



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 7th meeting

Held at Headquarters, New York, on Monday, 20 June 2016, at 3 p.m.

Chair: Ms. Rodríguez Abascal (Vice-Chair) (Cuba)
later: Mr. Ramírez Carreño (Chair) (Bolivarian Republic of Venezuela)

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In the absence of Mr. Ramírez Carreño (Bolivarian Republic of Venezuela), Ms. Rodríguez Abascal (Cuba), Vice-Chair, took the Chair.

The meeting was called to order at 3.15 p.m.

Special Committee decision of 22 June 2015 concerning Puerto Rico (*continued*)
([A/AC.109/2016/L.6](#) and [A/AC.109/2016/L.13](#))

1. **Mr. Arcia Vivas** (Bolivarian Republic of Venezuela) said that the Chair should use his good offices to initiate dialogue between the United States of America and Puerto Rico on the political status of the Puerto Rican nation. In recognition of their shared identity, the people of Latin America and the Caribbean firmly supported Puerto Ricans in their struggle for independence. Far from leading to full autonomy, commonwealth status had merely concealed the colonial nature of the United States presence in Puerto Rico and had led to the adoption of General Assembly resolution 748 (VIII), which had granted the United States free rein in Puerto Rico, unencumbered by international supervision.

2. The colonial status of Puerto Rico had crippled its economy and caused a socioeconomic crisis that was becoming increasingly acute. Besides political sovereignty, Puerto Rico also needed economic sovereignty because the nation was being buried under a mountain of laws and regulations that were restricting its economic growth and preventing it from adopting its own economic models, signing new trade agreements and joining existing regional and subregional partnerships. The origin of the crisis lay in United States trade and investment laws that provided incentives for United States companies operating in Puerto Rico, but the situation had been exacerbated by the recession in the United States, rising oil prices and an insurmountable public debt of over \$70 billion. The country was now facing the social consequences of austerity measures imposed by the United States Congress, which included the creation of a federal financial oversight and management board that would have the power to cut spending on education, transport, health care and housing on the island.

3. The colonial domination of Puerto Rico had also adversely affected human rights. Freedom fighters had been unjustly detained; the international community must demand the immediate release of Oscar López

Rivera, currently the world's longest-serving political prisoner. In addition, the Committee should continue to examine the issue closely and the General Assembly should consider the question of Puerto Rico in all its aspects.

4. The continued support for the Latin American and Caribbean people of Puerto Rico in their quest for self-determination and independence had been expressed in more than 33 resolutions and decisions adopted by the Special Committee. However, the countries of the region needed to work harder to remove the blindfold that the United States had attempted to place on the international community by removing Puerto Rico from the list of Non-Self-Governing Territories, in order to show the true measure of the colonial situation and to take effective steps to bring it to an end. The Government of the United States should expedite a process that would allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence, in accordance with the Charter of the United Nations and relevant United Nations resolutions. With only four years left in the Third International Decade for the Eradication of Colonialism, the Organization had a debt to all people still living under foreign domination.

Draft resolution [A/AC.109/2016/L.6](#): Decision of the Special Committee of 22 June 2015 concerning Puerto Rico

5. **Mr. Rivera** (Cuba), introducing draft resolution [A/AC.109/2016/L.6](#) on behalf of the sponsors, said that the people of Puerto Rico had been subjected to United States political, economic and social domination for over 100 years but had never given up hope of achieving self-determination. Despite 34 Special Committee resolutions and decisions recognizing their inalienable right to self-determination and independence, in accordance with General Assembly resolution 1514 (XV), little progress had been made towards a definitive solution. No further delay should be tolerated, in the Third International Decade for the Eradication of Colonialism.

6. The draft resolution reiterated that the Puerto Rican people constituted a Latin American and Caribbean nation that had its own unequivocal national identity, and noted that, as the economic and fiscal

crisis worsened, the current status of Puerto Rico excluded its people from the decision-making process needed to address their needs and determine their future. The text expressed concern at the imminent imposition on Puerto Rico by the United States Congress of a financial oversight and management board, invoking the plenary powers of the Congress under the territorial clause of its Constitution, and at recent statements by the Attorney General to the Supreme Court affirming that Puerto Rico remained a territory under the sovereignty of the United States. It noted that the Supreme Court had recently decided that the original and ultimate source of governmental power in Puerto Rico lay in the United States Congress. The text also expressed concern at violent actions, including repression and intimidation, against Puerto Rican independence fighters, encouraged the investigation of those actions and called for the release of individuals serving sentences in United States prisons for their involvement in the struggle for independence. The sponsors hoped that the draft resolution would be adopted by consensus.

7. **Mr. Sevilla Borja** (Ecuador) said that his country was proud to have played a key role in the adoption of the historic Special Committee resolution [A/AC.109/419](#), in which the United Nations had recognized, for the first time, the inalienable right of the people of Puerto Rico to self-determination and independence in accordance with General Assembly resolution [1514 \(XV\)](#) of 14 December 1960. However, despite the adoption of 34 subsequent resolutions and decisions on Puerto Rico, the international community had yet to fulfil its obligation to facilitate self-determination, self-governance and political independence for the people of Puerto Rico.

8. The people of Puerto Rico had managed to keep their identity, language and culture alive despite over a century of political, economic and cultural domination by an English-speaking Power. The island was the only Latin American and Caribbean nation colonized by Spain that had yet to achieve self-governance. Consequently, his delegation urged the Government of the United States once again to assume its responsibility to expedite and guarantee a process that would enable the people of Puerto Rico to fully exercise their right to self-determination by making a selection from among the existing decolonization options.

9. The host of petitioners appearing before the Committee had expressed varying opinions on the self-determination options for Puerto Rico, but they had all demanded an end to a colonial situation that had recently become even clearer. The United States Supreme Court ruling in *Commonwealth of Puerto Rico v. Sánchez Valle et al.* had compared Puerto Rico to a municipality and confirmed its status as a United States territory by determining that the ultimate source of power in the island lay in the United States Congress. In addition, the United States Government was about to impose a financial oversight and management board that would prevent the government of Puerto Rico from adopting its own sovereign decisions to overcome the fiscal crisis and its public debt. All of that merely corroborated the Committee's long-standing view that the Territory was, indeed, a colony pursuant to General Assembly resolution [1514 \(XV\)](#). In the Third International Decade for the Eradication of Colonialism, the time had come for dialogue and understanding. Ecuador would continue to support the brotherly people of Puerto Rico in their legitimate fight for self-determination and hoped that the nation would soon be a full member of the Community of Latin American and Caribbean States.

10. **Mr. Hermida Castillo** (Nicaragua) said that the Community of Latin American and Caribbean States (CELAC) was working to achieve a Latin American and Caribbean region free of colonialism, and it recognized that the people of Puerto Rico were a Latin American and Caribbean people. The effects of the financial crisis on a dependent Puerto Rico underscored the urgent need for its decolonization, as the lack of real options for a new economic agenda was having a direct impact on the socioeconomic situation of the people. Given the recent declarations of the United States Government confirming the colonial status of Puerto Rico, the Committee should step up its efforts to refer the matter to the General Assembly. In the meantime, the United States should promote a process that would allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence.

