



General Assembly

Distr.: General
29 January 2019
English
Original: French

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

French Polynesia

Working paper prepared by the Secretariat

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The Territory at a glance

Territory: French Polynesia is a Non-Self-Governing Territory under the Charter of the United Nations. It is administered by France.

Representative of administering Power: René Bidal, High Commissioner of the Republic (since 30 May 2016).

Geography: French Polynesia occupies a vast maritime zone in the south Pacific, covering an area of 2.5 million km².

Land area: The 118 islands that comprise French Polynesia, grouped in five archipelagos, represent a land area of about 3,500 km².

Exclusive economic zone: 4,767,242 km².

Population: 275,918 (2017, Statistical Bureau of French Polynesia).

Life expectancy at birth: women: 78.1 years; men: 74.1 years (2015).

Ethnic composition: Polynesian (65 per cent); “Demis” (mixed race) (16 per cent); persons of Chinese origin (5 per cent); Popâa (white) (12 per cent).

Languages: French; Tahitian; Marquesan; Tuamotuan; Mangareva; Austral island languages: Ra’ivavae, Rapa and Rurutu; English; Hakka Chinese; Cantonese; and Vietnamese.

Capital: Papeete.

Head of territorial Government: Édouard Fritch (since 12 September 2014).

Main political parties: The political groupings in the Assembly of French Polynesia are: Tapura Huiraaatira (39 seats); Tahoera’a Huiraaatira (9 seats); Tavini Huiraaatira (8 seats); non-registered (1 seat).

Elections: Parliamentary elections were held in April (first round) and May (second round) 2018.

Parliament: The Assembly of French Polynesia consists of 57 representatives elected for five years by universal suffrage.

Gross domestic product per capita: 2.15 million Pacific francs (2017).

Unemployment rate: 21.8 per cent (2015).

Economy: The service sector, which generated 84 per cent of value added in 2014 and employed more than 83 per cent of wage workers in 2017, plays an important role in the Polynesian economy. Tourism is the leading source of goods and services exported from the Territory. Nevertheless, aquaculture, in particular black pearl cultivation, which yields the second most important resource of French Polynesia (accounting for two thirds of export revenues from goods in 2017), remains important. Given the thinness of the market, the economy is structured around large public or private groups, particularly in the energy and retail sectors.

Monetary unit: Pacific franc, or CFP franc (1,000 CFP francs = 8.38 euros, at a fixed exchange rate).

Brief history: The Polynesian people became established as a result of successive waves of migration from the fourth century to the end of the fourteenth century. Europeans first reached French Polynesia in 1521 (Magellan) and started to settle after the arrival of Captain Wallis in 1767. Beginning in the early nineteenth century, the Pomare dynasty extended its influence over both Tahiti and the Tuamotu and Leeward Islands. It signed a protectorate treaty with France in 1842; then, in 1880,

King Pomare V granted France sovereignty over the islands that were dependencies of the Tahitian crown, thereby giving rise to the French Establishments in Oceania. The latter became an overseas territory with the creation of the French Union in 1946 and has been referred to as French Polynesia since 1957. The Polynesians reaffirmed their wish to remain a territory of France in a referendum held in 1958. The term “overseas territory” (*territoire d’outre-mer*) was replaced with “overseas collectivity” (*collectivité d’outre-mer*) in 2003 following a constitutional review (source: Institut d’Émission d’Outre-mer).

I. Constitutional, political and legal issues

1. According to the French government portal set up for collectivities, which is maintained by the General Directorate of Public Finances and the General Directorate of Local Collectivities, the Constitution of 27 October 1946 classified French Polynesia as an overseas territory (*territoire d'outre-mer*), and that status was maintained by the 1958 Constitution. The constitutional review of 28 March 2003 amended article 74 of the Constitution in relation to overseas territories and replaced the term “overseas territory” (*territoire d'outre-mer*) with the term “overseas collectivity” (*collectivité d'outre-mer*). Legislators were tasked with defining the organizational and operational rules of a collectivity’s institutions and the electoral arrangements of its deliberative assembly. The status of each overseas collectivity is adopted after consultation by its deliberative assembly. The status of French Polynesia was established by Act No. 2004-192 of 27 February 2004, which specified an organization that was different from that under common law and close to an assembly-based parliamentary system. The President of French Polynesia has a representative function, directing the actions of government and administration, and promulgating local “country laws” (*lois du pays*). The Government of French Polynesia, comprising between 7 and 10 ministers, is responsible for conducting the collectivity’s policy. The collectivity’s deliberative body is the Assembly of French Polynesia, which is elected by direct universal suffrage every five years.

2. Also according to the French government portal for collectivities, despite its special institutional organization, French Polynesia does not have political autonomy; however, it does enjoy administrative autonomy, and is subject to specific legislation. Under the principle of legislative and regulatory specificity, the organic legislative body of each overseas collectivity is tasked with establishing the conditions for applying relevant laws and regulations. Metropolitan law is therefore applicable only when explicitly indicated. Moreover, the Assembly of French Polynesia has recourse to certain categories of act, in accordance with its competencies in the legal domain, which are known as “country laws” (*lois du pays*). These acts have a broad scope under French Polynesian statutory jurisdiction and can be appealed only to the French Council of State and not to the French Polynesian Administrative Tribunal. This administrative autonomy entails the sharing of jurisdiction by the French State and French Polynesia. The State has jurisdiction in the areas of sovereignty referred to in article 14 of the Organization Act of 2004 and in 37 other areas, such as intercommunal cooperation, police and civil aviation security, which the collectivity has chosen to attribute to the State. For its part, in addition to ordinary jurisdiction, French Polynesia may, subject to monitoring by the State, exercise its jurisdiction in guaranteeing the rights granted throughout the national territory regarding public freedoms (art. 31 of Act No. 2004-192).

