



General Assembly

Distr.: General
28 July 2017

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

Summary record of the 7th meeting

Held at Headquarters, New York, on Thursday, 22 June 2017, at 10 a.m.

Chair: Mr. Rivero Rosario (Vice-Chair) (Cuba)

Contents

Question of French Polynesia

Hearing of representatives of the Non-Self-Governing Territory

Hearing of petitioners

Question of New Caledonia

Question of Anguilla

Question of Bermuda

Question of the British Virgin Islands

Question of the Cayman Islands

Question of Guam

Question of Montserrat

Question of Tokelau

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent as soon as possible to the Chief of the Documents Management Section (dms@un.org).

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).



In the absence of Mr. Ramírez Carreño (Bolivarian Republic of Venezuela), Mr. Rivero Rosario (Cuba), Vice-Chair, took the Chair.

The meeting was called to order at 10.15 a.m.

Requests for hearing

1. **The Chair** reminded the Committee that, at its third meeting held on 12 June 2017, it had acceded to the requests for hearing relating to French Polynesia and New Caledonia contained in aide-memoires 06/17 and 03/17, respectively. He drew attention to the additional request for hearing relating to French Polynesia (aide-memoire 06/17/Add.1). He took it that the Committee wished to grant that additional request.

2. *It was so decided.*

Question of French Polynesia

(A/AC.109/2017/7; A/AC.109/2017/L.24)

3. **The Chair** drew attention to the working paper prepared by the Secretariat on French Polynesia (A/AC.109/2017/7) and to a draft resolution on the question of French Polynesia (A/AC.109/2017/L.24).

Hearing of representatives of the Non-Self-Governing Territory

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

5. **Mr. Terai** (Adviser for International, European and Pacific Affairs) said that the majority of French Polynesians wanted economic and social development in partnership with France as part of the French Republic, rather than independence. Thanks to increased investment and a steadier labour market, which had boosted household consumption, the Polynesian economy was recovering after a long period of political instability from 2004 to 2013, but job creation needed to be consolidated. Although certain sectors were recovering faster than others, the overall economic prospects for 2017 were good, and, despite challenges, internal private demand remained high. The Government was intensifying its efforts to create jobs on a massive scale. Relative to other economies of the Pacific region, the French Polynesian economy was healthy; per capita gross domestic product was approximately \$20,000 and the minimum monthly wage was \$1,500.

6. The Government of French Polynesia had supported Mr. Macron's candidacy for President of

France, largely because he had committed to validating the Elysée Accord. Under the Accord, the French Government was to facilitate compensation for those who had suffered the effects of ionising radiation released by the nuclear tests it had carried out in the Territory. The French Government had acknowledged the problems caused by its nuclear testing in French Polynesia and had established a mechanism for compensating the victims. In addition, the French National Assembly had deleted the notion of "negligible risk" from the much-criticised Morin Law, thus allowing a greater number of victims to be compensated. The Accord also provided for irrevocable perpetuation of the comprehensive autonomy contribution at its 2011 level, payment for an oncology unit and the development of French Polynesian public infrastructure and of the blue economy and tourism sectors.

7. French Polynesia was becoming more involved in regional and international affairs. It had participated in the World Ocean Conference held in June 2017 at United Nations Headquarters, it would participate in the twenty-third Conference of the Parties to the United Nations Framework Convention on Climate Change as an associate member of the Economic and Social Commission for Asia and the Pacific in order to support the presidency of Fiji, and it was abiding by the guidelines of the 2030 Agenda for Sustainable Development.

8. The primary political divide in French Polynesia was between advocates of autonomy, who were in favour of a self-governing status within the French Republic, and advocates of independence. French Polynesians had the same rights as other French citizens: they participated in the French elections, as well as in lawful and transparent French Polynesian elections. In the recent election of French Polynesian representatives to the French Parliament, voters had chosen two pro-autonomy parliamentarians and one pro-independence parliamentarian. The next elections for the Assembly of French Polynesia and the President of the Territory would take place in March 2018; at the previous general election, in March 2013, 70 per cent of the electorate had voted for autonomy.

9. In General Assembly resolution 71/120, Member States had stipulated that all available options for self-determination of the Territories were valid as long as they were in accordance with the freely expressed wishes of the peoples concerned, on a case-by-case basis, and that it was ultimately for the people of French Polynesia to determine freely their future political status. The Government of French Polynesia had already negotiated with France a status which

provided a large degree of autonomy, and which more than 70 per cent of the population supported. French Polynesia was not a colony that needed to be decolonized; if its relationship with France was to evolve, that would be a result of a free and democratic choice made by the Polynesian people.

