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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 9th meeting

Held at Headquarters, New York, on Thursday, 27 June 2019, at 10 a.m.

Chair: Ms. McGuire (Grenada)

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Economic and other activities which affect the interests of the peoples of the
Non-Self-Governing Territories

Implementation of the Declaration on the Granting of Independence to Colonial
Countries and Peoples

Report of the Caribbean regional seminar

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

Question of Montserrat (*continued*)
(A/AC.109/2019/10; A/AC.109/2019/L.17)

Draft resolution A/AC.109/2019/L.17: Question of Montserrat

1. The Chair said that the word “educational” needed to be inserted in paragraph 5 of the draft resolution. That slight technical revision was based on the agreed common language of all ex-omnibus resolutions. Accordingly, paragraph 5 would now read: “*Requests the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 b of the Charter, and in that regard calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested*”.

2. *Draft resolution A/AC.109/2019/L.17, as orally revised, was adopted.*

Question of American Samoa
(A/AC.109/2019/1; A/AC.109/2019/L.10)

Draft resolution A/AC.109/2019/L.10: Question of American Samoa

3. *Draft resolution A/AC.109/2019/L.10 was adopted.*

Question of Anguilla
(A/AC.109/2019/2; A/AC.109/2019/L.11)

Draft resolution A/AC.109/2019/L.11: Question of Anguilla

4. *Draft resolution A/AC.109/2019/L.11 was adopted.*

Question of Bermuda
(A/AC.109/2019/3; A/AC.109/2019/L.12)

Draft resolution A/AC.109/2019/L.12: Question of Bermuda

5. *Draft resolution A/AC.109/2019/L.12 was adopted.*

Question of the Cayman Islands
(A/AC.109/2019/5; A/AC.109/2019/L.15)

Draft resolution A/AC.109/2019/L.15: Question of the Cayman Islands

6. *Draft resolution A/AC.109/2019/L.15 was adopted.*

Question of the British Virgin Islands
(A/AC.109/2019/4; A/AC.109/2019/L.14)

Hearing of representatives of the Non-Self-Governing Territory

7. *At the invitation of the Chair, Mr. Wheatley (Special Envoy of the Premier of the British Virgin Islands) took a place at the Committee table.*

8. **Mr. Wheatley** (Special Envoy of the Premier of the British Virgin Islands) said that the Territory’s main priorities were recovery from the damage caused by Hurricanes Irma and Maria in 2017 and sustainable development. The United Kingdom had continued to provide assistance since the hurricanes had struck. The British Virgin Islands wished to deepen its relationship with the United Nations through a proposed comprehensive partnership agreement, under which technical assistance would be provided for the Territory’s national development plan. The Economic Commission for Latin America and the Caribbean was already providing help to achieve the Sustainable Development Goals. The Territory also looked forward to working with other United Nations agencies.

9. On balance, the United Kingdom had been a good partner to the Territory and there had been positive exchanges on financial services. However, the Territory took issue with the proposal contained in a report issued by the House of Commons Foreign Affairs Committee in February 2019 to set up public registers of beneficial ownership in the British Virgin Islands and other overseas territories without their consent. The Government of the United Kingdom had, however, acknowledged that the British Virgin Islands, with its beneficial ownership secure search system, was at the forefront of efforts to safeguard the global financial system. The Government of the United Kingdom had confirmed that it would not use orders in council to enforce the creation of public registers, impose the legalization of same-sex marriage or alter longer citizenship status.

10. The Committee should send a visiting mission to the Territory. Although independence from the United Kingdom was not a priority for the Government of the Territory, the people should be aware of their options, such as free association, especially in the context of the constitutional review that was due to take place in the coming year.

11. *Mr. Wheatley withdrew.*

Question of Guam

(A/AC.109/2019/9; A/AC.109/2019/L.16)

Hearing of representatives of the Non-Self-Governing Territory

12. *At the invitation of the Chair, Mr. Tenorio (Lieutenant Governor of Guam) took a place at the Committee table.*

13. **Mr. Tenorio** (Lieutenant Governor of Guam) said that the administering Power wished to maintain the status quo in Guam, against the wishes of its native inhabitants. He urged the Committee to maintain pressure for the Territory's decolonization. The United Nations should enable the Committee to send a visiting mission to the Territory.

14. The inclusion of the word "continuing" in the draft resolution with regard to the programme of systematic land transfer to the Government of Guam was inaccurate. In spite of General Assembly resolution 73/113, no surplus federal land had been transferred to the Government since 2011. Some land earmarked for return since 1977 had still not been transferred. Often, land was transferred internally by the administering Power between its military and non-military agencies. In one case, over 1,217 acres of Puntan Litekyan, rather than being transferred to the Government or its original owners, had been declared a wildlife refuge. At the same time, the Government had been advised that 300 acres of native habitat near Puntan Litekyan was needed for a new live firing range for the military. Locally elected leaders felt frustrated by their lack of influence over the administering Power's actions. The land issue was only one example of such colonial decision-making.