3. According to the annual report of the Institut d’Émission d’Outre-mer for 2017, the 2004 reform resulted in a long period of political instability, which the adoption of two laws (Organization Act No. 2007-223 of 21 February 2007, abolishing the electoral rule whereby additional seats were attributed to the party having won the majority of votes; and Organization Act No. 2007-1720 of 7 December 2007 on introducing motions of no-confidence) failed to remedy; it should be noted that 11 Governments succeeded one another from 2004 to 2013. In 2011, Organization Act No. 2011-918 of 1 August 2011 on the functioning of French Polynesian institutions was adopted to restore stability. This law modified the electoral process by re-establishing the electoral rule previously abolished and by creating a single electoral constituency; it also set a limit on the number of ministers and the possibility of overthrowing the Government. This law has been implemented since the territorial elections held in May 2013.

4. According to the Institut d'Émission d'Outre-mer, the institutions of French Polynesia consist of the President, the Government, the Assembly of French Polynesia and the Economic, Social and Cultural Council. The role and powers of these institutions are defined by organic law.

5. The President is elected by the Assembly of French Polynesia by secret ballot for a five-year term. The President forms the Government by appointing the Vice-President and ministers, whom he or she can dismiss, and directs the action of the ministers. The President promulgates country laws and signs the acts adopted by the Council of Ministers. The President is the originator of the budget and directs territorial administration. The President's mandate is compatible with that of a deputy, senator and mayor, and it can be terminated by a vote of no confidence by the Assembly, or in the event of the latter's dissolution. Mr. Édouard Fritch was elected President of French Polynesia on 12 September 2014 and re-elected on 18 May 2018.

6. The French Polynesian Government serves as the Territory's executive power and conducts its policy. It meets every week through the Council of Ministers, which has collective and collegiate responsibility for affairs within its jurisdiction. The government establishes which draft decisions are to be submitted to the Assembly and which enabling measures are needed to implement them. It also has wide-ranging regulatory power. It is consulted on a mandatory basis in areas where the State has jurisdiction, either by the Minister for Overseas Territories or by the High Commissioner, depending on the case in question.

7. The Assembly of French Polynesia, consisting of 57 members elected by direct universal suffrage for five-year terms, debates all issues within the collectivity's jurisdiction, other than those devolved to the Council of Ministers or to the President of the Government. The Assembly adopts country laws, over which the Council of State exercises jurisdictional control, and the decisions submitted by the Government. It votes on the Territory's budget and accounts and oversees actions taken by the Government. The Government may be overthrown by a motion of no confidence; the Assembly can be dissolved by a decree issued by the President of the Republic, at the request of local government.

8. The Economic, Social and Cultural Council, a consultative body, consists of representatives from professional groupings, labour unions, organizations and associations involved in the economic, social and cultural life of the collectivity. The Council issues opinions with corresponding recommendations on issues referred to it by the Government and the Assembly of French Polynesia. Its advice must be sought on economic, social and cultural projects, and it must be consulted on legislative proposals prepared by the Government or the Assembly. It may also undertake studies on issues within its jurisdiction, on its own initiative, subject to a two-thirds majority vote of its members. The Council consists of 51 members who are appointed by their peers for a four-year term and are distributed among three colleges (representatives of wage earners; representatives of entrepreneurs and self-employed workers; and representatives of sociocultural sectors). Its president is elected for two years.

9. According to the 2018 Guide to State services and institutions in French Polynesia, the High Commissioner of the Republic represents the central Government and each of the ministers. The High Commissioner works closely with the President, the Government and the institutions of French Polynesia, which are in contact with all national stakeholders, in the public interest; is responsible for security and manages the High Commission's administrative and technical services; steers State policies and ensures the coherence of all services provided by the State; manages the State's financial resources in French Polynesia through the implementation of structuring projects that support economic activity; and is the intermediary between the central administrations and the ministers in Paris. Alongside the judicial authority,

administrative judge and auditor, the High Commissioner is responsible for ensuring observance of the law and the legal soundness of the acts adopted by the collectivities. As a representative of the central Government, he or she is responsible for guiding the activities of the French State at sea. The geographical jurisdiction of the High Commissioner covers the maritime zone of French Polynesia, as well as the waters under French sovereignty and jurisdiction surrounding Clipperton Island.

10. In 2014, the French Council of State invalidated country law No. 2013-17 of 11 July 2013, which had re-established the High Council of French Polynesia, a consultative body tasked with advising the President and the Government of the Territory in the drafting of country laws, regulatory acts and decisions. The High Council had been eliminated in 2011 in implementation of the recommendations of the assistance mission to French Polynesia aimed at reducing operational costs.

