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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

French Polynesia

Working paper prepared by the Secretariat

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The Territory at a glance

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

Representative of administering Power: Dominique Sorain, High Commissioner of the Republic (since 10 July 2019).

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

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

Exclusive economic zone: 5.5 million km².

Population: 278,400 (2019 estimate, Statistical Bureau of French Polynesia).

Life expectancy at birth: women: 78.5 years; men: 75.1 years (2019).

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

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

Capital: Papeete.

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

Main political parties: The political groupings in the Assembly of French Polynesia are: Tapura Huiraaatira (36 seats); Tahoera’a Huiraaatira (7 seats); Tavini Huiraaatira (8 seats) and A here in Porinetia (6 seats).

Elections: Municipal elections were held in March (first round) and June (second round) 2020.

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

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

Unemployment rate: 14.5 per cent (2018).

Economy: The service sector, which generated 84 per cent of value added in 2016 and employed more than 82 per cent of wage workers in 2018, plays an important role in the economy of French Polynesia. Tourism is the leading source of goods and services exported from the Territory. Nevertheless, aquaculture, in particular black pearl farming, which yields the second most important resource of French Polynesia, remains important. Given the thinness of the market, the economy is structured around large public or private groups, particularly in the energy and retail sectors.

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

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

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

I. Constitutional, political and legal issues

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

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

3. According to the annual report of the Institut d’Émission d’Outre-mer for 2019, the 2004 reform resulted in a long period of political instability, which the adoption of Organic Acts (No. 2007-223 of 21 February 2007, abolishing the electoral rule whereby additional seats were attributed to the party having won the majority of votes; and No. 2007-1720 of 7 December 2007 on introducing motions of no confidence) failed to remedy; it should be noted that 11 Governments succeeded one another from 2004 to 2013. In 2011, a new Organic Act (No. 2011-918 of 1 August 2011) on the functioning of the institutions of French Polynesia was adopted to restore stability. That Act modified the electoral process by re-establishing the electoral rule, previously abolished, whereby 19 seats were attributed to the party having won the majority of votes, and by creating a single electoral constituency; it also set a limit on the number of ministers and the possibility of overthrowing the Government. That Act has been implemented since the territorial elections held in May 2013.

4. The institutions of French Polynesia consist of the President, the Government, the Assembly of French Polynesia and the Economic, Social, Environmental and Cultural Council. The role and powers of those institutions are defined by statutory organic law.
5. The President is elected by the Assembly of French Polynesia by secret ballot for a five-year term. The President forms the Government by appointing the Vice-President and ministers, whom he or she can dismiss, and directs the action of the ministers. The President promulgates country laws and signs the Acts adopted by the Cabinet. The President is the originator of the budget and directs territorial administration. The President's mandate is compatible with that of a deputy, senator and mayor, and it can be terminated by a vote of no confidence by the Assembly, or in the event of the latter's dissolution. Édouard Fritch was elected President of French Polynesia on 12 September 2014 and re-elected on 18 May 2018.
6. The Government of French Polynesia serves as the Territory's executive body and conducts its policy. It meets every week through the Cabinet, which has collective and collegiate responsibility for affairs within its jurisdiction. The Government establishes which draft decisions are to be submitted to the Assembly and which enabling measures are needed to implement them. It also has wide-ranging regulatory power. It is consulted on a mandatory basis in areas where the State has jurisdiction, either by the Minister for Overseas Territories or by the High Commissioner of the Republic, depending on the case in question.
7. The Assembly of French Polynesia, consisting of 57 members elected by direct universal suffrage for five-year terms, debates all issues within the collectivity's jurisdiction, other than those devolved to the Cabinet or to the President of the Government. The Assembly adopts country laws, over which the Council of State exercises jurisdictional control, and the decisions submitted by the Government. It votes on the Territory's budget and accounts and oversees actions taken by the Government. The Government may be overthrown by a motion of no confidence; the Assembly can be dissolved by a decree issued by the President of the Republic, at the request of local government.
8. The Economic, Social, Environmental and Cultural Council, a consultative body, consists of representatives from professional groupings, labour unions, organizations and associations involved in the economic, social and cultural life of the collectivity. The Council issues opinions with corresponding recommendations on issues referred to it by the Government and the Assembly of French Polynesia. Its advice must be sought on economic, social and cultural projects, and it must be consulted on legislative proposals prepared by the Government or the Assembly. It may also undertake studies on issues within its jurisdiction, on its own initiative, subject to a two-thirds majority vote of its members. The Council consists of 48 members who are appointed by their peers for a four-year term and are distributed among four colleges (the college of wage-earners; the college of entrepreneurs; the college of development; and the college of community life). Its president is elected for two years.
9. According to the 2020 Guide to State Services and Institutions in French Polynesia, the High Commissioner of the Republic represents the central Government and each of the ministers. The High Commissioner works closely with the President, the Government and the institutions of French Polynesia, which are in contact with all national stakeholders, in the public interest.
10. According to the 2020 Monitor of the Communes of French Polynesia, published by the French Development Agency, the amendments made to the Statute of Autonomy pursuant to Organic Act No. 2019-706 of 5 July 2019, reflect the increasing recognition of the role of the communes in the Polynesian institutional landscape.

