



# General Assembly

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## Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

### Summary record of the 5th meeting

Held at Headquarters, New York, on Monday, 18 June 2018, at 10 a.m.

*Chair:* Ms. Rodríguez Camejo (Vice-Chair) ..... (Cuba)  
*later:* Mr. Sumah (Vice-Chair) ..... (Sierra Leone)

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*In the absence of Mr. Webson (Antigua and Barbuda), Ms. Rodríguez Camejo (Cuba), Vice-Chair, took the Chair.*

*The meeting was called to order at 10.25 a.m.*

**Special Committee decision of 19 June 2017 concerning Puerto Rico (A/AC.109/2018/L.7 and A/AC.109/2018/L.13)**

1. **The Chair** said that the delegation of Paraguay had indicated its wish to participate in the Committee's consideration of the item as an observer.

*Hearing of petitioners*

2. **The Chair** drew attention to aide-memoire 06/18/Add.1 relating to the Special Committee decision of 19 June 2017 concerning Puerto Rico, which contained additional requests for hearing under that item received after the circulation of the initial requests, bringing the total to 44. She took it that the Committee wished to accede to those requests.

3. *It was so decided.*

4. **The Chair** said that, in line 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.

5. **Mr. López Rivera** (Fundación Oscar López Rivera Libertá) said that, nearly three decades after the adoption of General Assembly resolution 43/47 calling for the eradication of colonialism during the 1990s, the General Assembly continued to avoid addressing or even mentioning the colonial status of Puerto Rico. Under threat by the United States Government and neglected by the General Assembly, the people of Puerto Rico demanded to know the reasons for the Assembly's inaction, which allowed colonialism, a crime against humanity, to persist in Puerto Rico.

6. The Committee should investigate the nefarious activities perpetrated by the United States Government in Puerto Rico over the previous 120 years, as doing so would reveal just how destructive and dehumanizing colonialism really was and how far that Government was willing to go to assert absolute control over Puerto Rico. Since the United States had invaded Puerto Rico and occupied it militarily, it had endeavoured to depopulate the island and destroy Puerto Rican national identity and culture. From 1901 until the present day, Puerto Rican people had been forced to emigrate to faraway places like Hawaii and the southern and western continental United States. However, the threat of depopulation had loomed largest in the previous

30 years, as evidenced by the over 5 million Puerto Ricans presently living in the diaspora, outnumbering the 3 million living on the island. Moreover, Puerto Rico would be hard put to recover from the brain drain caused by the mass exodus of Puerto Rican professionals with solid academic credentials and work experience.

7. The main reason Puerto Ricans were leaving the island in droves was that its economy had been rendered dysfunctional by the policies adopted by the United States Government and its banking industry. The economy could neither create jobs nor allow Puerto Rico to develop its own internal market, as capital generated in Puerto Rico was ultimately transferred to United States banks. In the absence of job creation, the banking industry had encouraged the Puerto Rican government to issue bonds to pay its debts and to privatize some of its most productive and vital public corporations, including the telephone company and the public hospital system. To make matters worse, the Puerto Rican people had abruptly been informed that they owed an odious, criminal debt of \$74 billion. To ensure payment of that debt, the United States Government had imposed a financial oversight board that had the power to decide how the public funds collected by the Puerto Rican government would be spent. Since the Puerto Rican people had never been told how its government had spent the money, it had begun calling for an audit of the debt, a request refused by both the United States and the Puerto Rican governments. In the meantime, over 500 public schools had been closed, with more slated to close during the summer; university tuition fees would be raised and programmes eliminated in the new school year.

8. The plan proposed by the financial oversight board, if carried out, would imperil public education in Puerto Rico, hampering the development of human resources. The forced migration of more and more Puerto Ricans, in turn, would hasten the island's descent into poverty and subsequent depopulation and gentrification. Within a few years, Puerto Rico could become another Hawaii. However, aware that there remained Puerto Ricans determined to fight for an independent and sovereign Puerto Rico, he held out hope that all Puerto Ricans would one day exercise their inalienable right to self-determination, with the help of the Committee and the General Assembly.