11. On 17 March 2017, the French President and the President of French Polynesia signed an agreement on the development of French Polynesia, known as the Élysée Accord. The first part of the agreement contains provisions on facilitating the payment of compensation to the victims of the nuclear tests, addressing the environmental consequences of the tests and restructuring the Polynesian economy, as well as on preserving the Territory's autonomy and ensuring communes' administrative freedom. The second part describes the measures put in place to develop public infrastructure, foster the development of the communes, support private enterprise and develop future sectors (such as the "blue economy" and tourism), and increase the Territory's geographical and digital accessibility. The third part focuses on improving living conditions by, for example, ensuring that the social security system is sustainable, improving health care and assisting vulnerable people.

12. On 6 July 2017, the Assembly of French Polynesia adopted a draft decision approving the Élysée Accord. According to the Assembly, the Accord has also been endorsed by the French President, Emmanuel Macron, and his Government.

13. On 15 November 2018, the Assembly of French Polynesia issued a favourable opinion of the draft organic law amending the Statute of Autonomy of French Polynesia, submitted by the High Commissioner on 24 October 2018. The opinion was adopted by 40 votes in favour and 17 against. According to the opinion, published in the Official Gazette of French Polynesia on 19 November 2018, the Assembly issued an unqualified favourable opinion on articles 7, 11–14 and 17 of the draft organic law, and requested that articles 2 to 6, 8 to 10, 15, 16 and 18 be improved or clarified in accordance with the proposed amendments set out in annex I of the opinion. The Assembly also proposed that the draft organic law be supplemented by the proposals for additional articles set out in annex II of the opinion. According to information published on the website of the Assembly, the adopted opinion includes a proposal to recognize the contribution of French Polynesia to the development of nuclear deterrence capacity and the defence of France. Other proposed amendments concern the full application in French Polynesia of the laws and regulations relating to the public service of the State, the provisions applicable to the responsibilities of the communes of French Polynesia and the inclusion of the term "environmental" in the name of the Economic, Social and Cultural Council of French Polynesia. The Tavini Huiraatira party voted against the text in the Committee on Institutions and at the fifth meeting of the Assembly's budget session, held on 15 November 2018. Tahoera'a Huiraatira objected to the amendments provided for in the draft organic law.

II. Economic conditions

A. General

14. According to the French Ministry for Overseas Territories, the service sector, in particular tourism, plays an important role in the French Polynesian economy. Given the thinness of the market, the economy is structured around large public or private groups, particularly in the energy and retail sectors.

15. According to the annual report of the Institut d'Émission d'Outre-mer for 2017, the service sector generated 84 per cent of value added in 2014 and employed 83 per cent of wage workers in 2017. Business services were the main branch of the economy, accounting for 39 per cent of wealth produced, followed by non-business services, accounting for 36 per cent. Meanwhile, the primary sector accounted for only 4 per cent of the French Polynesian economy. After four years of recession from 2009 to 2012, gross domestic product grew in 2014 for the first time since 2008. In 2016, gross domestic product, estimated at 581.9 billion Pacific francs (CFP francs), grew by 1.8 per cent in volume and 2.8 per cent in value, boosted by household consumption and the growth of the tourism sector. The same year, net spending by the State in French Polynesia (in the form of wages and operating and capital expenditure) rose by 0.7 per cent to 135.4 billion CFP francs, representing 48 per cent of total current account receipts and 23 per cent of the gross domestic product of French Polynesia. With regard to trade, France continued to be the leading supplier to French Polynesia in 2016 (28 per cent of total imports), mainly of food products (26 per cent) and capital goods (24 per cent). In second place, the other 27 countries of the European Union together represented 16 per cent of the total. French Polynesia also maintained sustained trade with countries in Asia. Singapore, China, the Republic of Korea and Japan accounted for 12 per cent of its current account transactions and 28 per cent of its trade in goods. Lastly, Australia and New Zealand were responsible for 6 per cent of current account transactions and 6 per cent of trade in goods.

16. On 6 December 2018, the Assembly of French Polynesia adopted an initial operating budget for 2019 of 130.399 billion CFP francs (an increase of 10.184 billion CFP francs compared with the initial budget for 2018) and an initial capital budget of 37 billion CFP francs. With regard to the capital budget, principal repayments on the Territory's debt will amount to 9 billion CFP francs in 2019.

B. Agriculture, pearl farming, fisheries and aquaculture

17. According to the report of the Institut d'Émission d'Outre-mer for 2017, French Polynesian agriculture is based on small-scale family farms that practise polyculture. The formal sector accounted for less than 1 per cent of the turnover declared by companies in the Territory. Its development is hampered by major structural handicaps: the lack of arable land, particularly owing to a lack of land division, and insufficient training for farmers, as well as poorly organized product distribution channels. At 39,159 hectares, 74 per cent of which consists of coconut plantations, the utilized agricultural area shrank by 45 per cent between 1995 and 2012. The number of farms fell by 28 per cent over the same period, to 5,649 in 2012. The value of commercial agricultural production was estimated at 6.7 billion CFP francs in 2016, down 9.6 per cent from 2015.