Hearing of petitioners

10. **The Chair** said that, in accordance with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

11. **Mr. Tuheiaiva** (Assembly of French Polynesia) said that, while it had been four years since the adoption of General Assembly resolution [67/265](#) reinscribing French Polynesia on the list of Non-Self-Governing Territories, the administering Power had yet to transmit the information required under Article 73 *e* of the Charter of the United Nations. The relationship between the Territory of French Polynesia and the administering Power was financially abusive and did not ensure that the interests of the inhabitants of French Polynesia were paramount, in violation of Article 73 of the Charter. In particular, the French Government had maintained full control over the Territory's natural resources.

12. The United Nations Convention on the Law of the Sea appeared to indicate, in part II, section I, article 2, that full sovereignty over the exclusive economic zone of French Polynesia, which covered 5 million square miles of ocean, lay with France. As a result, France was considered the second largest maritime power in the world, a rank which afforded it significant international maritime trade and geopolitical influence. The same article of the Convention granted France sovereignty over the undersea and seabed resources within, and the aerial zone above, the Territory's exclusive economic zone. The French Government collected several hundred million dollars annually through two taxes that it applied to French Polynesia: a fee payable by airlines which crossed the aerial zone of French Polynesia and landed at its airport, and an airport tax collected on every airline ticket purchased for flights into or out of the Territory. In addition, more than 300 satellites crossed the spatial zone above the exclusive economic zone of French Polynesia every hour, providing significant income for the administering Power. Lastly, the French Organic Law governing French Polynesia gave France unilateral control over the marketing of strategic raw materials — meaning it had full sovereignty over the significant quantities of world-class cobalt, platinum and manganese, as well as rare earth metals, that had been

discovered within the Territory's exclusive economic zone. The abovementioned existing and potential sources of revenue should be used for the development of an independent economy, instead of benefiting France.

13. Much of the information on nuclear testing provided to the Special Committee and to the Fourth Committee in previous years had been omitted from all relevant United Nations documents. Such information included the 2014 resolution of the Assembly of French Polynesia in which it called upon the administering Power to recognize the colonial nature of its nuclear testing in French Polynesia, and the fact that the French committee responsible for granting compensation to the victims of nuclear testing had recognized that the deceased spouse of a petitioner before the Fourth Committee had been contaminated by one of the 46 nuclear tests conducted on Moruroa Atoll, even though she had never visited the site — evidence that the entire population of French Polynesia could have been contaminated. Such omissions gave rise to serious concerns that the administering Power was influencing the selection of information to be included in United Nations documents. Future updates on the matter should be more comprehensive and more consistent with the commitment to decolonization expressed by the Secretary-General.

14. **Mr. Corbin** (Dependency Studies Project) said that implementation of the General Assembly resolutions on decolonization was critical for French Polynesia and other small island territories. The democratic deficit and the gross imbalance of power in French Polynesia had been clearly established in the self-governance assessment conducted by the Dependency Studies Project in 2013, which had provided the basis for the reinscription of the Territory on the list of Non-Self-Governing Territories. Currently the focus was where it should be: on implementing the actions called for in the resolutions on French Polynesia adopted by the General Assembly since 2013, aimed at bringing about a genuine decolonization process and full self-government. Therefore, progress against the actions mandated must be evaluated.

15. The General Assembly had mandated that the administering Power should develop a public awareness campaign in cooperation with the territorial Government and appropriate United Nations bodies. However, the French Government had not developed any such campaign, which was unsurprising in view of its general lack of cooperation with the Special Committee on matters relating to French Polynesia.

The Committee should lead the initiative, and should invite the administering Power to participate.

16. The two reports of the Secretary-General on the consequences of nuclear testing ([A/69/189](#) and [A/72/74](#)) had been criticized for providing insufficient information. If the United Nations did not have sufficient information itself, it should publish as a document of the General Assembly the independent study on the consequences of nuclear testing that speakers had been referencing for several years in meetings of the Special Committee and the Fourth Committee.