9. **Mr. Román Espada** (Colegio de Abogados de Puerto Rico) said that it was regrettable that the General Assembly had not taken up the issue of Puerto Rico. Since the United States invasion of Puerto Rico 120 years earlier, the Puerto Rican people had been subjugated to the United States Congress and prevented from exercising their right to self-determination in

accordance with General Assembly resolution 1514 (XV). The economic crisis created by the nation's colonial status had been exacerbated by the catastrophic impact of Hurricanes Irma and Maria in September 2017, resulting in a full-blown humanitarian crisis. Over the previous decade, declines in the gross national product, population and employment told a tale of economic stagnation. In addition, the Puerto Rican government, saddled with an unpayable public debt of over \$70 billion, lacked the resources needed to provide health care, education, security and other basic services. The United States Government's control of macroeconomic policy limited the Puerto Rican government's options for resolving the economic crisis. The Colegio joined others in rejecting the Puerto Rico Oversight, Management and Economic Stability Act ("the PROMESA Act"), which had paved the way for austerity measures to be adopted by a financial oversight board composed of unelected members appointed unilaterally by the United States authorities.

10. The devastation wrought by two hurricanes in two weeks had led to the collapse of basic services, considerable damage to private homes, roads and natural resources, and widespread loss of life — estimated at 4,645 deaths in a recent study published by Harvard University — and sources of income. Puerto Rico simply could not resolve the ensuing humanitarian crisis while colonialism prevailed.

11. **Mr. Figueroa** (Unión de Trabajadores de la Industria Eléctrica y Riego) said that Puerto Rican electrical workers decried the intention of the colonial government of Puerto Rico to sell the Puerto Rico Electrical Power Authority to the private sector, under pressure from the financial oversight board established under the PROMESA Act. The United States Supreme Court decision in *Puerto Rico v. Sánchez Valle* had underscored the colonial status of Puerto Rico and the sovereign right of the United States Congress to annul any of the territory's laws.

12. Laws and measures adopted by the Puerto Rican government at the behest of the financial oversight board had further battered a people and economy reeling from the impact of Hurricanes Irma and Maria, deepening the island's political subjugation to the United States. The Puerto Rican people's living conditions were increasingly precarious as their hard-won rights came under attack. Access to energy was a fundamental human right and General Assembly resolution 65/151 emphasized the need to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services and resources for sustainable development.

13. Selling the Puerto Rican Electrical Power Authority would cause energy costs to spike, turning energy use into a commodity subject to the whims of the market and available to a select few. Owing to the interruption of medical services after the hurricanes — an interruption primarily caused by power outages — an estimated 4,645 people had died, while some 7,000 families still lacked access to electricity. The privatization of the Electrical Power Authority would only exacerbate an already dire situation. The Committee should therefore urge the United States Government to take immediate action to enable the Puerto Rican people to exercise their right to energy and attend to their pressing social, economic and political needs. In exercising that right, Puerto Ricans must retain full ownership and control of their public assets, including the Electrical Power Authority.

14. **Ms. Velázquez Rodríguez** (Frente Socialista de Puerto Rico) said that the struggle to expel the United States from Puerto Rico amounted to a struggle for the survival of the Puerto Rican people. The United States Government's sole response to the devastation wrought by Hurricane Maria had been to prevent the island's recovery; that Government was to blame for the deaths that had occurred and the thousands more that would occur if urgent action was not taken. Ahead of another hurricane season, Puerto Rico lacked the infrastructure to withstand even a weak hurricane. Furthermore, government repression had escalated in response to the country's crisis; dozens of activists had been incarcerated on frivolous charges to intimidate Puerto Ricans determined to fight for their independence. With the lives and safety of so many at stake, the case of Puerto Rico must be referred to higher forums to enable its people to overcome the crisis.

15. **Ms. Sheridan-González** (New York State Nurses Association) said that, even before Hurricane Maria in 2017, the health of the population of Puerto Rico had been the worst in the nation. The island's colonization and the historic inequities between it and the United States had caused higher rates of morbidity, mortality and disease. One third of Puerto Rican women of child-bearing age had been illegally sterilized and Puerto Rican women had been used illicitly as guinea pigs in the development of oral contraceptives.

16. Poisonous dumps, detritus from military exercises and other sources of environmental toxins had caused increased rates of cancer and respiratory disorders. The Jones Act had made healthy food unaffordable which had in turn caused a dramatic increase in chronic diseases. Moreover, discriminatory federal funding and the privatization of health services had reduced access

to quality care while the PROMESA Act had led to a mass migration of health professionals.