18. According to the Institut d'Émission d'Outre-mer, Tahitian pearl farming, which has become a flagship industry of the Polynesian economy, has also been experiencing a major crisis since the early 2000s, linked to global competition and

internal challenges. According to the Institut, pearl exports, which account for more than half of the Territory's annual foreign-trade earnings, increased by 25.4 per cent, but this was the result of an increase in volume. In 2017, a pearl farming reform was adopted in consultation between professionals and public authorities, with the aim of revitalizing the sector by ensuring a sustainable and environmentally friendly production and promoting the quality of the products sold.

19. Thanks to its exclusive economic zone of around 4.7 million square kilometres, French Polynesia has considerable fishery potential. Fisheries account for 10 per cent of revenue from the export of local products (1.3 billion CFP francs in 2017), thanks to sales of fish (94 per cent of the total) and molluscs (4 per cent), principally to the United States of America. Exports are provided by the offshore fleet, while the inshore fishery supplies the local market. Lastly, lagoon fishing is mainly intended for self-consumption. In addition, although marginal compared with the revenues from pearl farming and fisheries, the farming of blue shrimp, fish for consumption and ornamental fish is expanding.

C. Industry

20. According to the annual report of the Institut d'Émission d'Outre-mer for 2017, the development of the industrial sector in French Polynesia is facing structural constraints including a small domestic market, which restricts economies of scale, and heavy dependence on imported raw materials and energy. Local industry development is based on customs protection in the form of the local development import tax. The French Polynesian industrial sector is made up of primarily small units: 88.9 per cent of the 2,602 industrial businesses listed in the 2017 territorial business directory of the Statistical Bureau of French Polynesia employed a maximum of two wage workers; and a total of 106 businesses employed a minimum of 10.

D. Transport and communications

21. According to the French Ministry for Overseas Territories, the port of Papeete is the maritime link between French Polynesia and the outside world. It is managed by a public enterprise, the Autonomous Port of Papeete. According to the Institut d'Émission d'Outre-mer, the 2009–2019 master plan focuses on bringing the port area into compliance with international safety rules and reducing congestion by transferring the oil terminal and international trade to the reef area east of Papeete, reorganizing the freed platforms and replacing the Navy's floating dock.

22. French Polynesia has air connections to most continents: North America (United States of America); South America (Chile); Asia (Japan); Europe; and Oceania (Cook Islands, New Caledonia and New Zealand). It has one international airport, in Tahiti (Faa'a), owned by the State. In 2010, operation of the airport was handed over to a semi-public company, Aéroport de Tahiti, whose capital is shared among French Polynesia, the French Development Agency and Egis, a subsidiary of the Caisse des Dépôts et Consignations. However, according to the Institut d'Émission d'Outre-mer, pursuant to a final decision of 30 March 2017 handed down by the Administrative Court of Appeal of Paris, the concession was terminated after less than a year because the administrative procedure for awarding a public contract had not been followed. A call for tenders was issued in early 2018. International passenger traffic increased by 1.7 per cent in 2017, following 4.6 per cent growth in 2016.

E. Tourism

23. According to the report of the Institut d'Émission d'Outre-mer for 2017, the tourism industry remains the leading source of exports, having generated 42 per cent of the Territory's export revenues from goods and services in 2016. At the end of 2017, the tourism industry represented 3,038 businesses (11 per cent of the total), which generated 17 per cent of the Territory's turnover and employed 17 per cent of wage workers (10,400 people).

24. The main countries of origin of tourists in French Polynesia are the United States of America (34 per cent of the total in 2017), France (21 per cent) and Japan (6 per cent). Tourism from China has increased by a factor of 12 in 10 years, making it the seventh largest country of origin.

25. According to the report, tourism continued to grow in 2017, when 198,959 tourists visited the Territory (a 3.4 per cent increase over 2016), while wage employment linked to tourism and tourism industry turnover grew by 4.5 per cent and 0.5 per cent respectively in the first nine months of 2017. The hospitality and catering sector was the most important component of the tourism industry in 2017, accounting for two thirds of companies, most of which were restaurants, 63 per cent of tourism wage earners and 46 per cent of turnover. In addition, passenger transport services accounted for 26 per cent of companies, 31 per cent of wage employment and 48 per cent of turnover.

F. Environment

26. According to the Institut d'Émission d'Outre-mer, the Government has set a 50 per cent target for the proportion of renewables in total energy use by 2020, as part of its sustainable development strategy. A multi-year agreement for 2015–2020 to facilitate the energy transition in French Polynesia was signed by the Territory and the French Agency for the Environment and Energy Management in order to finance feasibility studies and training, provide technical support for investment projects and raise awareness. The budget of 1.15 billion CFP francs for the implementation of the agreement over five years is funded through equal contributions from French Polynesia and the French Government. Hydrocarbons continued to account for the majority of the energy generated in French Polynesia in 2017, amounting to 63 per cent, but that proportion has been decreasing gradually in favour of hydroelectric power (35 per cent of the total energy generated). In addition, solar energy production increased in response to Government measures to promote the sector at the beginning of the decade. Its share of electricity production increased from 0.8 per cent in 2011 to 2.0 per cent in 2017.

27. Since the adoption of the most recent law on the Territory's autonomous status in 2004, the responsibility of the communes for water management has increased. In 2017, 10 communes, representing 59 per cent of the French Polynesian population, supplied drinking water. However, less than 1 commune in 10 had an effective wastewater treatment system.