11. The Nicaraguan Government supported the peoples of all Non-Self-Governing Territories in their struggle for self-determination and independence, and it joined Puerto Ricans and the wider international community in calling for the release of the political

prisoner Oscar López Rivera, whose concern for others and artistic sensitivity had not been diminished by the cruel and inhuman punishment he had suffered in his 35 years in prison. With the term of President Obama nearing its end, the Committee should renew its efforts to secure the immediate and unconditional release of Mr. López Rivera; there was a universal clamour for his freedom which the United States should heed.

12. **Mr. Llorentty Solíz** (Plurinational State of Bolivia) said that it was unacceptable that the scourge of colonialism had yet to be eradicated despite the Organization's work over more than 70 years and the adoption of the landmark General Assembly resolution [1514 \(XV\)](#) and, more specifically, 34 subsequent resolutions and decisions of the Special Committee concerning Puerto Rico. But the international community would continue to look on impassively as the brotherly people of Puerto Rico marked the 118th anniversary of the invasion of their island by the United States. The people of Puerto Rico faced rising unemployment, marginalization, insolvency and poverty, and the lack of legal sovereignty made self-governance impossible. The United States Government was attempting to impose arbitrarily a financial oversight and management board that excluded the Governor of Puerto Rico and would have the final say on measures to restructure the \$70 billion in public debt, which included closing 150 schools. The resulting migration of thousands of Puerto Ricans would have a negative impact on the local economy. The federal Government continued to subjugate the people of Puerto Rico and was preventing them from exercising their inalienable right to self-determination.

13. His delegation called for the immediate release of the political prisoner Oscar López Rivera, whose lengthy incarceration had made his case a humanitarian one. The Special Committee should take all necessary measures to that end, including visiting Mr. López Rivera in prison. The Plurinational State of Bolivia remained committed to working in accordance with international law and firmly supported the inalienable right to self-determination and full independence for the Latin American and Caribbean nation of Puerto Rico.

14. **Mr. Hamed** (Syrian Arab Republic) said that every resolution on Puerto Rico adopted by the Committee had stressed that Puerto Rico was part of

Latin America and the Caribbean, and had called on the Government of the United States to assume its responsibility to expedite a process that would allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence. However, the people of Puerto Rico were still unable to exercise that right and the situation was deteriorating, particularly following the adoption of the latest United States laws regarding Puerto Rico.

15. His delegation hoped that, as in previous years, the draft resolution would be adopted by consensus, which would reaffirm the sanctity of international law and one of the principles underpinning the creation of the United Nations, namely the right to self-determination. Lastly, it urged the United States to allow the Puerto Rican people to fully exercise their inalienable right to independence and self-determination and to release the political prisoner Oscar López Rivera, who had been arrested purely for wanting to defend the legitimate right of his people to self-determination.

16. **Mr. Blanco Conde** (Observer for the Dominican Republic), speaking on behalf of the Community of Latin American and Caribbean States (CELAC), said that the Latin American and Caribbean identity of Puerto Rico and its people had been reiterated at the highest level at the Summit of Heads of State and Government of CELAC, held in Quito, Ecuador, on 27 January 2016. CELAC member States would continue working in accordance with international law and, in particular, with General Assembly resolution [1514 \(XV\)](#) to make Latin America and the Caribbean a region free from colonialism. To that end, in the Quito Declaration of 2016, the CELAC Quartet, together with other member States wishing to join that endeavour, had been entrusted with the task of submitting proposals to move forward on the question of Puerto Rico.

17. *Draft resolution [A/AC.109/2016/L.6](#) was adopted.*

18. **Mr. Rivera** (Cuba) said that his country's support for the draft resolution was an illustration of the close ties between Cuba and Puerto Rico, which had been forged over a century in the battle against foreign domination. The Cuban national hero José Martí had established the Revolutionary Party to fight for the independence of Cuba and to support that fight in Puerto Rico. His commitment, and that of several other

independence fighters throughout the Caribbean, reflected the noble understanding between peoples of the region, which current generations would continue to nurture.

19. The independence of Puerto Rico was not a domestic issue for the United States; instead, it concerned the entire international community. The General Assembly should consider the case of Puerto Rico in all its aspects and should reach a decision as soon as possible. The current socioeconomic problems were worsening daily and had caused an unprecedented social crisis and the migration of thousands of Puerto Ricans to the United States. Instead of initiating a process that would allow Puerto Ricans to exercise their inalienable right to self-determination and to take sovereign decisions to address the serious problems on the island, the only response from the administering Power had been to impose a financial oversight and management board that would force Puerto Ricans to repay a debt to Wall Street vulture funds rather than provide the necessary services to Puerto Rico. Despite 118 years of colonial domination, Puerto Ricans had maintained their culture, identity, sense of nationhood and desire for independence, and the Government of Cuba would defend unremittingly their right to self-determination.

Hearing of petitioners (continued)

20. **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.

21. **Mr. Ortiz Vélez** (Frente Soberanista de Puerto Rico), speaking on behalf of Mr. Hernández, majority leader of the House of Representatives of Puerto Rico, said that he had repeatedly asked the Committee to intervene so that the people of Puerto Rico could exercise their right to self-determination and decide on their political future in accordance with international law. However, despite the worsening situation in Puerto Rico, the United Nations continued to offer the same recycled resolution. As a result, his people did not have the ability to achieve economic recovery. Puerto Rico still suffered from colonial exploitation: the United States had merely replaced the chains of the sugar cane industry with the prison of public debt. And now the United States wanted to replace the island's

limited government with a kind of colonial administration for its own benefit.

22. While the United States should be ashamed of its colonial oppression of Puerto Rico, the international community should be more ashamed still of its indifference, reluctance to act and lack of solidarity. The hearing of petitioners regarding the question of Puerto Rico had become a futile annual exercise, wherein various individuals and organizations called for the release of Oscar López Rivera, an end to colonialism and the condemnation of the actions of the United States, but nothing ever changed. Ultimately, the true purpose of the United Nations was therefore being called into question as it failed to stop the rich and powerful from abusing the poor and vulnerable.

23. **Mr. Acevedo Vilá** (Former Governor of the Commonwealth of Puerto Rico) said that he had appeared before the Special Committee on two previous occasions: once to condemn the attempt by the United States to adopt the United States-Puerto Rico Political Status Act, whereby Puerto Rico would have involuntarily become the fifty-first state, and a second time to challenge reports published by the George W. Bush Administration regarding the full powers of the United States over the Puerto Rican nation. His third appearance was in response to concrete actions that went against the dignity and democracy of his people. In 2016, all three branches of the United States Government had made it clear that they exercised full powers over Puerto Rico, including by establishing a financial oversight and management board superseding the limited powers of self-governance and autonomy that had been granted to the Puerto Rican people.

24. The United Nations must put pressure on the United States to commit, as quickly as possible, to the economic and political decolonization of Puerto Rico. Recognizing that the recent actions of the United States had returned Puerto Rico to the status it had held prior to 1952, the Special Committee should recommend to the General Assembly that the question of Puerto Rico should be considered as a separate agenda item. If the United States rejected its responsibility, the General Assembly should obtain an advisory opinion from the International Court of Justice. In addition, the Committee should condemn the creation of the financial oversight and management board envisioned

by the PROMESA bill as a colonial abuse and should call on the United States to renounce its powers over Puerto Rico within a period of five years. The United States must clearly define the political, legal, economic and cultural conditions that it was willing to negotiate with the people of Puerto Rico.