17. The untenable situation had evolved into a form of genocide after the apathetic response of the United States Government to the devastation caused by the hurricane. The austerity-imposed disintegration of the electrical grid and the criminal neglect of its repair had directly contributed to the deaths of thousands of people. Had it not been for the people of Puerto Rico and the solidarity of others, the death count would have been much higher. The few functioning hospitals had been inaccessible and preventable illnesses had grown at alarming rates, while the loss of homes and livelihoods had led to massive post-traumatic stress disorder and suicide. Only by cancelling the illegal debt, dismantling the financial oversight board and repealing the Jones Act could the health crisis be resolved. The international community should exert pressure to pave the way for Puerto Rican autonomy and self-determination.

18. **Mr. Abdulmumit** (Jericho Movement) said that his movement championed the release of political prisoners at home and abroad and supported the efforts of the Puerto Rican people in their struggle for independence. Puerto Rico was a United States colony that had been occupied and exploited since its acquisition from Spain. President Donald Trump had prided himself on the exploitative relationship between the United States and Puerto Rico and had been observed throwing rolls of paper towels at a crowd of Hurricane Maria survivors in San Juan. Lies about a so-called caring relationship between colonizer and the colonized obscured the real living conditions of Puerto Ricans. More than 4,000 Puerto Ricans had died following the hurricanes and many areas of the island still had no electricity.

19. Colonialism was violent, destructive and genocidal, and the United States sought merely to extract wealth from the land and the people. President Trump had criticized Puerto Rico for being a strain on the homeland's budget and had attacked the San Juan mayor, Carmen Yulín Cruz, on Twitter after she had begged the Government for help. The revolutionary Puerto Rican men and women who were incarcerated as political prisoners were a reflection of the burning desire of Puerto Ricans to be free of the repressive policies of the United States. The struggle against oppression, exploitation, imperialism and colonialism was replicated worldwide, wherever there was repression. Denying people their freedom and independence led to resistance, political strife and civil wars. Puerto Rico must be decolonized.

20. **Ms. Pérez** (A Call to Action on Puerto Rico) said that the crisis in Puerto Rico had been exacerbated by two deadly hurricanes and the economic meltdown and unprecedented human displacement wrought by the imperialist financial oversight board. Wilful environmental contamination under a system of environmental regulations weaker than those of the United States; persecution of Puerto Ricans exercising their right to participate peacefully in labour unions, student-led demonstrations and strikes; imposition of the death penalty, a punishment forbidden by the Constitution of Puerto Rico; the use of the territory to operate United States military bases; and the disproportionate, coerced participation of Puerto Ricans in armed conflicts waged by the United States all attested to the enduring reality of colonial domination. Moreover, colonial rule had severely undermined the island's potential as an economic competitor in regional and global markets, its means of production monopolized by and for foreign interests. In over a century of rule, the United States Government had remained indifferent to attempts to resolve the question of the status of Puerto Rico, ignoring the will of the Puerto Rican people as expressed in various forums. The Committee should support the valiant struggle for a decent life for all Puerto Ricans and should call for the immediate release of political prisoners Nina Alejandra Droz and Ana Belén Montes.

21. **Mr. Nenadich Deglan** (National Sovereign State of Borinken) said that the National Sovereign State of Borinken, of which he was the President and Head of State, was not an organization but instead a provisional government akin to those historically established by groups of revolutionaries during struggles that had culminated in national independence. As such, its bid for representation in the General Assembly was the most straightforward way to put an end to the island's colonial status, after 40 years of failed attempts to refer the case of Puerto Rico to the General Assembly. The only alternative would be to allow imperialism to continue ravaging his nation, which was in the grip of a crisis orchestrated by the invaders and their local accomplices to crush popular resistance to their genocidal policies. The recent hurricanes had only exacerbated that crisis. While the Committee also bore its share of responsibility for failing to take a stand against the United States — admittedly a daunting prospect — it would be heartening if a Committee member would introduce a resolution in support of his country's application for membership or, at the very least, observer status in the General Assembly.

22. **Ms. Ponton Arrington** (Indigenous Women's Knowledge), speaking as a Taíno woman, said that her

people had been subjected to continuing attempts at physical and cultural genocide. Evidence of the colonial relationship between Borinken (Puerto Rico) and the United States could be seen in the restrictive laws imposed by the United States and its cavalier response to the destruction caused by the hurricane. Access to the processes of debt restructuring and disaster relief routinely available in the United States was either prevented or restricted. Puerto Ricans were taxed and regulated by the United States but were not permitted Government representation, which was the very definition of colonialism.