15. *Mr. Tenorio withdrew.*

Hearing of petitioners

16. *At the invitation of the Chair, Mr. Won Pat-Borja (Commission on Decolonization) took a place at the petitioners' table.*

17. **Mr. Won Pat-Borja** (Commission on Decolonization) said that the United States federal justice system was being used to impede decolonization and that it was unclear whether the administering Power would continue to fund self-determination education. Negotiations between the Government of Guam and the administering Power were largely symbolic. As the latter discussed with Japan the possible redeployment of United States military forces from Okinawa, Guam was witnessing the greatest period of United States military expansion in recent history. Construction of military infrastructure, such as the live firing range near Puntan Litekyan, was going ahead with disregard for historical

sites. The United Nations had a responsibility to advocate on behalf of the people of Guam. In that regard, a visiting mission would be a positive step and he hoped that the administering Power would cooperate to the fullest extent in organizing such a visit.

18. *Mr. Won Pat-Borja withdrew.*

Question of Pitcairn

(A/AC.109/2019/12; A/AC.109/2019/L.18)

Draft resolution A/AC.109/2019/L.18: Question of Pitcairn

19. *Draft resolution A/AC.109/2019/L.18 was adopted.*

Question of Saint Helena

(A/AC.109/2019/13; A/AC.109/2019/L.19)

Draft resolution A/AC.109/2019/L.19: Question of Saint Helena

20. *Draft resolution A/AC.109/2019/L.19 was adopted.*

Question of the Turks and Caicos Islands

(A/AC.109/2019/15; A/AC.109/2019/L.20)

Hearing of petitioners

21. **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.

22. **Mr. Roberts** (Turks and Caicos Forum) said that the fortunes of the Turks and Caicos Islands at the hands of the United Kingdom, the administering Power, were deteriorating and ran counter to Article 73 of the Charter of the United Nations. The report issued by the House of Commons Foreign Affairs Committee had raised serious concerns. Since its publication, the United Kingdom had abandoned proposals to impose same-sex marriage legislation and dissolve the belongingship system in the Turks and Caicos Islands. It was, however, insisting on the establishment of public registers of beneficial ownership. Such a step would be discriminatory and would cripple the Territory financially. He wondered how an almost exclusively white and male group of 11 British Parliamentarians an ocean away could dictate the fate of millions of people different from them in Territories that had kept their empire afloat for centuries. The administering Power was also doing little to prevent illegal immigration into the Territory. A visiting mission was urgently needed to determine the level of abuse suffered by the people of the Territory.

23. **Mr. Gibbs**, speaking in his personal capacity, said that the United Kingdom continued to violate the human rights of the native-born citizens of the Turks and Caicos Islands without being held accountable, and its level of compliance with Article 73 of the Charter of the United Nations remained unchanged.

24. Governors appointed to run the Territory's affairs every three years were generally ill-prepared for the role and exempt from local oversight, although the costs associated with their position were borne by the Turks and Caicos Islands. The administering Power had failed to stem the tide of irregular immigration: hundreds of migrants arrived in the Territory every week. The accumulated cost of the ongoing investigations by the Special Investigation and Prosecution Team, said to exceed \$100 million, placed a heavy burden on the Territory's finances. Given indications that failures of the Office of the Governor and the Foreign and Commonwealth Office had contributed to the events that had led to the launch of the investigations, the United Kingdom should bear the resulting trial costs.

25. Foreign firms excluded locals from management positions, leading college and university graduates to seek employment abroad. The steady replacement of local staff in the public administration with personnel from the United Kingdom and the relocation of passport processing from the Territory to the United Kingdom were indicative of the administering Power's intention to slow development in the Territory and frustrate any move towards self-determination.

26. An impartial assessment of the situation in the Territory was essential given that the administering Power continued to rule by edict with the people of the Turks and Caicos Islands having no representation in British Parliament. He therefore requested the organization of a visiting mission to the Turks and Caicos Islands to assess the human rights situation on the ground and assist in the implementation of United Nations resolutions.

Question of the United States Virgin Islands (A/AC.109/2019/16; A/AC.109/2019/L.21)

Draft resolution A/AC.109/2019/L.21: Question of the United States Virgin Islands

27. *Draft resolution A/AC.109/2019/L.21 was adopted.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (A/74/80; E/2019/61; A/AC.109/2019/L.9)

Draft resolution A/AC.109/2019/L.9: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

28. *Draft resolution A/AC.109/2019/L.9 was adopted.*

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories (A/AC.109/2019/L.6)

Draft resolution A/AC.109/2019/L.6: Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

29. *Draft resolution A/AC.109/2019/L.6 was adopted.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/2019/L.25)

Draft resolution A/AC.109/2019/L.25: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

30. *Draft resolution A/AC.109/2019/L.25 was adopted.*

Report of the Caribbean regional seminar (A/AC.109/2019/CRP.1; A/AC.109/2019/CRP.2)

31. **The Chair** drew attention to the draft conclusions and recommendations of the Caribbean regional seminar, which had been held in Saint George's, Grenada, from 2 to 4 May 2019 (A/AC.109/2019/CRP.1) and to the draft procedural report of the seminar (A/AC.109/2019/CRP.2).