25. **Mr. Villanueva Muñoz** (Comité Pro Derechos Humanos de Puerto Rico) said that all the statements made had emphasized the inalienable right of the people of Puerto Rico to self-determination and independence. Puerto Rican political leaders of all persuasions, whether in favour of independence, free association or integration with the United States, were calling on that country to return sovereign powers to Puerto Rico so that it could exercise one of those three options, pursuant to General Assembly resolution [1514 \(XV\)](#), or a fourth option pursuant to resolution [2625 \(XXV\)](#). The widespread recognition of the colonial nature of the situation in Puerto Rico justified the overwhelming call for the release of Oscar López Rivera, who had been imprisoned for so-called seditious conspiracy, meaning that he had tried to seize territory that belonged to the United States. Under international law, however, a nation that claimed ownership of another nation was deemed to commit the crime of colonialism. The international community should continue to exert pressure on the United States Government, in all forums, to secure the release of Oscar López Rivera, to fight against the dictatorial financial oversight and management board and to ensure true independence and self-determination for the people of Puerto Rico.

26. *Mr. Ramírez Carreño (Bolivarian Republic of Venezuela) took the Chair.*

27. **Mr. Ramírez-Caminatti** (The Immigrant Center) said that it was unfathomable that, in the twenty-first century, 3.5 million United States citizens remained in a situation of political inferiority that had largely contributed to the economic, social and humanitarian crisis in Puerto Rico. The corporate environment and existing cabotage legislation had destroyed the island's agricultural sector and local economy. Despite paying the same taxes as the other states, Puerto Ricans received highly inferior benefits and social programmes. The treatment of Puerto Ricans as second-class citizens was incompatible with the vision of democracy professed by the United States.

28. The decision of the United States Government to impose a financial oversight and management board composed of unelected members with powers that went beyond those granted by the Constitution and exceeded those of the governors elected by the people made it clear that Puerto Rico was a colony. The island's political status was a matter to be settled by Puerto Ricans without foreign interference, but so long as the Commonwealth of Puerto Rico was considered United States territory and Puerto Ricans were United States citizens who could and did enlist in the armed forces to defend the sovereignty of the United States, they should have the right to vote in United States presidential elections regardless of where they lived. The Special Committee and the United Nations in general should call on the Government of the United States to respect that legitimate right of Puerto Ricans, at least until the island's political status was permanently settled. His organization also called for the release of Oscar López Rivera.

29. **The Chair** said that he had just spoken by telephone to Oscar López Rivera, who had expressed his thanks to the Committee for its support for the cause of Puerto Rican independence. Unfortunately, the call had been cut short by the prison authorities.

30. **Mr. Rivera** (Puertorriqueños Unidos en Acción) said that the people of Puerto Rico should be able to exercise their right to self-determination through a democratic process that would truly lead to decolonization. Even though the people had rejected commonwealth status in the referendum held on 6 November 2012, both the Obama Administration and the Supreme Court of the United States had declared, in *Commonwealth of Puerto Rico v. Sánchez Valle et al.*, that full powers over Puerto Rico lay with the United States Congress, and the Supreme Court had even gone so far as to annul a local bankruptcy law adopted by Puerto Rican legislators to restructure the island's debt. Instead of respecting the result of the referendum, the United States had imposed a financial oversight and management board, comprising members selected by the President of the United States, which would control Puerto Rico and protect the vultures of Wall Street.

31. The Committee should take note of the applicability of General Assembly resolution [1514 \(XV\)](#) to ensure the transfer of sovereign powers to the

Puerto Rican people, including members of the diaspora, so that they could exercise their right to self-determination in accordance with international law. Nothing could justify the creation of the financial oversight and management board, a mechanism established to guarantee debt collection at the expense of the local provision of health, security and education services to the population. On account of the dire economic situation on the island, thousands of Puerto Ricans had emigrated to the United States over the previous decade. If the financial oversight and management board was imposed, even larger numbers of young people would emigrate on account of the discriminatory measures it would introduce regarding students in Puerto Rico. Lastly, his organization called for the release of the political prisoner Oscar López Rivera.

32. **Mr. Misla Grillasca** (Americans for Puerto Rican Statehood) said that the history of Puerto Rico had been marked by subjugation to external Powers and the struggle of its people for political autonomy throughout the Spanish reign and even after the transfer of sovereignty to the United States. The lack of true democracy, stemming from the Foraker Act of 1900 establishing Puerto Rican citizenship and a government appointed by the President of the United States, had led to a movement for self-governance, with a Constitution drawn up by Puerto Ricans and not the United States Congress. However, recent rulings of the United States Supreme Court had made it clear that the Constitution of Puerto Rico, ratified by the people in 1952, was of no value, as the Court had determined that Puerto Rico had no sovereignty and that Congress could prevent Puerto Rico from seeking relief under the Federal Bankruptcy Code and pre-empt local bankruptcy legislation. It was clear that the United States Government continued to exercise full powers over Puerto Rico, and the proposed creation of a financial oversight and management board was but another example.

33. The Committee should adopt a resolution urging the United States to fulfil its international obligation to facilitate self-determination for Puerto Ricans through a decolonization process in conformity with international law. The General Assembly should recognize that, under domestic law, Puerto Rico had in fact been declared a Non-Self-Governing Territory. Furthermore, the United States should respond to the

democratic request made by the people of Puerto Rico in the 2012 referendum, in which the majority had voted against maintaining the current political status and in favour of statehood.

34. **Ms. Guzmán** (Movimiento Unión Soberanista) said that, for more than 30 years, her compatriots had appeared before the Committee to denounce the humiliating colonial situation and the injustices committed by a world Power and self-proclaimed defender of human rights that consistently violated those rights in her country, in particular the right to freedom. Since the 1898 military invasion, Puerto Rico had been exploited, with its money and culture devalued, its institutions supplanted and its land expropriated for military bases and weapons testing. The litany of violations was long, ranging from the cruel repression of the patriotic forces opposing the illegal occupation to the denial of economic, social and legal rights, including through cabotage laws that forced Puerto Rico to rely on the world's costliest merchant marine and a federal court that served only to protect the economic and political interests of the Administration and repress all opposition.

35. The successive governments of Puerto Rico had been complicit with the United States Government since the establishment of the Commonwealth, misleading their country and the international community with claims that a level of self-government had been attained. While those who demanded sovereignty had never been duped, the crude hoax had only been acknowledged in 2016, when the United States Supreme Court had ruled that the United States Congress had full powers over the territory of Puerto Rico. The federal Government's despotic and unabashed attempt to impose a financial oversight and management board that would redistribute her country's wealth to bondholders and vulture funds to recover \$73 billion in debt incurred by neoliberals would worsen the current socioeconomic crisis. Over the previous decade, widespread poverty and a lack of opportunity had driven over 400,000 Puerto Ricans to seek a better life elsewhere.