23. Her organization did not wish to demonize the United States but instead address the damage done to her people and the land. It was of little consequence to those suffering in silence whether the damage was the result of malignant intent or benign neglect. Borinken was unique because of its length of time under colonial rule and the fact that the indigenous people had survived with a community and a governing structure intact. Adding Puerto Rico to the list of Non-Self-Governing Territories would be a first step in addressing colonial injustice; however, to continue calling the land Puerto Rico, the name imposed by colonial bandits, was a continuation of the injustice. The people should have their own voice in the international arena as they could not trust colonial interests to speak for them.

24. **Ms. Montes-Mock** (Mesa de Trabajo por Ana Belén Montes en Puerto Rico) said that the Puerto Rican people must heed the courageous example of prisoner of conscience Ana Belén Montes by taking their own stand against the oppressive United States Government in the quest for self-determination. Colonized and lacking the legal capacity to build their own country, the Puerto Rican people had been further shackled by the imposition of a dictatorial financial oversight board put in place to uphold investor interests and exploit the economic crisis to promote a neoliberal agenda. As a result, basic services were at risk, poverty had worsened and a devastating brain drain had ensued.

25. While working for the Pentagon, Ana Belén Montes had been faced with the choice of remaining silent or sounding the alarm on the United States Government's plans against the Cuban people. Ultimately, choosing solidarity would cost her her freedom; her sacrifice had shone a spotlight on the oppression of peoples by other peoples and forced Puerto Ricans to examine themselves and decide how they would respond to their circumstances. Despite the widespread evidence that mediation and peaceful settlement of disputes yielded more positive and lasting results than the imposition of extreme measures, economic and political dominion had become the

highest pursuit of many a nation, dashing the hope of a decent life for peoples like hers. It was now up to Puerto Ricans, inspired by their countrywoman's integrity, to reject demeaning colonialist policies and resolve to build their sovereign nation.

26. **Mr. Alomar** (Organization for Culture of Hispanic Origins) said that there had been an intentional lack of support from the United States Government in the aftermath of Hurricanes Irma and Maria, resulting in a recovery and relief disaster and thousands of deaths in Puerto Rico. The United States had failed the Puerto Rican people, with the island being left without power and supplies for months. Many who had applied for financial support to restore their homes had been denied and thousands had been forced to leave the island, abandoning their homes to a breeding ground of vulture capitalists. Puerto Ricans continued to be starved, abused and robbed of their land. Meanwhile, hospitals on the island had been told not to report deaths to the Health Department, in order to prevent an accurate count of the victims, and the Army Corps of Engineers had blocked utility workers from obtaining supplies.

27. Even while President Trump had mocked and insulted them, the people of Puerto Rico had come together, clearing roads, cooking for entire communities and offering medical care to neighbours. The people had been left to die, with substandard help from the United States and intentional neglect, but had continued to rise, stronger and more determined. Puerto Ricans must be liberated from their colonial status and allowed to restore their island.

28. **Mr. Morales** (Fuerza de la Revolución) said that his organization represented hundreds of Dominicans who had historically supported the Puerto Rican struggle for emancipation. Colonialism had caused the deaths of thousands who had dared to oppose the oppressive designs of its perpetrators. While the rest of the world moved towards greater acceptance of diversity, opting to defuse potentially deadly conflicts through negotiation and dialogue, the United States unjustifiably persisted in usurping the land of a people worthy of being an independent nation, with its distinctive identity and fierce attachment to its heritage. The credibility of many intergovernmental bodies was undermined by their inability to uphold international laws governing relations between nations. As exemplified by the inhumane treatment of Puerto Ricans in the aftermath of Hurricane Maria, the fundamental problem of Puerto Rico was its anachronistic colonial status; the General Assembly must therefore address the case of Puerto Rico once and for all and pave the way to freedom for its people.

29. **Ms. Lourdes Santiago** (Partido Independentista Puertorriqueño) said that the United States had entrenched its colonial domination of Puerto Rico by imposing the dictatorial financial oversight board in 2016, reducing the already limited scope of Puerto Rican self-rule under the status quo. Guided by the interests of the island's creditors, the board openly interfered in public policy matters, targeting the poorest and hindering progress and financial stability. Solving the problems posed by colonialism with more colonialism could only lead to more suffering for Puerto Ricans. Meanwhile, the United States colonial regime coupled police repression and political persecution with the dismantling of cultural institutions and the imposition of bilingualism in schools, in addition to granting scandalous tax breaks to United States companies and individuals. Worst of all, the United States Government had demonstrated its apathy and incompetence in the wake of the devastation wrought by Hurricane Maria. Somehow, the Army Corps of Engineers of the most powerful country on earth had been incapable of delivering aid to rural areas and restoring electrical services on a small island, and that country's Federal Emergency Management Agency had insisted that aid applications should be submitted online in a country without electricity or working telephone lines.

