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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 1494th MEETING

Held at Headquarters, New York,  
on Wednesday, 8 July 1998, at 3 p.m.

Chairman: Mr. RODRÍGUEZ PARRILLA (Cuba)  
(Vice-Chairman)

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The meeting was called to order at 3.25 p.m.

QUESTIONS OF AMERICAN SAMOA, ANGUILLA, BERMUDA, THE BRITISH VIRGIN ISLANDS, THE CAYMAN ISLANDS, GUAM, MONTSERRAT, PITCAIRN, ST. HELENA, THE TURKS AND CAICOS ISLANDS AND THE UNITED STATES VIRGIN ISLANDS (continued) (A/AC.109/2102-2104, 2106-2110, 2113 and 2115-2117; A/AC.109/L.1875)

QUESTION OF TOKELAU (A/AC.109/2116; A/AC.109/L.1875)

1. The CHAIRMAN said that he had received, through the Permanent Mission of New Zealand, a request from the Ulu-o-Tokelau (the titular head of Tokelau) to speak on the item. In accordance with established practice, he suggested that the Committee accede to that request.

2. It was so decided.

3. Mr. NASAU (Ulu-o-Tokelau) said that the people of Tokelau could not exercise their right to self-determination until the necessary political, economic and administrative structures and arrangements had been set up, together with supportive mechanisms. Real self-determination for Tokelau was possible only in conditions of economic independence.

4. The thinking of the inhabitants was based on two fundamental principles. The first, "All fish under one rock" meant that it was essential for the attainment of full self-governance that all authorities should be directly accountable to Tokelau's institutions. One such authority was the public service which was still in the hands of the administering Power. His people wanted that power to be returned to it. The other important principle in his people's thinking was the "House of Tokelau". In the process of searching for appropriate structures and arrangements for self-government, it was essential to re-build the "House of Tokelau". The fundamental element in Tokelauan society was the village, and it was essential that the "House of Tokelau" should stand firm on its own foundations.

5. A round of consultations between representatives of the executive authorities and the three villages of Tokelau had recently been concluded. During the consultations, a wide range of issues relating to governance had been raised. Meetings had been held with all the councils of elders, representatives of women's organizations, youth groups and other non-governmental organizations. The aim of the consultations had been to bring to the National Assembly in July 1998 the positions of the villages so as to reach a consensus on the way forward which was to be discussed in September with the administering Power. Another task was the creation of conditions conducive to the development of the private sector, thus enhancing economic development, since effective and meaningful self-government was impossible without a sound economic foundation. During the consultations, three options for economic development had been discussed, each of which involved taking account of the wishes of the three villages. The options would be underpinned by the establishment of a development bank which would, in particular, provide loans and advice to the public on general business management. It was also planned to create a trust fund which was intended to ensure sustainable economic activities on a national

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basis. The resources of the fund would come from income earned by Tokelau from agreements on the use of its exclusive economic zone. The trust fund would be a vehicle whereby Tokelau could seek to become economically independent. At the same time, it also needed assistance with the management of the fund.

6. The working paper prepared by the Secretariat (A/AC.109/2116) stated that Tokelau enjoyed a relatively high standard of living. However, that was not entirely correct. For example, 48 per cent of its education budget was spent on only 10 per cent of its students who had to travel abroad for their education in order to gain the skills necessary to run the country. In the field of health care, there was a shortage of qualified doctors, as a result of which, in complex cases, patients had to be sent to New Zealand. Tokelau had an extremely archaic transport infrastructure, with no airfield. Similarly, it had no broadcasting system or other mass information media which would have enabled the inhabitants to keep in touch with the rest of the global village. The inhabitants were constantly under threat from high seas and cyclones, and the limited land resources were further depleted because they could not afford to build sea walls. The conclusion that the standard of living in Tokelau was relatively high was therefore not in accordance with reality.

7. Another major element in the construction of the "House of Tokelau" was the legal, constitutional and political framework required for its support. A certain amount of work was already in progress in that area. For example, at the end of the month, the draft regulations and laws for the establishment of the development bank and the trust account would be submitted to the National Assembly. Regulations to support the private sector were also being prepared. In addition, preparations were in hand for elections to the National Assembly which would take place in January 1999. The number of delegates in the Assembly would be reduced from 27 to 12 or 15.

8. During the consultations with village representatives, consideration had also been given to an important aspect of ensuring gender equity. The villages were recommended to send one woman representative to the National Assembly to represent the people as a whole, and not just to speak on women's issues. That would be a major step forward since it was very difficult for a woman to be elected as an elder. The introduction of such a provision would be a clear demonstration of Tokelau's desire to involve women in all aspects of development.