36. Puerto Rico would nonetheless continue to fight the oppression and exploitation that the nation had endured for 118 years, following the example of freedom fighters such as Pedro Albizu Campos and Oscar López Rivera, who had been in prison for

35 years as the unending calls for his release fell on deaf ears. The international community must come to the aid of Puerto Rico in condemning and bringing an end to the colonial situation there.

37. **Ms. López Ramos** (New York Coordinator to Free Oscar López Rivera), the only daughter of the political prisoner Oscar López Rivera, said that she still remembered the first time she had met her father — shackled and wearing an orange jumpsuit — in prison. As a young girl, she had never imagined that she would spend her life visiting her father in American gulags, but, during his twelve years in solitary confinement, she had only ever seen him through a glass divider, with telephones on either side for conversation. There were no photographs of those visits, nor were there any photographs of her father with his granddaughter for the first seven years of her life. Throughout his 35 years in prison, she had forged a relationship based on love and mutual respect with her father, whose devotion to equality, justice and independence for Puerto Rico remained as strong as the day she, as an adolescent, had selfishly questioned his sacrifice.

38. In a letter sent to her from his cell, her father had written about the essence of freedom. It was the most important goal for people subjected to colonialism, neocolonialism and slavery who had never enjoyed the inalienable right to self-determination. Ever since the 1898 invasion, the United States had deliberately used every means at its disposal to keep Puerto Rico under its colonial yoke. It considered any Puerto Rican who dared to fight for sovereignty and independence a mortal enemy of the Government, persecuting, imprisoning and even murdering them without any respect for their rights, dignity or life. The accounts of many courageous men and women targeted and detained by the United States Government attested to that.

39. Her father had never experienced true freedom, but the hope that he would one day be free gave him the strength to carry on. Having followed the struggles of other colonized peoples for their independence, two images remained with him: one of the newly elected Prime Minister of an independent Congo, Patrice Lumumba, delivering a speech denouncing the brutality of the colonial Power; the other, of the Congolese leader's barbaric assassination on the orders of the King of Belgium and facilitated by the United

States Government, which served as a reminder of imperialist barbarism. He hoped that his daughter, granddaughter and future generations would be able to enjoy and exercise fully their inalienable right to self-determination and help Puerto Rico to achieve its potential as a nation.

40. **Mr. Fas Alzamora** (Puertorriqueños Pro Pacto de Asociación) said that, like all former colonies of the region that had gained sovereignty, Puerto Rico had all the characteristics needed to form a nation. Following the establishment of the Commonwealth of Puerto Rico and the adoption of General Assembly resolution [748 \(VIII\)](#), the majority of the population had understood that Puerto Rico had been given greater powers and sovereignty in its internal affairs, signalling the end of a colonial relationship. However, according to the findings of a working group established in 2000 to report to the White House on the status of Puerto Rico, the United States Congress retained full power and sovereignty over the Territory, which could even be ceded to another nation. That had been confirmed more recently by the Supreme Court, which had ruled in two separate cases that full powers over Puerto Rico lay with the United States Congress, and by the United States House of Representatives, which had adopted a bill establishing a financial oversight and management board with powers superseding the Constitution of Puerto Rico and its democratically elected government. All of that showed that the United States had either withheld the truth in 1953, when it had succeeded in having Puerto Rico removed from the list of Non-Self-Governing Territories, or changed its position unilaterally since then.

41. The right of the people of Puerto Rico to dignity and democracy should be recognized, in accordance with General Assembly resolutions [1514 \(XV\)](#) and [2625 \(XXV\)](#). The majority of Puerto Ricans wanted a relationship with the United States that respected their dignity as well as their own identity as a nation belonging to the Latin American and Caribbean region. To that end, in 2010, he had drafted a model compact of association that would establish a bilateral relationship between two sovereign countries and make Puerto Rico an independent nation governed by Puerto Ricans with the legal and political capacity to conclude treaties with other countries. The failure of the United States to assume its responsibilities as an administering

Power pursuant to the Charter of the United Nations had left Puerto Rico bereft of its dignity.

42. Consequently, the Committee should refer the question of Puerto Rico to the General Assembly with a view to rescinding General Assembly resolution 748 (VIII) and reinstating Puerto Rico on the list of Non-Self-Governing Territories. That would enable Puerto Rico to embark on a true self-determination process and guarantee a future in which it would no longer be a colony. Lastly, Oscar López Rivera should be released immediately given that, under international law, trying to put an end to colonialist slavery did not constitute a crime.

43. **Mr. Rigau** (Ateneo Puertorriqueño) said that, as the economic, political and social situation in Puerto Rico continued to deteriorate, the United States must participate in the island's decolonization. With the help of the Special Committee, Puerto Rico and the United States must reach an agreement to put an end to the island's territorial and colonial status. It was futile to look towards the past for answers regarding the future. At a time when Cuba and the United States were speaking to each other, there was no longer a need to impede that process. No one in Puerto Rico was content with the current situation, nor was anyone defending the status quo. Many problems had been caused by the inability of certain States to accept the fact that General Assembly resolution 1514 (XV) could not have served as the legal framework for General Assembly resolution 748 (VIII), as it had not yet been adopted.

44. The recent ruling in *Commonwealth of Puerto Rico v. Sánchez Valle et al.* and the approval of a financial oversight and management board to govern economic affairs on the island had made it even more urgent to embark on a true decolonization process. Puerto Rico could not have its own government without sovereignty. Moreover, in *Commonwealth of Puerto Rico et al. v. Franklin California Tax-Free Trust et al.*, the Supreme Court had ruled that Puerto Rico was not legally competent to establish a mechanism to restructure the debt of its public corporations, nor could it use the Federal Bankruptcy Code of the United States.

45. The treatment of Puerto Rico as a colony of the United States was unacceptable and was a root cause of the economic, political, social and moral crisis

ravaging the island. The case of Puerto Rico should be brought before the General Assembly during its seventy-first session, with a view to ending colonialism, and the United States should actively participate in the decolonization process.

46. **Mr. Toledo García** (American Association of Jurists) said that, in its resolution 748 (VIII), the General Assembly had incorrectly assumed that Puerto Rico had achieved self-governance. Since 1898, the United States Congress had arrogated to itself the authority to determine the civil rights and political status of Puerto Ricans through an absurd bilateral compact between the ruling Power and its colony. The ruling in *Sánchez Valle*, issued on 9 June 2016, had recognized that Puerto Rico lacked sovereignty and independence from the United States. Lacking in self-determination and political sovereignty, the island was merely a colony disguised as a commonwealth. In addition, the creation of a financial oversight and management board that could control the island's budgets, financial plans and debt issuance, as well as influence its minimum wages and civil-service rights, was a clear imposition of imperial power. The PROMESA bill establishing that board had no effect on the existing cabotage laws or the right to reparations arising from the 118 years of colonialism and exploitation. Lastly, the political prisoner and patriot Oscar López Rivera should be released immediately.