11. On 17 March 2017, the President of France and the President of French Polynesia signed an agreement on the development of French Polynesia, known as the Élysée Accord, which was adopted by the Assembly of French Polynesia on 6 July 2017 (see [A/AC.109/2019/7](#)). The agreement contains provisions on facilitating the payment of compensation to the victims of nuclear tests as well as on addressing the environmental consequences of the tests and restructuring the economy of French Polynesia, as well as on preserving the Territory's autonomy and ensuring the communes' administrative freedom.

12. In May 2019, the Parliament of France adopted the draft organic law amending the Statute of Autonomy of French Polynesia. Article 1 of that law provides for the insertion into Organic Act No. 2004-192 of two articles, 6-1 and 6-2, under a new section 2 entitled "On recognition by the nation". In the first paragraph of article 6-1, the recognition by the French Republic of the contribution of French Polynesia to the development of the nuclear-deterrent capability and defence of the nation is proclaimed. Its second paragraph stipulates that the conditions for the compensation of persons suffering from illnesses resulting from exposure to atomic radiation produced by French nuclear tests are established under the law. Its third and fourth paragraphs indicate that the State shall ensure the maintenance and monitoring of the sites in French Polynesia at which the tests took place, and that it shall support the economic and structural rehabilitation of French Polynesia after the cessation of the tests. Article 6-2 provides that the State shall inform the Assembly of French Polynesia each year of action taken under section 2. Article 15 provides for the extension, under article 47 of Organic Act No. 2004-192, of the jurisdiction of French Polynesia, in the area of exploration and exploitation of biological and non-biological natural resources, to the regulation and exercise of the rights of conservation and management of those resources. It specifies that such jurisdiction applies, in particular, to rare-earth elements. In addition, the law provides for, inter alia, a broadening of the scope of international organizations of which French Polynesia may become a member; the rectification of points in the Statute which were posing practical difficulties for the functioning of local institutions (delegation of signature authority, types of conventions submitted to the Assembly, etc.); the authorization of French Polynesia to establish local public companies, participate in open public-sector associations, and establish independent administrative authorities in all areas within its jurisdiction; and the inclusion of the environment in the areas of responsibility of the Economic, Social and Cultural Council, thenceforth renamed the Economic, Social, Environmental and Cultural Council.

13. On 27 June 2019, the Constitutional Council ruled that the law amending the Statute of Autonomy of French Polynesia was partially unconstitutional. Specifically, it decided that article 1 did not have the status of organic law but rather of ordinary law. The Constitutional Council also considered article 15, on jurisdiction over rare-earth elements, to be constitutional. According to the Constitutional Council, the combination of those provisions with those of article 27 of Organic Act No. 2004-192 meant that, insofar as such jurisdiction must be exercised in compliance with the constraints imposed by national defence, it could not be extended to rare-earth elements recognized as strategic raw materials.