17. A case-by-case work programme should urgently be put in place for each of the small island territories and, in the case of French Polynesia, the independent self-governance assessment should be used as one of several substantive documents. The absence of case-by-case programmes, despite decades of their inclusion as priorities of the General Assembly, continued to limit the information available to Member States, making it impossible for them to make informed decisions. Such programmes should not have to be initiated by the administering Power. Many small territories that had been engaged in the process had been alienated by the lack of attention paid to their concerns. They did not have a Special Representative of the Secretary-General, nor did the Security Council address their concerns; they only had the Special Committee. However, their issues were being overshadowed by larger concerns that were also addressed by other United Nations system entities. The Committee's working methods should be modernized to provide adequate time for it to address the small territories' issues.

18. An organic link must be established between decolonization resolutions and the United Nations decolonization budget. The proposed programme budget for the biennium 2018-2019 contained no specific references to actions called for in decolonization resolutions which might require additional resources or a reordering of existing resources. After a quarter-century of international decades for the eradication of colonialism, the existing level of resources, and their use, had not been sufficient for the implementation of the specific actions called for in the decolonization mandate. The General Assembly had, ten years previously, endorsed a Plan of Implementation 2006-2007, which identified the specific areas within the United Nations system that would carry out the actions called for in the decolonization resolutions; the Committee might wish to revisit that agreed initiative to avoid repeating the process of adopting resolutions without due regard for

their implementation. The barometer for success for French Polynesia and other small territories was the genuine implementation of decolonization resolutions and implementation programmes adopted by the General Assembly. As such, the Committee should strongly encourage such implementation within the United Nations system, and should monitor its effectiveness.

Draft resolution [A/AC.109/2017/L.24](#)

19. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela), speaking in explanation of position before the decision, said that the lack of progress towards the decolonization of French Polynesia was of concern. The administering Power was failing to comply with Article 73 *e* of the Charter of the United Nations, in contravention of the recognition by the General Assembly, in 2013, that French Polynesia was a Non-Self-Governing Territory with the status of a colony, a situation that must be resolved. France must provide the information required by the abovementioned Article. The cooperation and political will it had shown with regard to New Caledonia, and the relative progress it had made in compensating the inhabitants of French Polynesia who had suffered the effects of the nuclear tests that it had carried out in that Territory, should guide the future work of France to enable the French Polynesian people to freely exercise their right to self-determination.

20. The Committee should remain committed to the process of decolonization of French Polynesia, and should continue to allow all those who supported the different options for self-determination, including independence, to be heard.

21. *Draft resolution [A/AC.109/2017/L.24](#) was adopted.*

Question of New Caledonia ([A/AC.109/2017/11](#); [A/AC.109/2017/L.11](#))

22. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) said that the Government of France should continue to cooperate, in accordance with General Assembly resolution [71/119](#) of 2016, with the process of implementing the Nouméa Accord, which entailed allowing the United Nations to continuously monitor the situation in the Territory and, in particular, the preparations for the referendum on full sovereignty, taking into account the serious concerns expressed by sectors of the Kanak population regarding the establishment of the electoral register, on which thousands of Kanaks had not been inscribed. Only by complying with what had been mandated within the stipulated time frames would it be possible for New

Caledonia to realize its self-determination, in accordance with the Charter of the United Nations and the principles and practices of the Organization.

23. In view of the importance of the referendum on self-determination to be held in 2018, the Committee should send a mission to New Caledonia to assess progress on the ground in relation to the referendum and the road towards decolonization, and to make its support for the Kanak people and for the Territory visible.

Draft resolution A/AC.109/2017/L.11

24. **Mr. Hufanen Rai** (Papua New Guinea), introducing the draft resolution on the question of New Caledonia on behalf of his country and Fiji, said that both countries looked forward to receiving updates from the administering Power, the territorial administration and the people of New Caledonia on the evolving circumstances in the Territory. The situation in New Caledonia remained fluid and required close monitoring by all stakeholders, in particular by the Committee. However, thanks to the positive engagement of the administering Power, much progress had been made.

25. The draft resolution underscored that New Caledonia was at a critical point given that, under the Nouméa Accord, a self-determination referendum would be held in 2018, after 165 years of colonialism. In that connection, the serious concerns raised about the electoral process by the 2014 United Nations Visiting Mission to New Caledonia must be addressed expeditiously. It was alarming that a sizeable segment of the Territory's population continued to be excluded. The report of the Melanesian Spearhead Group Ministerial Mission to New Caledonia, which had taken place from 24 to 28 April 2017, indicated that some 23,000 Kanaks had yet to be registered on the general electoral list, which was a precondition for inscription on the referendum list. If the outcome of the referendum was to be respected by the people of New Caledonia, the integrity and credibility of the electoral process must be unquestioned; the administering Power and the territorial authorities should therefore attend to those concerns as a matter of urgency. The draft resolution highlighted the importance of voter education and of registering all eligible voters for the referendum, especially indigenous Kanak people. The territorial Government and political parties, and the administering Power, should therefore strengthen public awareness programmes and increase advocacy regarding the self-determination process and the options available to New Caledonians.