47. **Mr. Meléndez Lavandero** (A Call to Action on Puerto Rico) said that his organization, composed of members of the Puerto Rican diaspora in the United States, conducted work on the island's financial crisis and colonial situation and advocated for the release of Oscar López Rivera. The independence movement was right to denounce the island's colonial status. Puerto Rico had been militarily occupied since 1898, and its status as a so-called commonwealth was a mockery of self-determination. As a result of its subordination, Puerto Rico was facing a grave financial crisis. Its debt was unpayable in moral and legal terms, and any repayment would only benefit Wall Street and multinationals. The imposition of a financial oversight and management board was being rejected as a form of dictatorship and had resulted in various protests and acts of civil disobedience. The consensus rejecting Puerto Rico's colonial status had never been stronger. The independence movement must develop mechanisms to integrate Puerto Rico into the regional

economy. The Puerto Rican people would not stand idle as Wall Street waged war against them.

48. **Mr. Nieves** (Brigada Guarionex) said that Spain had stolen the nation of Borinken from the Taíno, which meant that Spain had had no right to give Borinken to the United States. As a result, neither invading Power had rights over the nation. His organization did not recognize the colonial system imposed by the United States as a legitimate government; only by removing that system could the situation in Borinken be resolved.

49. The people of Borinken did not have the ability to take decisions freely and the United States control of Borinken had led to significant debt and an unstable economic situation. Similarly, the United States' claim to be the voice of freedom was tarnished by its actions towards Borinken. Oscar López Rivera and Pedro Albizu Campos had been imprisoned merely for seeking independence, and they should be released immediately.

50. Under General Assembly resolution [1514 \(XV\)](#), Borinken should be independent because freedom was an inalienable right and its people had an undeniable national identity, which was the product of their indigenous heritage. The patriots who had fought in Boston for the independence of the United States had disguised themselves as Native Americans because their consciences had told them that they were asserting rights which in reality belonged to the indigenous people. The people of Borinken, however, needed no disguise, as the majority were indigenous to the core.

51. **Ms. Colón Dipini** (Nationalist Party of Puerto Rico) said that the case of Puerto Rico and its illegal occupation and control by the United States should be referred to the General Assembly. Recent events had forced the United States to admit that Puerto Rico was merely a territory. Taken by force in 1898, the island continued to be governed by legislators in Washington who sought only to protect imperial interests. The United States had suppressed support for independence and imprisoned hundreds of independence advocates in the lead-up to the 1952 referendum, and had deceived the international community with respect to the colonial nature of the relationship between the two nations.

52. The United States continued to exploit and cripple the Puerto Rican economy and had caused a humanitarian crisis on the island. It had washed its hands of any responsibility for the problems in Puerto Rico at the same time as it was tightening its control. The Supreme Court had ruled that the events of 1950-1952 had not converted Puerto Rico into a sovereign State, and legislation had been adopted establishing a financial oversight and management board which would have decision-making power over all aspects of the Puerto Rican economy, including veto power over laws proposed by the Puerto Rican government.

53. Puerto Rico was a Latin American and Caribbean nation with close to seven million citizens, more than half of whom had been forced to emigrate. The nation had existed as an autonomous country long before the United States had invaded it. Its people had suffered brutal repression and loss of dignity, and many pro-independence activists had been imprisoned and tortured. Oscar López Rivera remained in prison and no one had yet been held accountable for the extrajudicial execution of independence leader Filiberto Ojeda Ríos by the Federal Bureau of Investigation in 2005. United States actions against Puerto Rico were an offence against human dignity, and the General Assembly should consider that colonial situation as a matter of urgency.

54. **Ms. Susler** (National Lawyers Guild) said that although much of what was being said about Puerto Rico painted a picture of doom and gloom, resistance was alive and well. Puerto Ricans were a resilient people and were challenging the nation's debt and the PROMESA bill establishing a financial oversight and management board. They were also working to create a sustainable economy, protect the environment, preserve culture and organize for political power in the diaspora.

55. The imprisonment of Oscar López Rivera was a metaphor for the imprisonment of Puerto Rico. His unjust incarceration was an affront to the dignity of the Puerto Rican people and had stirred a response from every sector of society in Puerto Rico, the United States and internationally. Support for his release had grown exponentially and his case had become an issue during the presidential race in the United States and the travels of Pope Francis. Prominent individuals had dedicated speeches to him and had visited him in

prison, and all of them had been touched by his humanity, generosity and wisdom. Heads of State and Government, parliamentarians and notable members of civil society had all called for his release, and resolutions had been adopted by human rights organizations and other bodies around the world. In May 2016, on the thirty-fifth anniversary of his arrest, nearly 10,000 people of all political and religious persuasions had marched through the streets of San Juan in support of him. His continuing imprisonment could not be justified, and the Committee should therefore urge the President of the United States to release him and should adopt a resolution calling for the General Assembly to consider the case of Puerto Rico.

56. **Ms. García** (Generación 51) said that the *Sánchez Valle* ruling and the imminent establishment of a financial oversight and management board showed that Puerto Rico was a colony. Despite their rejection of the current colonial status and their vote for statehood in the referendum of 6 November 2012, Puerto Ricans were powerless to bring about change. Although Puerto Rico was not included in the list of Non-Self-Governing Territories, the failure of the United States Government to react to the results of the referendum indicated that Puerto Rico did not enjoy self-determination. The Universal Declaration of Human Rights established that the will of the people was the basis for political authority, and that it was to be expressed in elections. Puerto Ricans' lack of rights made the situation comparable to that of South Africa under apartheid. After six decades in which American citizens resident in Puerto Rico had been unable to vote in United States elections, it was time to re-examine General Assembly resolution 748 (VIII). The Committee should act to put into effect the changes that the Puerto Rican people had voted for.

57. **Mr. Nieves Seise** (Movimiento de Reunificación de Puerto Rico con España) said that Puerto Rico had always been part of the Kingdom of Spain and all Puerto Ricans were Spanish citizens. In 1897 the island had become the first autonomous province of Spain and the democratically elected provincial government had been given economic powers that the island no longer had under its current colonial status. In 1898, the United States had invaded Puerto Rico and separated it from its Spanish motherland against the wishes of the people, who had been deprived of their

right to self-determination. No longer part of the sovereign State of Spain, Puerto Rico had been turned into a United States colony and, in 2016, the people continued to suffer the consequences of that traumatic event.

58. After the invasion, anti-Spanish propaganda had been incorporated into school curricula to alienate Puerto Ricans from their motherland. The national unity and territorial integrity of Spain had been disrupted. Referendums held in 1951, 1967, 1993, 1998 and 2012 had not offered Puerto Ricans the possibility of reunification with Spain. In the 2012 referendum the people had voted to change their current status, but the United States Government had failed to respond. In June 2016, in *Sánchez Valle*, the Supreme Court had ruled that power over Puerto Rico lay with the United States Congress, which sought to impose a financial oversight and management board on the island. In light of that ruling, the United Nations should reinstate Puerto Rico on its list of Non-Self-Governing Territories. Puerto Rico's status was an international issue, not a domestic issue for the United States.

59. **Ms. Quiñones Vincenty** (DiaspoRicans), recounting in detail the diverse backgrounds of the people of the Puerto Rican diaspora, the paths they had taken and the adversity they had faced, said that the majority of migrants to the United States were not faring well and generally had lower household incomes than other Latinos. The previous ten years had seen a massive wave of migration that had reduced the population of the island by nearly 10 per cent. That trend had been further exacerbated by the ongoing economic crisis, and Puerto Rico was now suffering from extraordinarily high rates of unemployment and poverty, a diminished and ageing workforce, an exodus of needed professionals and a reduced tax base. Puerto Ricans were being forced to leave the island to carve out a livelihood in the United States and elsewhere.