30. Her party had recently called for a dialogue with the two other Puerto Rican political parties, with a view to issuing a joint call for the dismantling of the financial oversight board and the launch of a decolonization process that offered the people options other than colonial or territorial status. In closing, she endorsed the draft resolution before the Committee, stressing the urgent need for the General Assembly to examine the situation of Puerto Rico and facilitate a viable decolonization process that would culminate in independence.

31. *Mr. Sumah (Sierra Leone), Vice-Chair, took the Chair.*

32. **Ms. Muriente Pastrana** (Comité de Puerto Rico en las Naciones Unidas) said that the United Nations decolonization agenda would remain incomplete while colonial domination continued in Puerto Rico. The decision in *Commonwealth of Puerto Rico v. Sánchez Valle* and the imposition of the financial oversight board revealed the illegitimacy of General Assembly resolution 748 (VIII), which had been adopted on the basis of misleading information and the use of excessive power. Contrary to that resolution, the Supreme Court had ruled that the ultimate power over all decisions regarding Puerto Rico lay with the United States Congress. Both that resolution and the legal opinions of the United Nations that were based on that resolution

were invalid but they had been used to stop all initiatives that would refer the case of Puerto Rico to United Nations forums beyond the Committee. The falsehood of the Free Associated State and of General Assembly resolution 748 (VIII) meant that other organs of the United Nations, including the General Assembly, must address the case of Puerto Rico without delay. Member States had a duty to achieve decolonization, and the principles of self-determination and independence should take priority over the political expediency of the powerful.

33. **Ms. Reverón Collazo** (Movimiento Independentista Nacional Hostosiano) said that, in 1972, the Committee had recognized the inalienable right of the Puerto Rican people to self-determination and independence, and had instructed its working group to submit a report on the procedure that the Committee should follow in its implementation of General Assembly resolution 1514 (XV) with respect to Puerto Rico. In 1973 it had decided to keep the issue under review but, 46 years later, the working group had yet to make a recommendation. In 2017, the Committee had agreed to appoint a new working group to initiate communications with the United States on the start of a decolonization process, but that had led to nothing.

34. The colonial situation had subjected the Puerto Rican people to a humanitarian crisis that had led to death and destruction. Due to gross criminal negligence, the United States Government bore primary responsibility for the 4,645 deaths resulting from Hurricanes Irma and Maria. A combination of obstacles and inaction had prevented assistance from other countries and from United Nations agencies from reaching Puerto Rico. Worse still, the profits of United States businesses had been prioritized over the lives of Puerto Ricans, by prohibiting the purchase of materials to mobilize the electricity system from countries other than the United States. In addition to its vulture funds, Wall Street was also using Puerto Rico for real-estate operations. Puerto Rico had suffered genocide, land spoliation, dismantling of social benefits, an increase in crime, State violence, repression, the removal of human and civil rights and privatization. Resolutions must be implemented and not merely adopted, and the United States must be made to comply with the right of the Puerto Rican people to self-determination. The Committee should submit a special request to the General Assembly to hear the Puerto Rican people in their plea for a life of dignity, justice and peace.

35. **Mr. Velgara** (New York Cuba Solidarity Project) said that, over the previous two years, the United States had tightened its control over the nation of Puerto Rico through its financial oversight board and the

implementation of austerity plans that did not adhere to United States or Puerto Rican laws. Since Hurricane Maria, the United States Government had shown complete disregard for the Puerto Rican people, who lacked the most basic services. United States colonialism in Puerto Rico was a legacy of human rights violations, racism, exploitation, repression, assassinations and incarcerations. The recent release of thousands of death certificates by the Puerto Rican government in the aftermath of Hurricane Maria, and the brutal lack of response by the United States Government, underscored the reality of the situation.

36. Political prisoner Nina Droz Franco had been accused of attempted arson, despite no evidence to that effect, and had suffered violations of her civil and international human rights as a prisoner. The United States Government was using her to intimidate Puerto Rico into believing that popular dissent would be met with cruelty and incarceration. Her arrest was testimony to the emergence of a new generation of resistance to challenge the imposition of the austerity plan and the dictatorial financial oversight board. Political prisoner Ana Belén Montes had stood up against the United States Government's imperialist agenda, and had been severely punished. He denounced her lack of basic medical treatment, even in the face of breast cancer. The United States should respect the rule of international law as defined in General Assembly resolution 1514 (XV) and the General Assembly should take up the case of Puerto Rico.