14. On 27 June 2019, the Constitutional Council also declared unconstitutional several provisions of Act No. 2019-707 on various institutional arrangements in French Polynesia, adopted by the Parliament of France in May 2019, including its article 1, which provided for the establishment, as from 2020, of a deduction from French State revenue, for the benefit of French Polynesia, to cover the costs related to the economic imbalances caused by the cessation of the activities of the Pacific Experimentation Centre. Other provisions (articles 6 and 10–16) on the jurisdiction of communes in matters related to crematoriums, the inheritance law applicable in French

Polynesia, the conditions for the operation of an aerodrome, and the exemption of French Polynesia from the scope of the law providing for the elimination of penalties for failure to pay parking fees, were also removed by the Constitutional Council for procedural reasons. On the same day, following decisions by the Constitutional Council, the Minister for Overseas Territories announced that the end-of-year budget laws would secure the comprehensive autonomy subsidy paid to French Polynesia following the cessation of the activities of the Pacific Experimentation Centre.

15. On 5 July 2019, the President of the Republic promulgated Organic Act No. 2019-706 amending the Statute of Autonomy of French Polynesia, and Act No. 2019-707 on various institutional arrangements in French Polynesia.

16. Act No. 2019-786 of 26 July 2019 on French Polynesia included, without amendment, the articles of Organic Act No. 2019-707 removed by the Constitutional Council that provided for the adaptation of rules on joint inheritance to the specific characteristics of French Polynesia, in particular the multigenerational nature of estates. The Act also included an article specifying the legal framework within which the French State could transfer the operation of an aerodrome under its jurisdiction in French Polynesia.

17. In a communication of 13 June 2019 addressed to the Chair of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (also known as the Special Committee on Decolonization or the Special Committee of 24), the President of French Polynesia shared two documents: the report of the Pacific Islands Forum observer team deployed during the second round of legislative elections held in May 2018; and a document entitled “The development of autonomy in French Polynesia”. Both documents were circulated to the members of the Special Committee of 24. A summary of their content can be found in the 2020 working paper ([A/AC.109/2020/7](#)).

II. Economic conditions

A. General

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

19. According to the annual report of the Institut d’Émission d’Outre-mer for 2019, the service sector generated 84 per cent of value added in 2016 and employed 82 per cent of wage workers in 2018. Meanwhile, the primary sector accounted for only 3 per cent of the economy of French Polynesia. France continued to be the leading supplier to French Polynesia in 2019 (23 per cent of total imports). In second place, the other 27 countries of the European Union together represented 15 per cent of the total. Accounting for 13 per cent of the total imports of French Polynesia, China is its third largest supplier, after the United States of America (10 per cent). French Polynesia also maintained sustained trade with countries in Asia. In its own geographical area, New Zealand and Australia accounted for 5 per cent of current transactions as a whole in 2018.

20. According to the Statistical Bureau of French Polynesia, the measures taken to combat the coronavirus disease (COVID-19) pandemic in the Territory have disrupted the local economy. Entire sectors of the economy quickly found themselves in difficulty (tourism, fishing, pearl farming, etc.) which also had a negative effect on employment. To address this, the Government of the Territory has put in place a

number of support measures for businesses and households. The tourism sector suffered from the absence of tourists in the second quarter of 2020 following the closure of the borders on 19 March 2020. In September 2020, tourist numbers in French Polynesia were 62 per cent lower than in September 2019. Revenue from the export of local products saw a 72 per cent decrease in the second quarter of 2020 in comparison with 2019. Exports of pearl products, which are almost completely at a standstill, accounted for 42 points of the decrease and exports of fishery products accounted for 20 points.

21. According to the Institut d'Émission d'Outre-mer, the third quarter of 2020 was marked by an economic recovery in all sectors, thanks to the reopening of international air traffic. After a year-on-year decline of 16.3 percentage points at the end of April 2020, when lockdown ended, the wage employment index recovered and stabilized in the third quarter at 7.2 percentage points below its level for the same period in 2019. Despite the resumption of commercial flights, only 12,400 tourists visited French Polynesia in July and August 2020, a quarter of the previous year's figure.