60. **Ms. Quiñones Domínguez** (Sociedad Puertorriqueña de Planificación) said that the problems faced by Puerto Rico were the result of its colonial status and lack of sovereign powers. Puerto Rico had been forced to include in its 1952 Constitution a clause ensuring that repaying its debt would be prioritized over the most basic needs of the population, which had resulted in a humanitarian crisis. The United States Government

was about to establish a financial oversight and management board to govern the island and manage debt repayment, but the board would impose austerity and privatization policies without consideration for the people. Puerto Rico's debt should be classified as "odious" or illegitimate debt, since it had been incurred without the consent of the people by borrowers acting in bad faith. Forcing its repayment would be a violation of human and civil rights. Employment levels, pensions and salaries would be reduced and funds would be diverted away from education, health, social security and housing. In reality, the United States was indebted to Puerto Rico: it had caused serious physical and psychological damage over an extended period through economic, environmental and social exploitation, including experiments conducted on Puerto Ricans and on Puerto Rican land, among other outrageous acts. There should be a citizens' audit of the debt to determine who was responsible for it and which costs had resulted from actions of the United States Government.

61. **Ms. Martínez Avilés** (Puerto Rico Social Work Professionals Association) said that Oscar López Rivera should be released from prison. Contrary to what was stated in General Assembly resolution 748 (VIII), the people of Puerto Rico had not exercised their right to self-determination and continued to be at the mercy of the whims of the colonial Power. Moreover, the current socioeconomic problems faced by Puerto Rico were the result of more than a century of foreign subjugation, domination and exploitation, contrary to the provisions of General Assembly resolution 1514 (XV). The public policies imposed on Puerto Rico since the 1898 invasion had led to mass emigration, limited access to fundamental services and even bordered on genocide in some instances. The Association could provide further information on those matters should the Committee deem it necessary.

62. The Association was opposed to the unilateral imposition of a financial oversight and management board as it would only lead to greater impoverishment, fewer development opportunities, reductions in pensions, deterioration in the quality of essential services and a major exodus of professionals and young people. The establishment of such a board would also confirm the colonial status of Puerto Rico and would establish a government on top of the government elected by the people of Puerto Rico. As a

result, it would deny the people their fundamental human rights, including their right to self-determination. In fact, the people were quite capable of generating their own solutions to the complex fiscal, economic and social situation they faced, and could build a new and better country. For instance, the Caño Martín Peña Community Land Trust had recently been selected to receive the United Nations World Habitat Award in recognition of its ingenuity.

63. The lack of political power to implement the solutions proposed by the Puerto Rican people themselves was the underlying problem, and the Association therefore requested the Committee to bring the issue before the General Assembly, in order to impose on the Government of the United States the obligation to begin a true process of decolonization based on international law which would transfer power to the Puerto Rican people in a recognizable manner.

64. **Ms. Pagán** (Vidas Viequenses Valen) said that the island paradise of Vieques, a colony within a colony, had suffered seven decades of racial, social, environmental and economic injustices as a result of the military exercises conducted by the United States Navy and its allies in the North Atlantic Treaty Organization. Ever since the military takeover, the rights of the islanders had been violated, their land expropriated, their homes bulldozed, their families displaced and their economy sacrificed. There was an ongoing health crisis caused by exposure to chemical weapons such as Agent Orange and radioactive materials such as depleted uranium. Millions of pounds of explosives had been used on or near the island, and concentrations of heavy metals in the environment were exceptionally high. The death rates from cancer, hypertension, liver cirrhosis, diabetes and kidney failure were far higher than in the rest of Puerto Rico; several members of her family had died from such ailments, and she herself was a survivor of uterine cancer. The community and its people had been contaminated, yet there was no health programme to address the problems of poisoning. There were no hospitals, cancer treatment facilities or air ambulance services; there were only three doctors and one emergency room with no medicines. The sick were abandoning the island in search of care, while the United States Navy had been exonerated of all responsibility by federal agencies.

65. The people of Vieques had risen up in civil disobedience and had won their battle to force the Navy to stop its bombing and close the military facilities. However, 13 years had passed since the clean-up had begun, the Navy was dragging its feet and its practice of open burning and detonation of unexploded ordnance continued to expose the people to deadly toxins. It had presented arrogant and unacceptable lies as justification for such methods. The people demanded justice in the form of safer, cleaner and more responsible alternative technologies.

66. The creators of the financial oversight and management board had spoken of selling the federal lands held in Vieques to pay Puerto Rico's debts, while some United States senators had suggested reinstating military exercises. The future of Vieques was clearly not in the hands of its inhabitants. The people demanded that their lands should be decontaminated and liberated, and that no further injustices should be committed against their lives and environments. They were traumatized, desperate, sick, impoverished and controlled, but they would carry on their struggle for a dignified life in which they could enjoy their inalienable rights. Oscar López Rivera should be freed immediately.

67. **Ms. Cruz Soto** (Mayor of the Autonomous Municipality of San Juan) said that, in April 2016, she had accompanied Clarisa López on a visit to her father, Oscar López Rivera, in prison. Oscar López Rivera embodied Puerto Rican desires for education, dignity, decolonization and independence. She and the other petitioners present joined the call of the Bolivian delegation for the Special Committee to send a visiting mission to speak with Oscar López Rivera in prison and bring greater international attention to his unjust imprisonment.

68. **The Chair** said that he had received a petition calling for the release of Oscar López Rivera, signed by all petitioners present at the meeting, and that he would distribute the document among the members of the Special Committee.

69. **Ms. Ora Bannan** (LatinoJustice PRLDEF) said that, for the first time, all three branches of the United States Government had made clear that Puerto Rico was a colony with no sovereignty whatsoever, even though colonialism was illegal and immoral and had been widely rejected by both the United Nations and

the international community. The United States Congress had passed a law designed to restructure the debt of Puerto Rico but at an extremely high cost, given that, in the process, it would also eliminate workplace protections and lower the minimum wage for employees under the age of 25. The law established a financial oversight and management board composed of bankers, financial "experts" and lawyers, none of whom would be elected by the people of Puerto Rico and none of whom had to be Puerto Rican. The board would have the power to veto fiscal plans and policies proposed by elected Puerto Rican officials and to cut public expenditure. The board would be accountable only to the United States Congress, where Puerto Rico was not represented. The Act would cost the people of Puerto Rico \$370 million a year in administrative costs for a board that the people neither wanted nor supported.

70. For 60 years, Vieques had been used for military exercises, including bombing and weapons-testing by the United States and other nations. Despite the United States Navy's supposed clean-up effort, the people of Vieques had still not obtained justice. With most of the island remaining under federal control, the inhabitants were unable to exercise control over the local economy, and free movement was restricted. Residents continued to suffer disproportionately from serious diseases and disabilities related to exposure to mercury and other heavy metals used during the military exercises. There was a lack of adequate health-care services in Vieques and the few facilities that existed on the island were underfunded owing to the economic crisis. Lastly, the Puerto Rican political prisoner Oscar López Rivera should be released immediately.