37. **Mr. Cruz Ayala** (Movimiento Ñin Negrón) said that General Assembly resolution 1514 (XV) provided a clear, necessary and simple process that had been employed by many countries for the achievement of independence, and should be the only vehicle for decolonization in Puerto Rico. Any new resolution from the Committee or from the General Assembly should denounce any attempt to include annexation as a process for decolonization. The decision in *Commonwealth of Puerto Rico v. Sánchez Valle* and the enactment of the PROMESA Act contradicted the lie that was General Assembly resolution 748 (VIII). At the very least, Puerto Rico should have its observer status restored in the name of its national liberation movement, and the Committee should assess the political and human rights situation on the ground. The case of Puerto Rico should be brought before the General Assembly. The independent nations of the world must express their rejection of the colonial status of Puerto Rico and put pressure on the United States to comply with General Assembly resolution 1514 (XV).

38. **Mr. Toledo García** (American Association of Jurists) said that the objective of the financial oversight

board was to force the Puerto Rican people to repay an illegal and odious debt. Governor Ricardo Roselló and President Donald Trump had failed to respond to the consequences of the two hurricanes with the necessary urgency, and the lack of basic services, electricity and drinking water had led to thousands of deaths, including suicides, and the displacement of thousands of people who had been forced to abandon their homes and country.

39. The United States Government must comply with the Universal Declaration of Human Rights, the Charter of the United Nations, the resolutions on decolonization adopted by the General Assembly and by the Committee, and the resolutions adopted by the United Nations Human Rights Council. Puerto Rico had never been a self-governing territory. The absence of democracy was evident in the cases of political prisoners Ana Belén Montes and Nina Droz Franco, who should be released. The case of Puerto Rico should be referred to the General Assembly.

40. **Mr. Villanueva Muñoz** (Comité pro Derechos Humanos de Puerto Rico) said that Hurricane Maria had left Puerto Rico without electricity, water, essential medical services and employment, and thousands of homes had been destroyed. The dictatorial financial oversight board made decisions on budget priorities, how money was invested and the closure of schools and university campuses. The application of a neoliberal policy with the sole aim of paying an unaudited fiscal debt bordered on genocide.

41. Resolutions must be implemented, and the United Nations should send rapporteurs to Puerto Rico to report on poverty levels, the economic, social and moral effects of labour laws that reduced workers' rights and the gentrification process. The depopulation of Puerto Rico affected the United States and the international community, particularly Latin America and the Caribbean. Forced emigration did not always lead to assimilation, and meant that a whole generation of the national population was deprived of human resources. The government of Puerto Rico was under pressure to criminalize resistance to the policies of the financial oversight board. During the latest protest over 20 people had been detained, with several currently awaiting trial. Criminalization of protests was part of the colonial problem, and must be stopped.

42. **Ms. Susler** (National Lawyers Guild) said that Puerto Rico had been hit by three hurricanes: Hurricane Irma, Hurricane Maria and the financial oversight board imposed by the United States. The Committee must insist that the General Assembly take action to address the illegal colonial control of Puerto Rico.

43. Rescue and recovery efforts by the United States following the hurricanes had been woefully inadequate. Power had still not been completely restored, resulting in the longest ongoing blackout in Puerto Rican history. The Government had let the electricity system deteriorate and had then slowed the recovery process in favour of privatizing the public utility. With the 2018 hurricane season under way, the system was too vulnerable to withstand another disaster. Puerto Rico had experienced the highest number of deaths, the largest number of public school closures and the largest emigration in its history. Mass migration had led to depopulation of the island, and, in combination with the devastation left by the hurricane, had led the colonial administration to invite wealthy entrepreneurs to repopulate Puerto Rico and to pass legislation converting Puerto Rico into a tax haven for the wealthy. The island had also seen the largest number of suicides and mental health issues; the largest number of mortgage foreclosures; the creation of a constitution-free zone; a lack of access to justice; and repression of those who resisted the imposed austerity. Nonetheless, there had been unprecedented solidarity from the Puerto Rican diaspora, which had sent plane loads of supplies to provide relief.