22. On 10 December 2020, the Minister of Finance and Economic Affairs presented a recovery plan to the Assembly to ensure a rapid and sustainable economic revival for the Territory and to address the social and financial crisis caused by the COVID-19 pandemic.

B. Agriculture, pearl farming, fisheries and aquaculture

23. According to the annual report of the Institut d'Émission d'Outre-mer for 2019, the agriculture of French Polynesia is based on small-scale family farms that practice polyculture. Agricultural production is divided into vegetable products (68 per cent) and animal products (32 per cent). The local supply of agricultural products is insufficient to cover all the needs of the domestic market; therefore, French Polynesia imports animal products (dairy products and meat) as well as fruits and vegetables. However, these imports are subject to quotas to protect local farmers. Food imports come mainly from metropolitan France (30 per cent), the United States (18 per cent) and New Zealand (17 per cent).

24. According to the Institut d'Émission d'Outre-mer, Tahitian pearl farming accounted for half the revenue from the export of local products in 2019. In French Polynesia, 97.7 per cent of pearls exported are unprocessed, mainly to meet the demands of traders and their customers. Pearl exports fell by 35 per cent in 2019 to 5 billion Pacific francs, their lowest level since the early 1990s. Extensive pearl production is not without risks for ecosystems. On the one hand, too high a concentration of mother-of-pearl in a lagoon leads to its impoverishment. On the other hand, the massive use of plastics in pearl farming and the lack of waste management infrastructure on some islands lead to significant pollution.

25. Thanks to its exclusive economic zone of around 5.5 million km², French Polynesia has considerable fishery potential. In 2019, fisheries accounted for a fifth of all exports of local products, mainly to the United States.

C. Industry

26. According to the annual report of the Institut d'Émission d'Outre-mer for 2019, despite structural constraints limiting growth, namely a small domestic market and high costs of inputs, which are mostly imported, Polynesian industry accounts for

9 per cent of value added and 12 per cent of the total turnover declared for the payment of value added tax, and employs 8 per cent of the workforce.

D. Transport and communications

27. According to the French Ministry for Overseas Territories, the port of Papeete is managed by a public enterprise, the Autonomous Port of Papeete.

28. French Polynesia has air connections to most continents: North America (United States); South America (Chile); Asia (Japan); Europe; and Oceania (Cook Islands, New Caledonia and New Zealand). It has one international airport, in Tahiti (Faa'a), owned by the State but managed by a private concessionaire. After the cancellation of the contract signed in 2010 by the courts, a new call for tenders was issued in November 2019, to be assigned before 2022. The agreement on the transfer of the Bora Bora, Raiatea and Rangiroa airfields was signed on 11 September 2020 by the President of French Polynesia and the High Commissioner of the Republic.

E. Tourism

29. According to the annual report of the Institut d'Émission d'Outre-mer for 2019, the tourism industry is the Territory's main export resource. As an essential sector of the Polynesian economy, tourism has its own specific policy. Given the approaching end of the 2015–2020 development plan, a process of collaborative reflection began in September 2019, during the Tourism Forum, to define a development strategy for the period from 2021 to 2025. According to the Tourism Service, the new strategy is to determine an acceptable territorial distribution of flows in the islands, in line with reception capacities, the wishes of the population, and local and international business potential, while preserving the environment, the quality of life, and the culture and customs of the Polynesians.

30. The majority of tourists in French Polynesia come from the United States (38 per cent of the total in 2019), France (26.8 per cent) and Italy (4 per cent); and Australia, Japan, New Zealand and Canada (3 per cent each). According to the Statistical Bureau of French Polynesia, tourism as an industry is not diversified: the five countries of origin (United States, Japan, France, Italy and Australia) account for more than 80 per cent of all tourists. As at August 2020, tourism flows to French Polynesia had fallen by 64 per cent in comparison with August 2019, owing to the COVID-19 pandemic.