28. Since the Organization Act of 2004, responsibility for the collection and treatment (recovery and disposal) of domestic and vegetable waste, with the exception of toxic waste, has rested with the communes. However, waste management is undermined by inadequate selective sorting, which is conducted in only half of the communes. In view of the communes' slow progress in these areas, the time frame for the implementation of effective waste management was extended until 31 December 2024.

29. Under the 2015–2020 project agreement, 12 billion CFP francs have been allocated to projects for drinking water supply, wastewater treatment and waste management. Waste management is one of the four pillars of the agreement for investment in the communes. Between 85 and 95 per cent of the project funding is provided through equal contributions from the French Government and French Polynesia, while the remaining 5 to 15 per cent is provided by the communes.

III. Social conditions

A. General

30. The Statistical Bureau of French Polynesia, citing a survey on household living conditions in the Territory, stresses that the poverty rate was 19.7 per cent in 2009, meaning that one in five households had an income per consumption unit below the poverty line. The poverty rate was higher in Moorea than in Tahiti and, more generally, in rural areas than in urban areas. According to the Bureau, in 2009, the Gini coefficient, a composite indicator that measures income inequality, was 0.40, indicating a level of inequality comparable with that of the United States (0.41). The level of the coefficient was close to that of New Caledonia (0.43) and significantly higher than that of metropolitan France (0.29).

B. Employment

31. According to the Institut d'Émission d'Outre-mer, employment in French Polynesia is dominated by the service sector, which accounts for more than 8 out of 10 of all wage workers. Services employ over two thirds of all wage workers, almost 6 out of 10 of whom work in the business sector. Of the 64,023 wage workers recorded as at the end of September 2017, 14.5 per cent worked in the trade sector, followed by industry (7.6 per cent), construction and public works (6.8 per cent), and the primary sector (2.7 per cent). In 2017, the number of people employed by the State decreased by 0.5 per cent to 10,349 people, as compared with 10,403 in 2016. The wage employment index had increased by 1.8 per cent as at the end of December 2017.

32. In December 2017, the number of job seekers registered with the Employment, Training and Professional Integration Service was 11,882, a 8.6 per cent increase from the previous year. The number of job openings also increased, by 47.7 per cent. The net number of jobs created, an average of 1,500 between September 2016 and September 2017, continues to grow, but is insufficient to bring unemployment down. Against this backdrop, the President of French Polynesia informed the Territory's Assembly in his statement of 7 December 2017 that the number of unemployed had decreased by 7 per cent.

C. Education

33. According to the Ministry for Overseas Territories, under article 6 of the Autonomy Act No. 96-312 of 12 April 1996, primary and secondary education is the responsibility of the territorial Government, while post-baccalaureate and higher education is the responsibility of the State. French Polynesia has 236 primary schools (including pre-primary and special-needs schools) and 99 secondary schools. The school year is not identical to that of the metropolis, owing in particular to specific climate factors: the long vacations are shorter (roughly 50 days), and Christmas vacations are longer (about one month). Nonetheless, the State guarantees the national

equivalency of the diplomas awarded, while French Polynesia has total jurisdiction in terms of educational activities. The town halls are responsible for enrolment, which generally takes place around May each year. French Polynesia offers a varied educational system, with establishments dedicated to all subjects. The University of French Polynesia, a public scientific, cultural and vocational establishment, is in Outumaoro, in the commune of Punaauia. Established in 1987 and autonomous since 1999, this young university has been a major hub of higher education and research activities for over 30 years.

34. According to the Economic, Social and Cultural Council, although virtually all young people now attend school, performance still lags behind that of metropolitan France, especially with regard to graduation rates. The baccalaureate diploma rate in French Polynesia is half that recorded in France; and the Territory remains far from achieving its goal of a 70 per cent baccalaureate rate set by the 2011 Education Charter.

D. Health care

35. According to the Institut d'Émission d'Outre-mer, French Polynesia has full authority over health issues. The French Government provides financial support, particularly through the project agreement. The 2015–2020 project agreement allocated 3.6 billion CFP francs to the health sector and, in particular, the planning and equipping of major public health hubs and the establishment of small medical units in remote archipelagos.

36. According to the report of the Institut d'Émission d'Outre-mer for 2017, French Polynesian health policy was reconfigured in November 2015 with a view to improving the governance of the health and medical welfare system, the quality of the health system and coverage for health and social needs, with an emphasis on prevention. In October 2017 the Regulatory Agency for Health and Social Welfare was created. The five-year health organization framework (2016–2021), approved by the Assembly of French Polynesia in February 2016, will allow for a better understanding of issues such as the provision of primary health care in the archipelagos, the prevention of obesity and care for older persons.

37. Care is provided by both the public sector, which provides medical coverage for all the archipelagos, and the private sector, which is focused on Tahiti. The public-sector coverage comprises the Hospital Centre of French Polynesia, a multidisciplinary facility, and the Health Directorate, which manages 120 local health facilities (medical centres, clinics, dental clinics, infirmaries and first aid stations), including four outlying hospitals and seven specialized consultation centres, spread across the archipelagos. In addition, specialists from the Hospital Centre of French Polynesia (in such areas as cardiology, endocrinology, ophthalmology, obstetrics and chest medicine) are regularly sent on missions to the archipelagos. Lastly, medical evacuations, to Tahiti or out of the Territory (metropolitan France or New Zealand), are organized for conditions that cannot be treated locally. In 2016, nearly 32,000 people were evacuated, at a total cost of 6.2 billion CFP francs. The private sector coverage comprises two clinics (in Papeete), two medical centres and nearly 500 practitioners (physicians, dental surgeons, nurses and physical therapists).