44. **Ms. Elias** (Green Party of the United States) said that the tragedy felt in the wake of the hurricanes had been multiplied tenfold by the silence and lack of action by the United States. While countries such as Cuba and Venezuela had wanted to send supplies and doctors to Puerto Rico, the United States had refused any interference. The United Nations should take swift action and enforce its call for the United States to expedite a process that would allow the Puerto Rican people to take decisions, in a sovereign manner, to address their urgent economic and social needs, including unemployment, marginalization, insolvency and poverty. The deaths as a result of Hurricane Maria were a direct consequence of colonialism. The United States would never allow Puerto Rico the right to self-determination of its own free will. Therefore, she implored the United Nations to demand the decolonization of Puerto Rico and to impose sanctions on the United States if it failed to comply.

45. **Ms. Valedón Santiago** (Alianza Patria) said that the Committee should speak out about the differences between free association and independence, and about the status assembly as a decolonization mechanism. The General Assembly should add Puerto Rico to the list of colonial territories, thereby obliging the United States to submit reports on the issue, and the United States should be urged to initiate a decolonization process. In addition,

the Committee should visit Puerto Rico to gain in-depth knowledge of the situation on the island.

46. The United States had imposed a military, colonial regime on Puerto Rico, and had made false promises. Alianza Patria condemned the PROMESA Act and the financial oversight board that had been imposed on Puerto Rico. Rather than promoting prosperity, the board was threatening to cut pensions, eliminate labour rights and increase university fees. Contrary to what had been presented in 1952, the Act had altered the Puerto Rican Constitution and the board had diminished the constitutional powers of the Legislative Assembly and the Governor of Puerto Rico. The board had the power to legislate on local matters and to rescind any law, and some feared that it would decide to suspend laws that had been approved prior to its creation.

47. The question of Puerto Rico must be addressed by the General Assembly, and the United States must be subject to the scrutiny of the international community, particularly in the aftermath of Hurricane Irma and Hurricane Maria. The United States Government had not disbursed the funds assigned to Puerto Rico in their entirety, and had displaced hundreds of Puerto Ricans from their homes. International aid had been rejected by the United States Government, the food provided by the federal agencies had been described as junk food by nutritional experts, and federal management seemed to favour access to governmental contracts for United States businesses.

48. **Ms. Guzmán** (Movimiento Unión Soberanista) said that, even though colonialism was a crime against humanity, the United States continued to exercise its colonial power over Puerto Rico with total impunity. Despite decades of denouncing the atrocities committed by the United States before the Committee, nothing had been done to implement the resolutions adopted by the United Nations to eradicate colonialism and liberate Puerto Rico. While the United States had recognized the status of Puerto Rico as its colony before its own Supreme Court, it had done nothing to correct its offences, continuing to trample on the dignity of the Puerto Rican people and violating their right to self-determination. The financial oversight board continually mistreated and humiliated Puerto Rico in order to cover an exorbitant, illegitimate and unpayable debt, and imposed fiscal measures that were leading to unprecedented impoverishment. Both the financial oversight board and the current Puerto Rican government refused to carry out an audit process for the debt.

49. Puerto Rico was suffering one of its worst crises, and had received no help from the United States, which



had rejected the international aid offered. The poverty index in Puerto Rico had risen to nearly 53 per cent and there had been widespread closures of schools. Thousands of families remained without homes, electricity and employment, and hundreds of thousands had been forced to abandon the country as victims of the criminal negligence of the local and federal governments. To disguise its ineptitude, the local government had even concealed the death toll after the hurricane. At the same time, the financial oversight board continued to strip the Puerto Rican people of their human rights, resources and hopes. She urged the Committee to demand the decolonization of Puerto Rico, and for its case be brought before the General Assembly.

50. **Mr. Meléndez** (Comités de la Resistencia Boricua) said that Puerto Rico was a war zone, as seen through the continuous attacks by the colonial government and the dictatorial financial oversight board that had been established to collect an illegal and immoral debt. Labour rights had been taken away, pensions had been cut, schools had been closed and there had been attacks against the University of Puerto Rico. The board had taken control of the country's budget and the government was conspiring with the board in plundering the wealth and resources of the people. The board and government had no plan for the development of Puerto Rico. Pro-statehood forces had long been aware that statehood was a failed and unviable political project, as it lacked both popular and political support. Part of its agenda was to dismantle the nation, and to deny the history and cultural values of the Puerto Rican people.