F. Environment

31. According to the Institut d'Émission d'Outre-mer, the Government of the Territory has set a 50 per cent target for the proportion of total energy consumed to be made up of renewables by 2020, with a 75 per cent target for 2030 (compared to 29 per cent in 2018), as part of its sustainable development strategy. According to the Polynesian Energy Monitor, the rate of energy dependence, meaning the proportion of energy that French Polynesia must import for its primary energy consumption, was 93.7 per cent in 2018.

32. According to the Institut d'Émission d'Outre-mer, the wide demographic disparities and unequal distribution of fresh water in French Polynesia have led to different strategies for managing that resource. The communes are responsible for water management. In 2019, the Centre for Hygiene and Public Health rated the piped water as potable in only 10 communes, located in the urban area of Tahiti or on the

islands where tourism is most developed. In order to expand access, the Territory has adopted a water safety plan, a programme recommended by the World Health Organization and coordinated by the Pacific Community.

33. Since the adoption of Organic Act No. 2004-192, responsibility for the collection and treatment (recovery and disposal) of domestic and plant waste, with the exception of toxic waste, has rested with the communes.

34. According to a study on the green economy in French Polynesia published by the Institut d'Émission d'Outre-mer, the geographical characteristics of the Territory make it highly vulnerable to climate change, and the Government has become aware of the urgent need to strengthen measures to combat climate change. The green economy (excluding the agricultural sector) is of relatively minor importance in the economy of French Polynesia, both in terms of the number of businesses and jobs and in terms of the volume of activity or financing.

III. Social conditions

A. General

35. According to the Statistical Bureau of French Polynesia, the relative monetary poverty rate was 19.7 per cent in 2009 in the Windward Islands, meaning that one in five households had an income per consumption unit below the poverty line. The poverty rate was higher in Moorea than in Tahiti and, more generally, in rural areas than in urban areas. Also according to the Bureau, in 2009, the Gini coefficient was 0.40, indicating a level of inequality comparable with that of the United States (0.41). This coefficient was close to that of New Caledonia (0.43) and significantly higher than that of metropolitan France (0.29).

B. Employment

36. According to the Institut d'Émission d'Outre-mer, employment in French Polynesia is dominated by the service sector, which accounts for more than 8 out of 10 of all wage workers. According to the Statistical Bureau of French Polynesia, the unemployment and employment rates in 2018 were 14.5 per cent and 51.9 per cent, respectively. In 2019, the number of people employed by the State had stabilized at around 10,300.

37. In 2019, wage employment had grown by 2.8 per cent. The number of job seekers registered with the Employment, Training and Professional Integration Service had fallen by late 2019 for the first time in five years, by 20.4 per cent.

38. According to the Statistical Bureau of French Polynesia, access to the labour market is much more difficult for women than for men. The employment and unemployment rates for women are 43.9 per cent and 18.7 per cent, respectively, compared with 59.4 per cent and 11.3 per cent for men. This difference is acute throughout working life, but is particularly marked at the start of family life: there is a gap of more than 20 percentage points between the employment rates of men and women between the ages of 25 and 49.

39. The Statistical Bureau of French Polynesia also indicates that the youngest people, who are already finding it difficult to enter the labour market, are also the most vulnerable to precarious employment. Indeed, 40 per cent of those aged 15 to 24 years are employed in this type of job: fixed-term contracts of less than three months, precarious contracts, internships, work that is unpaid by default or informal

employment. Only 15 per cent of those aged 25 to 49 years work in this type of employment, and only 8 per cent of those over the age of 50 years.