32. She took it that the Committee wished to adopt the draft conclusions and recommendations of the seminar and the procedural report, with the latter to be included in the report of the Special Committee to the seventy-fourth session of the General Assembly.

33. *It was so decided.*

34. **Mr. Mounzer** (Syrian Arab Republic) said that the Committee's interaction with representatives of the Non-Self-Governing Territories must be guided by the principles of equality, impartiality, transparency and non-discrimination and by a commitment to abide by its own rules of procedure. Failure to do so would

constitute a violation of the Committee's mandate and establish a precedent in its working methods.

35. On 16 April 2019, the Permanent Representative of the Syrian Arab Republic, in his capacity as Rapporteur of the Committee, had received a copy of a letter of protest from the representative of the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente POLISARIO), addressed to the Chair of the Committee. In that letter, the representative stated that he had received an invitation from the Chair to participate in the regional seminar held in Grenada on 2 May, and that the Bureau secretariat had informed him that, on the basis of that invitation, he would have to cover the cost of his participation in full. The representative also noted in his letter that the United Nations had always funded the participation of the representative of the Frente POLISARIO in its regional seminars, as it had the participation of all Territory representatives recognized by the United Nations, on an equal basis.

36. In its letter No. 106 of 16 April 2019, the delegation of the Syrian Arab Republic had requested that the Committee hold an urgent meeting to discuss the official letter sent by the representative of the Frente POLISARIO. Regrettably, his delegation had not received a response to its request to hold a meeting or to the aforementioned letter. That failure to respond was a matter of grave concern, as was the fact that, for the first time in the Committee's history, the participation of the representative of the Frente POLISARIO in the regional seminar in Grenada had not been funded. The decision to deny funding had been a unilateral decision taken by the Chair without consulting the members of the Bureau or obtaining their consent, even though the secretariat had informed the Chair that the United Nations funded the participation of the representative of the Frente POLISARIO alone, as the Chair herself had said at the meeting of the regional seminar in Grenada. However, she had decided that unless the other representatives from Western Sahara could have their participation funded along with the representative of the Frente POLISARIO, none of them would be funded.

37. Any decision with budgetary implications taken by the United Nations was subject to prior approval by the Fifth Committee. Moreover, it was common knowledge that consideration of any decision taken by any committee would be suspended until action had been taken on the financial implications of the resolution.

38. **The Chair** said that the guidelines and rules of procedure of the seminar (A/AC.109/2019/19) adopted by the Committee by consensus on 15 March 2019 were

unambiguous in bestowing, as usual, the mandate upon and placing squarely within the prerogative of the Chair the charge to invite participants to the seminar, which necessarily included the contents of said invitations including funding. A year before, the Committee had adopted, by consensus, its programme of work, which included for the first time two participants from Western Sahara.

39. Pursuant to her mandate as stipulated in rule 6 of the rules of procedure of the seminar, she had invited the two participants from Western Sahara to participate in the seminar. Given the importance of the matter, she had been in consultation with the Secretariat at the highest levels, and there had been informal consultations amongst Bureau members. The Secretariat, however, had advised that, without a further involved process, funding was available for the participation of only one of them. Consequently, as a matter of fairness and equity, and given the consensus reached the previous year, she had decided not to fund any participant from Western Sahara. After being approached by Bureau members regarding the matter, her subsequent attempts to obtain funding for both participants through informal consultations and the good offices of other Bureau members had failed. The Chair's office had indeed acceded to the request by the representative of the Syrian Arab Republic for a one-on-one meeting just one day after its receipt. Nevertheless, the silver lining was that everyone had participated and contributed to a very successful seminar.

40. **Ms. Vásquez** (Chile), **Mr. Sheriff** (Sierra Leone), **Ms. Bannis-Roberts** (Dominica), **Mr. Tiemoko** (Côte d'Ivoire), **Ms. Williams** (Grenada), **Mr. Situmorang** (Indonesia), **Mr. Duberry** (Antigua and Barbuda) and **Ms. Phipps-Benjamin** (Saint Kitts and Nevis) reaffirmed their support for the decisions taken by the Chair.

41. **Mr. Mounzer** (Syrian Arab Republic) said that he wished to clarify that his delegation had not been consulted, contrary to the Chair's remarks about the Secretariat consulting with the Bureau. Moreover, there was no mention of funding for participants in rule 6 of the rules of procedure of the seminar. Rather, it referred only to participation in the seminar.

42. **The Chair** reiterated that, based on the long-standing practice of the Committee, the issuing of invitations necessarily involved the matter of funding for participants. There had been no mention of the Secretariat reaching out to the Syrian Arab Republic.

The meeting rose at 11.35 a.m.