71. **Mr. Arroyo** (Coalition for Puerto Rico Justice) said that he could not understand how the United States could commit the very same acts it had fought against to secure freedom and independence from tyranny. It continued to ignore the democratic will of the people of Puerto Rico, who no longer consented to the colonial status quo, and had abandoned them during the most difficult economic and humanitarian crisis in their history. Furthermore, it was on the verge of appointing a financial oversight and management board to essentially take over the government of the island, deprive it of its fiscal autonomy, nullify the power of the Governor, reduce the minimum wage, and perpetuate its unequal representation at the federal

level. As the Supreme Court of the United States had recently admitted, Puerto Rico was bound to the United States Congress, and thus was being unequivocally held as a colony. The illusion of a minimal amount of autonomy, as alleged by the federal Government in the 1950s, was now being stripped away by the PROMESA bill establishing a financial oversight and management board which would govern the island remotely without the participation of its people. By all accounts, the people opposed the bill because it placed monetary interests and greed over their inherent rights.

72. The Government of the United States dominated Puerto Rico through its unilaterally established and overly broad powers, and the island was exploited as a tax haven by the rich and powerful 1 per cent of the population, the very same people who made donations to the United States Congress and to Puerto Rican politicians. It was clear that the actions of the United States, which was a global leader that had held other nations to the highest standards in the areas of democracy and human rights, ran counter to General Assembly resolution 1514 (XV). By holding Puerto Rico as a colony, the United States had proved that it attached more value to money than to the dignity of human life.

73. In the interest of preserving integrity, human values must be consistent, whether expressed in word or in deed. Countries around the world drew their hope for change from the United States, and in that regard it should lead by example. Oscar López Rivera must be freed.

74. **Mr. Tirado Rivera** (ELA Soberano) said that Puerto Rico was facing the worst political crisis in its modern history. The United States had rejected the proposal made by the legislature of the Commonwealth for the restructuring of its debt, and the United States Senate was currently considering a bill that would establish a financial oversight and management board composed of foreigners who would have powers that went beyond those held by the democratically elected officials of Puerto Rico. In *Sánchez Valle* the Supreme Court had ruled that the adoption of the Constitution of Puerto Rico in 1952 had not altered the constitutional status of the island and that the ultimate source of sovereign power in Puerto Rico lay in the United States Congress. As a result, the Government of the United States had adopted a new official position on Puerto

Rico, which contradicted its previous stance as set out in General Assembly resolution 748 (VIII). The Government should formally notify the General Assembly of its new position on Puerto Rico and should accept the legal and moral repercussions. All three branches of the United States Government had shown that Puerto Rico lacked the autonomous powers required to allow the United States to cease the transmission of reports on Puerto Rico.

75. The Committee should call on the United States Government to explain the inconsistencies between the position it had maintained since 1953 and recent events, and the United Nations should reinstate Puerto Rico on the list of Non-Self-Governing Territories. The General Assembly should immediately reopen discussions on the inalienable right of Puerto Ricans to self-determination, and the Constitutional Assembly on Status should be recognized as the legitimate and appropriate body to guide Puerto Rico's self-determination.

76. **Ms. Escalona de Motta** (Alianza pro Libre Asociación Soberana para Puerto Rico) said that the Attorney General of the United States had recently declared that Puerto Rico was a United States territory entirely dependent on the United States Congress. In fact, all three branches of the United States Government had made it clear that the power to take all decisions concerning Puerto Rico lay entirely in the hands of the United States Congress. Those confirmations of the state of dependence showed that the relationship between Puerto Rico and the United States was no different from what it had been at the time of the 1898 invasion, that the Constitution of Puerto Rico adopted in 1952 was meaningless and that Puerto Rico had never had sovereignty.

77. The people of Puerto Rico had rejected the current colonial status in a referendum held in 2012 but the United States had ignored that democratic expression of the people's will. It was time for the United States to take affirmative action to enable the people of Puerto Rico to exercise their right to self-determination in accordance with international law, in particular the International Covenant on Civil and Political Rights, which it had ratified in 1992. Her organization would continue working to achieve free association as the most preferable decolonization option. In the meantime, the Committee should call on

the General Assembly to seek an advisory opinion on the subject of Puerto Rico from the International Court of Justice, pursuant to Article 96 of the Charter of the United Nations.

78. **Mr. Vega Ramos** (Mesa de Funcionarios Electos y Líderes Políticos Soberanistas) said that he welcomed the Committee's adoption, by consensus, of another resolution calling for the release of Oscar López Rivera and requesting the General Assembly to consider the case of Puerto Rico. It was also significant that, for decades, the United States had claimed that the question of Puerto Rico had been resolved and that the country had its own government and political sovereignty, but that its position had now changed. All three branches of the United States Government had now admitted that Puerto Rico was a colony. That change in position made it even more necessary for the General Assembly to consider the case of Puerto Rico.

79. The Special Committee was an established forum for Puerto Ricans to express their views and the people had been able to discuss their differences amicably. It was therefore significant that they had come together at that meeting to repudiate Puerto Rico's territorial and colonial subjugation. The United States must initiate a self-determination process for Puerto Rico, in accordance with the desires of the vast majority of Puerto Ricans. The Committee should make every effort to persuade the General Assembly to resume consideration of the question of Puerto Rico and should support Puerto Rico's rejection of the financial oversight and management board which the United States sought to impose on it under the territorial clause of the United States Constitution.

80. **Mr. Irene Maymí** (Central Puertorriqueña de Trabajadores) said that workers had been the most affected by the economic crisis in Puerto Rico and had suffered the consequences of neoliberal austerity policies, including the loss of rights gained over more than 100 years. The workforce had shrunk and high unemployment had forced many workers to emigrate to the United States. Puerto Rico's debt was unpayable and economic recovery would require radical change, but the United States had prevented Puerto Ricans from implementing their own solutions. In violation of international law, the United States Congress had adopted flagrantly colonialist legislation imposing a financial oversight and management board on Puerto

Rico. The board, which would be composed of members not chosen by the people of Puerto Rico, would have more power over Puerto Rico than its own government had, and its members would be able to act with immunity as they vetoed Puerto Rican legislation, privatized public agencies, sold assets owned by Puerto Ricans and closed schools. The actions of the United States were anti-democratic and tyrannical.

81. All three branches of the United States Government had shown that Puerto Rico had not really achieved self-government in 1953, and the United States continued to violate the human rights of the people of Puerto Rico and General Assembly resolution 1514 (XV). Puerto Ricans needed the support of the international community to exercise their right to self-determination. To that end, the question of Puerto Rico should be included as a separate item on the agenda of the General Assembly to dispel any doubt over its colonial status. Lastly, his organization called for the immediate release of Oscar López Rivera, whose incarceration was further proof of the colonialist behaviour of the United States.

82. **Ms. Candal** (Puerto Rico Civil Rights Commission) said that the Commission had repeatedly called on the United States Government to address its human rights violations against the Puerto Rican people, including the practices of the United States Navy on the island of Vieques and the unprecedented lengthy sentences of Puerto Rican political prisoners such as Oscar López Rivera.