C. Education

40. According to the Institut d'Émission d'Outre-mer, many responsibilities in the area of education have been gradually transferred to the territorial Administration has continued gradually since 1957. Since the adoption of the 2004 law on the Territory's autonomous status, French Polynesia has had jurisdiction over the organization of education. The Ministry of Education, Youth and Sports of the Territory not only coordinates the management of facilities, but also organizes training and school programmes. However, the French State retains responsibility for public education, the awarding of national diplomas, and the administration of higher education. French Polynesia has 223 primary schools (including pre-primary and special-needs schools) and 62 secondary schools. The State nevertheless guarantees the national equivalency of the diplomas awarded. Moreover, French Polynesia has total jurisdiction in terms of educational activities. French Polynesia offers a varied educational system, with establishments dedicated to all subjects. The University of French Polynesia is a public scientific, cultural and vocational establishment. Established in 1987 and autonomous since 1999, this young university has been a major hub of higher education and research activities for over 30 years.

D. Health care

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

42. According to the annual report of the Institut d'Émission d'Outre-mer for 2019, the health policy was redefined in 2016 under the 2016–2025 Strategic Health Plan. The health policy has several objectives, including improvement of the governance of the health and medical welfare system, the quality of the health system, coverage for health and social needs, and prevention. The health organization framework for 2016–2021 enables a better understanding of issues such as the provision of primary health care in the archipelagos, the prevention of obesity and care for older persons. All beneficiaries of the system have been guaranteed the choice of attending physician since January 2020.

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

44. According to the Statistical Bureau of French Polynesia, premature mortality, in other words before the age of 65 years, has increased slightly since the period from 2007 to 2011. Among women, breast cancer, although it has a better prognosis than other forms of cancer, remains the most deadly form of the disease, followed by malignant tumours of the larynx, bronchus and lung, which have a lower incidence but a poorer prognosis. Diseases of the circulatory system are the second leading cause of premature death in women. The third is external causes of injury and poisoning, mainly suicides and transport accidents. The leading causes of premature death among men are also tumours, more specifically malignant tumours of the larynx, bronchus and lung, followed by diseases of the circulatory system and external causes, which account for a higher proportion of deaths than among women. In French Polynesia, smoking-related diseases are responsible for at least one third of deaths before the age of 65 years. Between 2018 and 2019, life expectancy at birth increased by one and a half years for men whereas it remained stable for women over the same period.

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

46. On 3 December 2020, the President of French Polynesia, in his address to the Assembly of the Territory, indicated that vaccines against COVID-19 would be available in Polynesia early in 2021. He also explained that the Ministry of Health was drafting a phased programme of vaccination for a total of 130,000 individuals. As at 31 December 2020, the Territory had seen a total of 16,926 cases and 114 deaths, and 47 patients were receiving treatment in hospital.

47. With regard to the health impact of nuclear tests, Act No. 2010-2 of 5 January 2010 on the recognition and compensation of victims of nuclear tests, known as the Morin Act, resulted in questions about the concept of negligible risk in relation to victim compensation. The reference to negligible risk was removed in Act No. 2017-256 of 28 February 2017 concerning real equality for overseas collectivities and establishing other social and economic provisions, thus enabling a larger number of victims to receive compensation. Under article 113 of that same Act, a commission, half of whose members were to be parliamentarians, while the other half were to be qualified individuals, was instituted in order to propose measures to ensure that compensation was paid only to people whose illness had been caused by the nuclear tests, and to make recommendations to the Government of France. That commission was established under Decree No. 2017-1592 of 21 November 2017 and formed on 28 May 2018, and is chaired by Lana Tetuanui, Senator of French Polynesia. The commission's members visited French Polynesia in October 2018 and submitted their report to the Prime Minister of France on 20 November 2018 (see [A/AC.109/2019/7](#)).