38. Also according to the report of the Institut d'Émission d'Outre-mer for 2017, the main causes of mortality are linked to cancerous or cardiovascular pathologies. Among people aged under 65, half of all deaths are linked to road accidents, especially for young persons aged between 15 and 25, and current lifestyles (unbalanced diets, alcoholism and smoking). French Polynesia is particularly affected

by obesity, which results in medical complications (such as arterial hypertension and diabetes mellitus).

39. The distance between islands in French Polynesia made it a pioneer in telemedicine: as early as 1991, electrocardiograms were being shared by hospital emergency room doctors on different islands. With the arrival of the Internet in 2000, such exchanges expanded to include photographs of patients and radiological imaging. In 2005, when an emergency medical service was established, physicians set up a system for sharing still images. A pilot project involving the high-speed transmission of moving images between three outlying islands was recently launched.

40. With regard to the health impacts of nuclear tests, the Act of 5 January 2010 on the recognition and compensation of victims of nuclear tests, known as the Morin Act, resulted in questions about the concept of negligible risk in relation to victim compensation. The reference to negligible risk was removed in Act No. 2017-256 of 28 February 2017 concerning real equality for overseas collectivities and establishing other social and economic provisions, thus allowing for a larger number of victims to receive compensation. Section 113 of that Act established a commission, half of whose members are to be parliamentarians while the other half are to be qualified individuals, which will propose measures to ensure that compensation is paid only to people whose illness was caused by the nuclear tests, and make recommendations to the Government. The commission was established by Decree No. 2017-1592 of 21 November 2017 and is composed of six parliamentarians (three deputies and three senators) and six qualified persons (two under the Ministry of Health and Solidarity, two under the Ministry of the Armed Forces, one under the Ministry of Justice and one under the Ministry of Overseas Territories). It was formed on 28 May 2018 and is chaired by Ms. Lana Tetuanui, Senator of French Polynesia. The commission's members visited French Polynesia in October 2018 and submitted their report to the French Prime Minister on 20 November 2018.

41. According to the report, the commission heard the relevant persons and representatives of associations that support the victims of nuclear tests. It had access, for the first time, to the information and archives of the Nuclear Test Centre Monitoring Department of the Ministry of the Armed Forces. During their visit to French Polynesia, the commission's members met with all relevant government officials and administrative and scientific representatives from French Polynesia as well as with elected representatives and inhabitants of the atolls directly affected by the tests, including the atoll of Mururoa, and inhabitants of Rikitea (Gambier islands) and Tureia (Tuamotu archipelago).

42. In the first chapter of its report, the commission presents the background of French nuclear testing, including in French Polynesia, the introduction of the compensation scheme and the key medical and scientific data. According to the commission, the initial scheme for the compensation of victims of nuclear tests (the Morin Act) in place until the end of 2016 resulted in few cases of compensation. Claims must be submitted to the Committee for the Compensation of Nuclear Test Victims, which became an independent administrative authority following the enactment of Act No. 2013-1168 of 18 December 2013 (see [A/AC.109/2017/7](#), para. 44). Following the appointment of its members by a decree of 2 March 2018, the Committee implemented a new methodology, which was adopted on 14 May 2018 by a decision published in the Official Gazette. According to the commission, between 2010 and 2017, the Committee recognized nine cases of compensation of residents in French Polynesia, whereas between January and October 2018, the number increased to 48. In terms of medical and scientific data, the commission's report contains information on radioactivity and the effects of atomic radiation on health, the medical situations of veterans involved in nuclear testing and dosimetry procedures at the

Pacific Experimentation Centre, cancer epidemiology in French Polynesia and the issue of transgenerational effects.

43. In the second chapter, the commission presents its recommendations to the French Government: symbolic and memorial measures (acknowledgement by the French State, individual and collective initiatives, and education, including incorporating the nuclear issue into Polynesian history and the opening of the Mururoa site for school visits); strengthening of the compensation procedure for sick persons and their beneficiaries by recognizing the work of the Committee for the Compensation of Nuclear Test Victims (legislative amendment to consolidate the Committee's interim methodology used to consider compensation cases with reference to article 1333-11 of the Health Code from 1 January 2018; an amendment to extend by three years the deadline for beneficiaries to file a compensation claim, currently set at 20 December 2018; an amendment to extend beyond 28 February 2018 and until the end of December 2021 the possibility for victims to file an appeal against denials by the Committee issued before the adoption of Act No. 2017-256; and confirmation of the application of the principle of full reparation rather than the use of a lump sum compensation); assistance and support for victims and their dependants; health measures; and a summary of the commission's recommendations. According to its report, the visit to French Polynesia enabled the commission to hear the concerns of associations and local elected officials on transgenerational diseases that might be linked to nuclear testing, which were prompted by the publication in January 2018 of an interim report on a survey conducted by a former child psychiatrist on the genetic consequences of the French nuclear testing in the Pacific among the young children (second generation) of veterans who worked at the Pacific Experimentation Centre and the inhabitants of Tuamotu-Gambier. In its report, the commission indicates that such a study would be useful but that several conditions must be met, namely that it must be fully independent and meet rigorous scientific, ethical and methodological standards, that it would result in actionable conclusions and that the principle of it and its terms of reference are accepted by the Policy Board for monitoring the consequences of nuclear tests. According to the report, the President of French Polynesia has called for a study on transgenerational risks to be undertaken in French Polynesia.