26. The draft resolution recognized the ongoing efforts by the administering Power, the territorial Government and the signatories to the Nouméa Accord to resolve various concerns related to the self-determination process through peaceful dialogue. It welcomed the decision of the administering Power to invite the Electoral Assistance Division of the Department of Political Affairs of the Secretariat to conduct a mission in order to observe the work of the special administrative commissions and the advisory committee of experts for the establishment and revision of the special electoral list. It also welcomed the transmission by the administering Power to the Special Committee of the final report of the electoral expert observer mission to New Caledonia conducted in 2016, as well as of the list of measures implemented by the administrative Power to follow up on the recommendations of that mission.

27. The draft resolution reiterated the importance of the fundamental tenets of self-determination as set out in the Charter of the United Nations and relevant General Assembly resolutions. It emphasized the importance of institutional frameworks to the self-determination process; in that context the transfer of powers and skills from the administering Power to the Territory and its people was critical. The draft resolution also emphasized the need to protect the inalienable right of the people of New Caledonia to their natural resources.

28. His delegation and that of Fiji commended the parties of the Front de libération nationale kanak et socialiste (FLNKS) for their continued constructive engagement with countries and organizations in the Pacific region. The admission of New Caledonia to the Pacific Islands Forum in September 2016 was a step forward. Such cooperation by the peoples of Non-Self-Governing Territories facilitated their capacity-building and equipped them with experience in leadership and decision-making in the regional and international arenas, which was imperative for their future destiny. The draft resolution was balanced, fair and representative of all stakeholders' viewpoints, and reflected the aspirations to self-determination of the people of New Caledonia. Therefore, the Committee was requested to adopt the draft resolution by consensus.

29. **Ms. Savitri** (Indonesia) said that her delegation wished to cosponsor draft resolution [A/AC.109/2017/L.11](#).

30. **Mr. Koroma** (Sierra Leone) said that, as New Caledonia approached a historical referendum to be held in 2018, efforts should be made to resolve all

differences peacefully. His delegation was concerned that more than 20,000 Kanaks had been omitted from the voter lists, which was disenfranchising many and could have an adverse effect on the outcome of the referendum. The administering Power should continue to provide economic support to the people of the Territory, and more opportunities should be provided for training and access to higher-level jobs.

31. *Draft resolution A/AC.109/2017/L.11 was adopted.*

Question of Anguilla (A/AC.109/2017/2; A/AC.109/2017/L.14)

32. **The Chair** drew attention to the working paper prepared by the Secretariat on Anguilla (A/AC.109/2017/2) and to a draft resolution on the question of Anguilla (A/AC.109/2017/L.14).

Draft resolution A/AC.109/2017/L.14

33. *Draft resolution A/AC.109/2017/L.14 was adopted.*

Question of Bermuda (A/AC.109/2017/3; A/AC.109/2017/L.15)

34. **The Chair** drew attention to the working paper prepared by the Secretariat on Bermuda (A/AC.109/2017/3) and to a draft resolution on the question of Bermuda (A/AC.109/2017/L.15).

Draft resolution A/AC.109/2017/L.15

35. *Draft resolution A/AC.109/2017/L.15 was adopted.*

Question of the British Virgin Islands (A/AC.109/2017/4; A/AC.109/2017/L.16)

36. **The Chair** drew attention to the working paper prepared by the Secretariat on the British Virgin Islands (A/AC.109/2017/4) and to a draft resolution on the question of the British Virgin Islands (A/AC.109/2017/L.16).

Draft resolution A/AC.109/2017/L.16

37. *Draft resolution A/AC.109/2017/L.16 was adopted.*

Question of the Cayman Islands (A/AC.109/2017/5; A/AC.109/2017/L.17)

38. **The Chair** drew attention to the working paper prepared by the Secretariat on the Cayman Islands (A/AC.109/2017/5) and to a draft resolution on the question of the Cayman Islands (A/AC.109/2017/L.17).

Draft resolution A/AC.109/2017/L.17

39. *Draft resolution A/AC.109/2017/L.17 was adopted.*

Question of Guam (A/AC.109/2017/9; A/AC.109/2017/L.18)

40. **The Chair** drew attention to the working paper prepared by the Secretariat on Guam (A/AC.109/2017/9) and to a draft resolution on the question of Guam (A/AC.109/2017/L.18).