48. An amendment to the 2019 finance bill was submitted by Senator Lana Tetuanui on 30 November 2018, introducing several changes proposed by the commission in its report (see [A/AC.109/2019/7](#)). The amendment provides that the presumption of causality between the illness developed and the exposure to atomic radiation produced by French nuclear tests may be reversed if it is established that the claimant did not receive an effective dose (external exposure and internal contamination) in excess of the permissible dose limit for the general public set out in the radiation protection rules established in article L1333-2 of the Public Health Code, currently 1 millisievert per year (directive of the European Atomic Energy Community and article R1333-1 of the Public Health Code). The deadlines for beneficiaries of deceased persons to

file claims were extended to three years following death for persons who died after the promulgation of Act No. 2018-1317 of 28 December 2018 on financing for 2019, and to 31 December 2021 for persons who died before the date of promulgation of that Act. The deadline for the reconsideration of denials issued by the Committee for the Compensation of Nuclear Test Victims on the basis of the former criterion of negligible risk was extended to 31 December 2020.

49. In its 2019 report on its activities, the Committee for the Compensation of Nuclear Test Victims refers to the amendments to the Morin Act over the past 10 years: the condition relating to place of residence or stay was extended throughout French Polynesia in 2013; and the conditions for reversing the presumption of causality (link between disease referred to and exposure to atomic radiation produced by nuclear tests) underwent two significant amendments, in 2017 and 2018. The report also notes that following Act No. 2020-734 of 17 June 2020, the 1-millisievert annual dose limit (see para. 48) once again applies to all applications filed with the Committee, regardless of the filing date.

50. The report of the Committee refers to a sharp increase in the rate of acceptance of claims. For example, whereas from 2010 to 2017 only 11 claims were accepted from claimants residing in French Polynesia, 154 were accepted from 1 January 2018 to 22 June 2020. The report also mentions a sharp increase since 2018 in the number of cases dealt with at the Committee's meetings, whether to assess claimants' right to compensation or to confirm draft offers of compensation. The number of offers of compensation to recognized victims almost tripled in 2018 in comparison with 2017. It increased again, by half, in 2019.

51. In its report, the Committee also notes that owing to the stabilization of the legal and regulatory regime for the recognition of victims of nuclear tests, in addition to the upgrading of its budgetary resources and its reorganization, pursuant to its legislative mandate, it can now, as required by law, grant prompt recognition to the victims of nuclear tests, as defined by law.

52. A new methodology to be followed by the Committee when it investigates compensation claims and makes decisions was adopted on 22 June 2020. That methodology specifies the conditions under which the right to recognition of the status of victims of French nuclear tests is assessed and establishes offers of compensation when that right has been recognized.

53. Decision No. 2020-2, concerning authorization to close incomplete files after unsuccessful outreach to claimants, was published by the Committee on 21 September 2020.

54. At the meeting of the Advisory Committee for monitoring the consequences of nuclear testing chaired by the Minister of Solidarity and Health of the Government of France, held on 11 February 2019, the President of French Polynesia addressed five topics related to the nuclear question: compensation of victims; monitoring of the environmental consequences in Hao, Mururoa and Fangataufa; health and medical consequences; the memorial centre dedicated to the period of operation of the Pacific Experimentation Centre; and the economic impact on, and rehabilitation of, French Polynesia.

55. The President of French Polynesia said that the nuclear question was not just about compensation and money, but also about dignity and recognition. He highlighted the improvement in the compensation process for victims, with several dozen claims having been approved by the Committee for the Compensation of Nuclear Test Victims. According to the President, 23 years following the end of the nuclear tests, the environmental consequences were still clearly visible.

56. With regard to the health and medical consequences, the President referred to the measures taken to support oncology in French Polynesia, the epidemiological monitoring of the populations of the atolls near the test sites, and the coverage by the Social Welfare Fund of the costs of care for persons suffering from radiation-induced illnesses since 1966. He also mentioned the proposal to establish a nuclear tests memorial centre in French Polynesia, the decision of the French State to transfer to the Territory, free of charge, a plot of land located in Papeete, and the signature of a precarious occupancy agreement which would enable French Polynesia to begin implementing and developing the proposal.