44. The third, fourth and fifth chapters of the report present the conclusions, the list of persons interviewed by the commission and key references and annexes, respectively.

45. The Policy Board for monitoring the consequences of nuclear testing is composed of 20 members and is chaired by the President of the Territory. It was established in 2005 on the recommendation of the Board of Inquiry of the Assembly of French Polynesia on Polynesians and nuclear tests. It is responsible for making proposals to the Government to assess the health and environmental impacts of nuclear testing in French Polynesia. The Policy Board met for the second time under the chairmanship of Mr. Fritch on 25 September 2018 in order to review the issues related to nuclear testing. The Policy Board was informed about the status of the proposed nuclear tests memorial centre announced by the President of France in 2016 (A/AC.109/2017/7, para. 11).

46. In his statement made at the time that the commission established by Act No. 2017-256 submitted its report, the President of French Polynesia thanked the French Prime Minister for including in the State Budget Act the transfer of ownership of the land and buildings on the site of the former command complex of the French Navy in Papeete, where the nuclear tests memorial centre will be built. He confirmed his Government's readiness to participate in the centre's construction and operation. A project committee, a scientific group responsible for defining the scope and content to be displayed at the centre and a panel responsible for the technical aspects have

been established. The President has also announced the signing of an agreement with the University of French Polynesia financing a study on the history and memory of nuclear testing in French Polynesia. The project focuses on two main areas: the writing of the political history of the nuclear tests and recording the testimonies of veterans and qualified people. The President has confirmed the translation into Tahitian of the forms issued by the Committee for the compensation of nuclear test victims and, with regard to the recognition of victims and their illnesses, he has expressed his support for the existence and strengthening of the one-stop centre which is already operational.

47. Speaking at the third meeting of the Special Political and Decolonization Committee (Fourth Committee), on 9 October 2018, the former President of French Polynesia Oscar Temaru announced that his party had filed a complaint with the International Criminal Court for crimes against humanity as a result of 30 years of nuclear testing in the Pacific.

IV. Relations with international organizations and partners

48. French Polynesia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992 and a full member of the Pacific Islands Forum since September 2016. It is a member of the Pacific Community and the Pacific Regional Environment Programme, and a participating territory in the Western and Central Pacific Fisheries Commission and the Polynesian Leaders Group. It is also a member of other regional bodies, including the Oceania Customs Organization and the Pacific Power Association.

49. French Polynesia was elected President of the Association of Overseas Countries and Territories for 2018 at the sixteenth Ministerial Conference of the Association, held in Brussels on 22 February 2018. The financing agreement of the eleventh European Development Fund of the European Union, in support of the tourism strategy of French Polynesia, was signed during that conference.

V. Consideration by the United Nations

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

50. The representative of the territorial Government delivered a statement at the regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Saint George's in the Caribbean from 9 to 11 May 2018.

51. The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples considered the question of French Polynesia at its 10th meeting on 22 June 2018, pursuant to General Assembly resolution [72/101](#), and heard a statement by the representative of the territorial Government. At the same meeting, the Special Committee heard two petitioners (see [A/AC.109/2018/SR.10](#)). The representative of Ecuador also made a statement.

52. Also at that meeting, the Special Committee adopted, without a vote, a draft resolution submitted by the Committee Chair (see [A/AC.109/2018/L.24](#)).

B. Special Political and Decolonization Committee (Fourth Committee)

53. At its 3rd meeting, on 9 October 2018, following a decision taken at its 2nd meeting, the Committee heard statements by the President of French Polynesia and 26 petitioners on the question of French Polynesia. The representative of Algeria raised a question to a petitioner (see [A/C.4/73/SR.3](#)).

54. At its 7th meeting, on 15 October 2018, the Committee decided to defer action on draft resolution IX, entitled “Question of French Polynesia” (see [A/C.4/73/SR.7](#)). At its 28th meeting, on 16 November, the Committee adopted, without a vote, draft resolution IX, entitled “Question of French Polynesia”, contained in chapter XIII of the report of the Special Committee (see [A/72/23](#)).

C. Action taken by the General Assembly

55. On 7 December 2018, the General Assembly adopted, without a vote, resolution [73/112](#), based on the report of the Special Committee transmitted to the Assembly and its subsequent consideration by the Fourth Committee (see [A/73/23](#)). In that resolution, the General Assembly:

(a) Reaffirmed the inalienable right of the people of French Polynesia to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

(b) Also reaffirmed that it is ultimately for the people of French Polynesia 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 called upon the administering Power, in cooperation with the territorial Government and appropriate bodies of the United Nations system, to develop political education programmes for the Territory in order to foster an awareness among the people of French Polynesia of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

(c) Recalled the request by a representative of the Government of the Territory at the 2017 Caribbean regional seminar to remove French Polynesia from the list of Non-Self-Governing Territories, and took note of resolution No. 2013-3, adopted by the Assembly of French Polynesia on 30 May 2013, which had repealed the resolution of the Assembly adopted in 2011 requesting the reinscription of French Polynesia on that list;