83. The people of Puerto Rico had expressed their will in the referendum of 6 November 2012, which had been mandated in order to send a clear message to the President and Congress of the United States on what type of relationship Puerto Ricans wished to have with the United States. However, the referendum had been ineffective because there had been no commitment on the part of the Congress to abide by the will of the people, which amounted to a violation of the human right to self-determination. It was therefore imperative that the Government of the United States and the government of Puerto Rico should take immediate action towards achieving self-determination for the people of Puerto Rico. The United States Government's contemptuous disregard of the will of the Puerto Rican people had been magnified by recent developments such as the Supreme Court's *Sánchez Valle* ruling, which, in

establishing that the Congress was the original source of power for Puerto Rican prosecutors, had laid bare the contradiction between previous determinations regarding Puerto Rico's sovereignty and self-government and its current territorial status. Furthermore, draft legislation that was currently under consideration would place the decisions of a financial oversight and management board concerning financial, public policy and other matters above the authority of the Governor and other democratically elected officials in Puerto Rico. The island faced a dismal political and economic situation, as had been repeatedly acknowledged by the executive, legislative and judicial branches of the United States Government.

84. **Mr. Betancourt** (Institute for Multicultural Communications Cooperation and Development) said that, although the people of Puerto Rico formed a nation, they had been unable to secure their right to self-determination through the United Nations decolonization process. The arrangement that had existed since 1952 had never resolved the country's economic problems, and unemployment had remained high. Economic decline had continued, and Puerto Rico had defaulted on its debt payments, since United States bankruptcy laws were inapplicable to Puerto Rico. The two main political parties in Puerto Rico had since focused on securing help from the federal Government. The New Progressive Party had pushed for statehood despite objections from Republicans in the United States Congress, while the Popular Democratic Party had sought to maintain commonwealth status by allying with United States elected officials of Puerto Rican descent and diaspora groups belonging primarily to the Democratic Party. The Popular Democratic Party's top-down approach had fostered division in the community and had resulted in the Republican offer of the PROMESA bill, which the majority of Puerto Ricans opposed. Discussion of independence had been avoided by the Popular Democratic Party, but had been raised by independence movement forces in the diaspora and in Puerto Rico. The PROMESA bill and recent United States Supreme Court decisions had made it clear that Puerto Rico remained a colony of the United States.

85. In order for Puerto Ricans to exercise their right to self-determination, it was high time to begin a process of decolonization, which the Institute supported and which would be beneficial to Puerto

Rico, the United States, the United Nations and the international community. Puerto Rico should be granted independence and provided with reparations to grow its economy, and its people should be granted dual citizenship. That was a small price to pay for the United States, which had been extracting \$30 billion per year from the Puerto Rican economy for decades. With such an outcome, the United States would mend the colonial hole in its democracy and regain its moral standing in the international community. The Institute demanded the release of Oscar López Rivera, and urged the Committee to recommend the path of decolonization before the General Assembly.

86. **Mr. Rodríguez** (Boricuas por un Nuevo País) said that *Sánchez Valle* had shown that the United States Government regarded Puerto Rico as a colony with no sovereignty and as a piece of property with which it could do as it saw fit. It had also confirmed that the 1952 referendum had merely been a ploy to deceive the United Nations. The Puerto Rican people had been suffering for 60 years as a result of United States violations of both international law and the numerous resolutions adopted, including General Assembly resolution 1514 (XV). It was time for the General Assembly and the Security Council to take a firm position on Puerto Rico.

87. The National Sovereign State of Borinken had applied for membership of the United Nations in 2014 but had received no response. The Committee should therefore transmit the application to both the General Assembly and the Security Council as soon as possible, and should request the Security Council to open an investigation into the matter. It should also refer the case of Puerto Rico to the General Assembly and should request the Security Council to declare that the actions of the United States with regard to Puerto Rico were criminal. In addition, the Committee should submit a resolution to the General Assembly requesting a vote in favour of admitting the National Sovereign State of Borinken as a State Member of the United Nations at the seventy-first session of the General Assembly. Lastly, the Committee should do everything in its power to secure the release of Oscar López Rivera and Ana Belén Montes.

88. **Mr. Bernier Rivera** (Popular Democratic Party) said that the United States Government had repeatedly defined the relationship between the United States and

Puerto Rico as territorial, which was tantamount to colonial in the language of international law. The United States Supreme Court had ruled that the original and ultimate source of power in Puerto Rico lay in the United States Congress, and the House of Representatives had adopted legislation establishing a financial oversight and management board which would deprive Puerto Rico of self-government and would violate the right of Puerto Ricans to self-determination. President Obama should be prepared to answer for the harm caused to the people of Puerto Rico by their colonial situation and to begin a true decolonization process.

89. The recognition of Puerto Rico's colonial status by all three branches of the United States Government showed that the United States was either renegeing on the commitment it had made in 1952 or that it was admitting that it had deceived the international community into adopting General Assembly resolution 748 (VIII) on a false premise. Consequently, in view of the violations of the right of Puerto Ricans to self-determination and their repeated fruitless attempts to definitively determine their political status, the United Nations — through the Special Committee, the Human Rights Committee and the General Assembly — should take the necessary and appropriate measures to allow Puerto Rico to fully exercise its right to self-determination in accordance with international law.

90. **Mr. Toro Goyco** (Frente Amplio Pro Asamblea Constitucional de Estatus de Puerto Rico) said that the appearance of a large number of organizations and individuals before the Special Committee was proof that the people of Puerto Rico would no longer tolerate the injustice of the current colonial system. He invited everyone at the meeting to join his organization in providing a voice for the Puerto Rican people to express their concerns and advocate for the political transformation of their country.

91. The matters being discussed at the meeting could just as easily be discussed in a constitutional assembly in Puerto Rico itself. The Special Committee should refer the case of Puerto Rico to the General Assembly and should call on the United States Government to take immediate steps to initiate a decolonization process for Puerto Rico. Lastly, he called for the release of Oscar López Rivera, who must be allowed to return to his homeland and family.

92. **Mr. Kaurix Rodríguez** (Hermandad Taína, Unión Higuyagua) said that scientific studies carried out over the previous two decades had shown that the majority of people in Puerto Rico were of indigenous descent, in contrast to the claim made in official histories of the island that all indigenous people had been wiped out by Spanish colonialists. As the direct descendants of the island's original inhabitants, the current generation of Boricuas were therefore its only real owners.

93. The illegal invasion of the island of Borinken by Spanish colonialists had been a violation of the international law existing at the time, and the Spanish claim to ownership of the island had therefore been invalid. The indigenous people of the Americas were subject to international law and had the right to reclaim their ancestral lands. Furthermore, under international law, an invaded country retained its sovereign power, which meant that Borinken was a sovereign country. Similarly, under the rules of war, the United States must take responsibility for the debt imposed on Borinken as a result of its continued colonial status. The Special Committee should refer the request of the National Sovereign State of Borinken for accreditation to the General Assembly and should accept the nation as a State Member of the United Nations. Lastly, Oscar López Rivera and Ana Belén Montes should be released from prison immediately.

The meeting rose at 7.20 p.m.