51. Repression tactics and strategies were under way, with the militarization and deployment of the elite police force and combat units working to control the population. Intelligence work was also in progress, including cyberespionage and the controlling of social networks. There had also been fabrication of cases, physical aggression, persecution, harassment, abductions, illegal arrests and unwarranted searches. Meanwhile, Puerto Rico had established numerous community projects, combative teachers' unions were working to resist school closures, and public and private sector workers were fighting to preserve labour and social rights. He hoped that the Committee would continue its support for the self-determination and independence of Puerto Rico, and asked for the resolution to include recognition of the right of resistance.

52. **Ms. Colón Pérez** (Coalición Puertorriqueña contra la Pena de Muerte) said that, under the International Covenant on Civil and Political Rights, the

death penalty could be imposed in countries where it had not been abolished but only on certain grounds. Puerto Rico had abolished the death penalty in 1929, a decision that had been reiterated in the country's Constitution drafted in 1952. However, the United States had tyrannically eliminated the relevant section of the Constitution when approving it. Furthermore, cases in Puerto Rico were more frequently tried as federal offences and harsher sentences were sought than in any other jurisdiction. However, no jury in Puerto Rico had yet chosen to apply the death penalty, despite handing down several unanimous guilty verdicts. The United States Government was using the colonial relationship to impose the death penalty on Puerto Rico, despite clear rejection of capital punishment by the Puerto Rican nation.

53. Moreover, although Spanish was spoken in Puerto Rico, all death-eligible federal cases were tried in English; members of those juries must therefore be fluent in English, as well as support the death penalty. Since the majority of Puerto Ricans did not support capital punishment and/or did not speak English fluently, it was impossible to obtain a jury of one's peers from the remaining handful of individuals.

54. Forcing capital punishment on Puerto Rico was illegal and went against the fundamental right to life, the principles of the General Assembly against torture and the International Covenant on Civil and Political Rights, to which the United States was a signatory. In its resolution, the Committee should state that the death penalty was another example of colonial imposition on the Puerto Rican people. The case of Puerto Rico should be brought before the General Assembly.

55. **Mr. Rivera-Medina** (Instituto Puertorriqueño de Relaciones Internacionales) said that, despite the Committee's adoption of 36 resolutions and decisions over the previous 45 years, the General Assembly had still not addressed the case of Puerto Rico, and should remove doubts about its commitment to defending and demanding the right to self-determination. Puerto Rico had exhausted its political and legal resources to demand a change in the colonial situation. The enactment of the PROMESA Act and the establishment of the financial oversight board had led to the usurpation of the political powers of elected officials, and the imposition of austerity policies had led to cuts in social protection and increased inequality.

56. The two hurricanes had caused a humanitarian crisis, and the exodus of the population and death toll were still being counted. The United States Government was largely responsible for the lack of recovery of Puerto Rico as it had obstructed the arrival of

international aid, particularly from Latin America, and had distributed enormous recovery funds to its own North American companies, taking advantage of the precarity of the island to increase its own wealth.

57. Following the decision in *Commonwealth of Puerto Rico v. Sánchez Valle* and the enactment of the PROMESA Act, there remained no doubt over the fact that Puerto Rico was not an autonomous territory. Puerto Rico was a Caribbean and Latin American nation and its people had the inalienable right to self-determination in accordance with General Assembly resolution 1514 (XV). The case of Puerto Rico must be referred to the General Assembly.

58. **Mr. Pagán Bonilla** (Generación 51) said that, after five centuries of colonization in Puerto Rico, his country still did not enjoy self-governance, and there was obstinate resistance to self-determination for the people of Puerto Rico. Despite the information presented in *Commonwealth of Puerto Rico v. Sánchez Valle* and the results of the plebiscites held on 6 November 2012 and 11 June 2017, the inaction of international entities, including the federal system, maintained Puerto Ricans in a shameful position of inequality, whereby they were not permitted to vote without leaving Puerto Rico.

59. He asked what the difference was between apartheid in South Africa and the current system of inequality in Puerto Rico, in particular the process of voting for American citizens in Puerto Rico without representation or the right to vote. He would welcome the recommendation of the Committee on the democratic expression of the Puerto Rican people during the plebiscites, and drew attention to the report of the Puerto Rico Civil Rights Commission on the self-determination of the Puerto Rican people, approved on 17 February 2016. He wondered what was stopping the United Nations from acting on the decolonization of Puerto Rico in the General Assembly, as the United States Ambassador had publicly stated that she would not be opposed to a broad discussion on the matter. The resolution should call for compliance with the democratic will of Puerto Ricans who had chosen statehood as a decolonization option in accordance with the Universal Declaration of Human Rights and General Assembly resolution 1541 (XV).

*The meeting rose at 1.10 p.m.*