(d) Reaffirmed, in that regard, General Assembly resolution [67/265](#), which provided for the reinscription of French Polynesia on the list of Non-Self-Governing Territories, and took careful note of an independent self-governance assessment of the Territory, presented to the Fourth Committee on 4 October 2016,¹ that the Territory did not meet the full measure of self-government;

(e) Called upon the administering Power to participate in and cooperate fully with the 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 in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the

¹ See [A/C.4/71/SR.3](#), paras. 71 and 72.

implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(f) Regretted that the administering Power had not responded to the request to submit information on French Polynesia under Article 73 *e* of the Charter since the reinscription of the Territory by the General Assembly in 2013;

(g) Reaffirmed that an obligation exists on the part of the administering Power to transmit information under Chapter XI of the Charter, and requested the administering Power to transmit to the Secretary-General such information on French Polynesia as called for under the Charter;

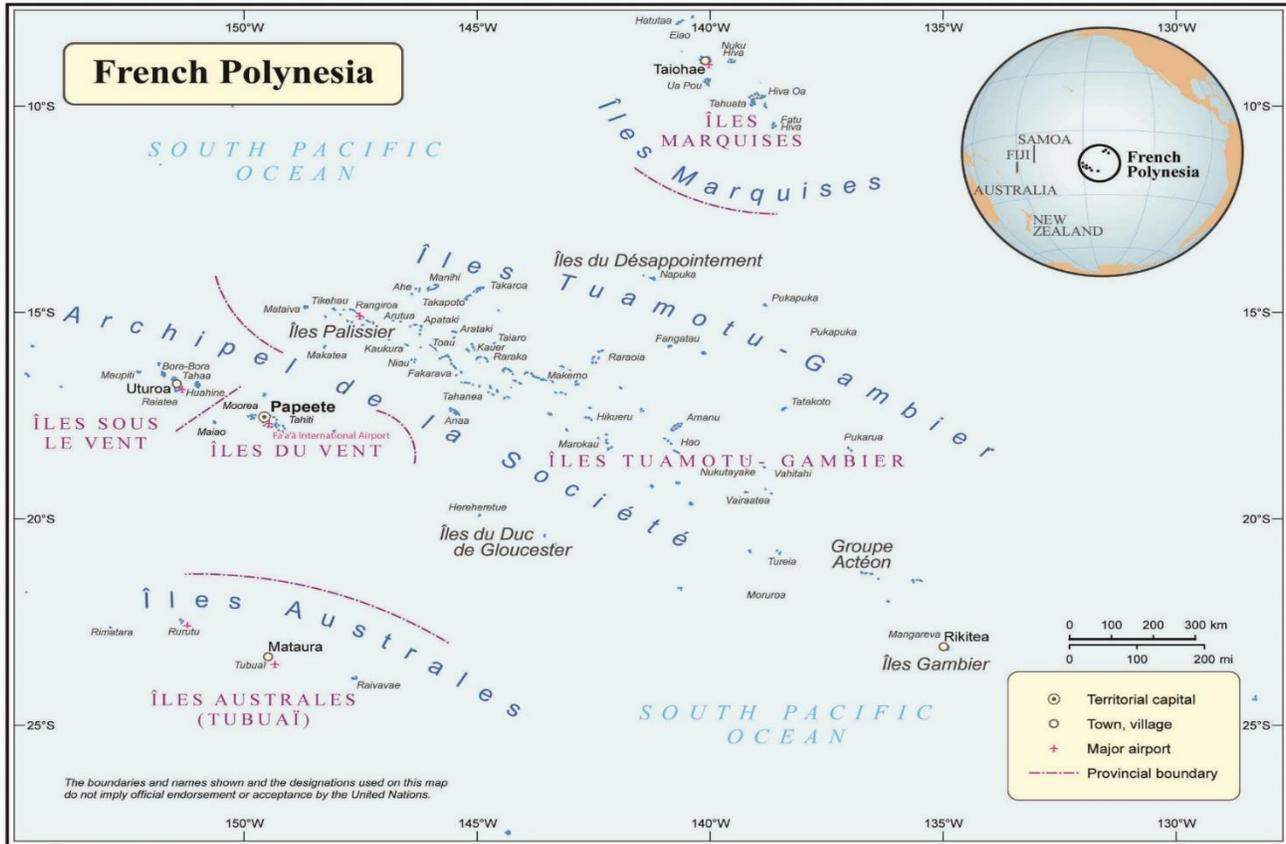
(h) Urged the administering Power to ensure the permanent sovereignty of the people of French Polynesia over their natural resources, including marine resources and undersea minerals, in accordance with the relevant resolutions of the General Assembly;

(i) Called upon the administering Power to intensify its dialogue with French Polynesia in order to facilitate rapid progress towards a fair and effective self-determination process, under which the terms and timelines for an act of self-determination would be agreed;

(j) Requested the Special Committee to continue to examine the question of the Non-Self-Governing Territory of French Polynesia and to report thereon to the General Assembly at its seventy-fourth session.

Annex

Map of French Polynesia



Map No. 4556 UNITED NATIONS
June 2016

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)