57. According to the French Ministry for Overseas Territories, under Decree No. 2019-520 of 27 May 2019 on the recognition and compensation of victims of French nuclear tests, the compensation procedure was updated and the work of the Committee for the Compensation of Nuclear Test Victims in support of victims was strengthened (see [A/AC.109/2020/7](#)). Cancers of the gall bladder and bile ducts were added to the list of radiation-induced illnesses that might give rise to entitlement to compensation. In the Decree, it is stated that, in order to be considered a radiation-induced illness, the listed illness from which the claimant is suffering must have directly affected the organ concerned and not be the result of secondary metastases from an illness which is not on the list because it is not induced by radiation. Procedures for claiming compensation were also simplified.

58. On 20 November 2019, the Economic, Social, Environmental and Cultural Council issued a recommendation regarding nuclear issues in French Polynesia. According to that recommendation, under Decree No. 2019-520, the presumption of causality is notionally accepted for persons suffering from illnesses recognized as induced by radiation, provided that they spent time in French Polynesia between 2 July 1966 and 31 December 1998, unless it is established that the annual dose of atomic radiation produced by French nuclear tests received by the person concerned was less than 1 millisievert.

59. The Economic, Social, Environmental and Cultural Council recommended further revision of the Morin Act, which, in its view, would enable genuine reparation for the harm suffered by the victims of French Polynesia, as well as reimbursement to the Social Welfare Fund, a private company, for the expenses incurred as a result of the effects of radiation-induced illnesses.

60. The Policy Board for monitoring the consequences of nuclear testing is composed of 20 members and is chaired by the President of the Territory. It was established in 2005 on the recommendation of the Board of Inquiry of the Assembly of French Polynesia on Polynesians and nuclear tests. It is responsible for making proposals to the Government to assess the health and environmental impacts of nuclear testing in French Polynesia. The Policy Board met on 26 November 2019 (see [A/AC.109/2020/7](#)).

IV. Relations with international organizations and partners

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

V. Consideration by the United Nations

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

62. The 2020 substantive session of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, scheduled to take place from 15 to 26 June 2020, was not held owing to the COVID-19 pandemic. Instead, the Special Committee conducted the work of the session remotely and considered proposals before it under the silence procedure, in accordance with General Assembly decision 74/544 and the follow-up decisions 74/555, 74/558 and 74/561.

63. On 30 July 2020, pursuant to General Assembly decision 74/561, the Chair of the Special Committee transmitted to the members for their consideration, under the silence procedure, the report of the Committee for 2020 (A/75/23) including draft resolution IX entitled “Question of French Polynesia”, which was adopted by consensus on 5 August 2020.

B. Special Political and Decolonization Committee (Fourth Committee)

64. At its 10th meeting, held on 6 November 2020, the Fourth Committee adopted, without a vote, draft resolution IX, entitled “Question of French Polynesia”, contained in the report of the Special Committee for 2020.

C. Action taken by the General Assembly

65. On 10 December 2020, the General Assembly adopted, without a vote, resolution 75/112, based on the report of the Special Committee transmitted to the Assembly and its subsequent consideration by the Fourth Committee (see A/75/420). In that resolution, the General Assembly:

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

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

(c) Took note of the statement made by the President of the Territory in the Special Political and Decolonization Committee (Fourth Committee) on 8 October 2019 reaffirming previous calls to delist French Polynesia, and took note of resolution No. 2013-3, adopted by the Assembly of French Polynesia on 30 May 2013, which

repealed the resolution of the Assembly adopted in 2011 requesting the reinscription of French Polynesia on that list;

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

(e) Called upon the administering Power to participate in and cooperate fully with the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in French Polynesia, and encouraged the administering Power to facilitate visiting and special missions to the Territory;

(f) Also called upon the administering Power to facilitate a visiting mission to the Territory, and requested the Chair of the Special Committee to take all the steps necessary to that end;

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

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

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

(j) Took note of the efforts made by the administering Power concerning the recognition and compensation of victims of nuclear tests, and in that regard encouraged the administering Power to take steps to this effect;

(k) Reiterated its request to the Secretary-General to provide continuous updates on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia, in follow-up to the report of the Secretary-General on the matter, prepared pursuant to paragraph 7 of General Assembly resolution [71/120](#);

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

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

Annex

Map of French Polynesia

