take place.

Participants also noted the vulnerability of many Non-Self-Governing Territories to natural disasters and stressed

the need for them to be included in the programmes and projects of the United Nations system, including those of the International Decade for Natural Disaster Reduction.

Participants urged the Special Committee to request the administering Powers of the remaining Territories to make accessible appropriate resources and expertise in their Territories, so as to enable them to initiate biodiversity conservation programmes of their own and/or to participate in other regional environmental programmes.

Participants considered that the Special Committee should urge the administering Powers to provide legal and political opportunities for their Territories to participate fully in regional conventions and programmes relating to their environment and future livelihood.

IV. AFTERMATH

At a meeting in New York on 7 August 1992, the Special Committee adopted the recommendation that the conclusions and recommendations of the Seminar held in Grenada should be taken into account in its consideration of the situation in the Caribbean Territories.

At a meeting in New York on 14 July 1993, the Special Committee approved the report of the Seminar held in Papua New Guinea.

The Committee reported on the proceedings of the seminars to the General Assembly at its forty-seventh and forty-eight sessions, respectively, drawing special attention to the views expressed by representatives of the peoples of Non-Self-Governing Territories.