Draft resolution A/AC.109/2017/L.18

41. *Draft resolution A/AC.109/2017/L.18 was adopted.*

Question of Monserrat (A/AC.109/2017/10; A/AC.109/2017/L.19)

42. **The Chair** drew attention to the working paper prepared by the Secretariat on Monserrat (A/AC.109/2017/10) and to a draft resolution on the question of Monserrat (A/AC.109/2017/L.19).

Draft resolution A/AC.109/2017/L.19

43. *Draft resolution A/AC.109/2017/L.19 was adopted.*

Question of Tokelau (A/AC.109/2017/1; A/AC.109/2017/L.7)

44. **The Chair** drew attention to the working paper prepared by the Secretariat on Tokelau (A/AC.109/2017/1) and to a draft resolution on the question of Tokelau (A/AC.109/2017/L.7).

Draft resolution A/AC.109/2017/L.7

45. **Mr. Rai** (Papua New Guinea), introducing draft resolution A/AC.109/2017/L.7 on behalf of his country and Fiji, said that, as the administering Power of Tokelau, New Zealand was to be commended for its continued and consistent provision of adequate information regarding ongoing developments in the self-determination process of Tokelau.

46. Following the unsuccessful outcome of the referendums conducted in Tokelau in 2006 and 2007 on the question of self-determination, the people of Tokelau and its administering Power had agreed to defer the question until such time as the people of the Territory were ready. Since then, both Tokelau and New Zealand had focused on improving the welfare of the people of the Territory by meeting basic needs, including building capacity and resilience against the rise in sea levels and climate change, strengthening good governance, enhancing women's empowerment and equality, ensuring sustainable energy security,

improving maritime transport, and sustainably developing and managing fisheries and other resources in the exclusive economic zone. Those mutually agreed development efforts, guided by the Joint Statement of the Principles of Partnership, were also deployed in support of the implementation of the 2030 Agenda for Sustainable Development in Tokelau. The successful free, fair and democratic election held in 2014 in Tokelau with technical support on voter education provided by the United Nations system had further strengthened the local political system, leadership and decision-making with regard to Territorial affairs.

47. Much of the content from the previous year's resolution on Tokelau remained important. The most significant development that had happened since the Committee's previous session was contained in paragraph 10 and concerned regional and international cooperation. Tokelau had pursued integration with a number of relevant regional institutions. In 2014, it had chaired the Fisheries Committee for the first time and hosted the Ministerial Meeting of the Pacific Islands Forum Fisheries Agency. The Government of Tokelau had participated in the third International Conference on Small Island Developing States in 2014, and in 2016, Tokelau had joined the Pacific Islands Development Forum; it had also chaired the Polynesian Leaders Group in 2016.

48. The constructive cooperation between Tokelau and New Zealand had been illustrated in March 2016 by the arrival in the Territory of the first-ever modern passenger ferry Mataliki, funded by New Zealand. That development was crucial, since the population of Tokelau was entirely dependent on ferry services for shipping goods and transportation, as the islands were not connected by international flights.

49. As the international community focused on the new sustainable development agenda, where poverty eradication, social inclusion and environment protection played key roles, it was imperative for the United Nations to work with the people of Tokelau and the administering Power to determine the Territory's future status. The ongoing cooperative partnership between Tokelau and New Zealand and with all relevant stakeholders, including the Special Committee and the United Nations more generally, demonstrated the Territory's commitment to work towards the well-being of the people of Tokelau in conformity with their aspirations for self-determination. The exemplary mutual understanding and constructive engagement between Tokelau and New Zealand was a useful benchmark for the self-determination process that could be referenced by other Non-Self-Governing Territories and administering Powers.

50. The resolution was seen as a fair, balanced and forward-looking text that would further facilitate the advancement of the self-determination process for the people of Tokelau; the Committee was urged to adopt it by consensus.

51. **Mr. Koroma** (Sierra Leone) said that his delegation commended the administering Power for the good relationship that it maintained with the people of the Territory and encouraged it to continue in the spirit of self-determination. The relationship between Tokelau and New Zealand provided a good example of how an administering Power could help the people of its Territory to achieve self-government and economic development.

52. *Draft resolution [A/AC.109/2017/L.7](#) was adopted.*

The meeting rose at 11.40 a.m.