9. It was one of the basic principles of social organization in Tokelau that the nation existed for the villages, and not the other way about. That principle recognized that the human resources of the nation were best utilized at the village level. The villages had existed as autonomous units for centuries and they knew best how to run their own affairs. The villages were the clients for services delivered by the nation, and they should have a say in the provision of those services. There was also the problem of enhancing accountability and transparency in the public service.

10. Responsibility for providing services to the villages was borne by the councils of elders. They were empowered, for that purpose, to allocate resources from the national funds. The present public service would be rearranged and, possibly, renamed as a result of the transfer of most of its

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officials to control by the councils of elders, which would also decide on working conditions in the public service. A small core of national public servants would be retained to deal with the core business of government. They would be accountable to the Ulu-o-Tokelau and to the Council of Faipule. In their turn, the councils would be accountable to the National Assembly. Government would also oversee the performance of the corporations, in particular in such areas as telecommunications, transport and energy. The end result would be a small and lean structure of governance, coordinated by an equally lean central service. All other management functions would be transferred to those who knew best how to manage their own affairs, as they had successfully done for centuries.

11. In the modernization process, Tokelau needed modern skills and technical know-how. In that connection, Tokelau relied on the help of the Committee and various United Nations bodies. He was grateful to the United Nations Development Programme (UNDP) which had already provided significant assistance. The UNDP Office in Apia had been very helpful in clarifying the present and future needs of the country. The United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Population Fund (UNFPA) and the World Health Organization (WHO), of which Tokelau was an associate member, also continued to offer considerable assistance. The overall aim of coordinated action by the organizations of the United Nations system and the Government of Tokelau was to achieve full internal self-government under the banner of "good governance".

12. Mr. OVIA (Papua New Guinea) said that there had been full cooperation between the administering Power and the Territory. New Zealand was an outstanding example of the kind of cooperation that should exist between administering Powers and the Committee. It was to be hoped that, in the not-too-distant future, the Committee would complete one of the tasks before it.

13. Mr. LEWIS (Antigua and Barbuda) pointed out how important it was for the Committee to hear statements both from the dependent Territories and from the administering Powers. The presence of the administering Power was necessary in order to enable the Committee to look into the widely varying aspects of dependence and self-government; success could not be expected when only one party was displaying cooperation. It was because of just such a situation that a state of affairs had arisen at the current session of the Committee in which a crisis had only just been avoided. One could not speak too highly of the conduct of New Zealand which had always cooperated with the Committee. He requested the Chairman to appeal in some form to the other administering Powers to follow New Zealand's example and to attend meetings of the Committee.

14. Mr. RABUKA (Fiji) greatly appreciated the sincere and genuine concern of New Zealand for the people of Tokelau. His Government hoped that closer cooperation would also be established in the relations between administering Powers and the remaining 16 Non-Self-Governing Territories. He associated himself with the hope expressed by the representative of Papua New Guinea that Tokelau would soon gain its right to self-determination and would be removed from the list of Non-Self-Governing Territories.

15. Mr. WATT (New Zealand) said that it was the third occasion on which the representatives of Tokelau had addressed the Committee but that, unlike the previous two occasions, which had been 9 years apart, only 2 years had passed since the previous intervention, a fact that was not only important for Tokelau but was also a sign of political changes in the United Nations. From the standpoint of the post-war period of decolonization, Tokelau hardly fitted the general pattern. Its population was resilient and culturally distinctive and numbered just 1,500 people living in three villages on three atolls which were almost at the outermost margins of human existence. In the contemporary sense, Tokelau had never been a single political entity. It had consisted of three villages which had been largely autonomous for centuries. Accordingly, there was no administrative structure that could form the basis of a system of self-government. Since his country's responsibility was with the needs of Tokelau at the national level, it had never had an administrative presence there.

16. In 1960, when the Declaration on the Granting of Independence to Colonial Countries and Peoples had been adopted, it was certain that not a single person in Tokelau understood what that meant. If the matter were considered from a perspective other than that of Tokelau, the starting point might be seen as the commitment of his country to the principle of the self-determination of Non-Self-Governing Territories. However, it was one thing to affirm the principle from Wellington and quite another to understand how it might eventually be applied in the specific situation existing in Tokelau. The three atolls of which it consisted had long been self-governing in many areas. For that reason, when the United Nations sent three visiting missions to Tokelau between 1976 and 1986 in order to study the self-determination issue, it had proved impossible to find any common ground. Essentially, the United Nations had reached the conclusion that only the people concerned could set the conditions for their own decolonization.

17. The problem of sustaining life in Tokelau had now become even more complex. Its people had moved beyond mere subsistence. At the same time, the local resource base was too small to sustain people at the level they now desired. Another factor to be taken into account was the need to cover the costs of the basic infrastructure that was needed to ensure self-government. Of greater importance, however, was the fact, first, that Tokelau was now part of the global village and, secondly, the factor of New Zealand citizenship and the related right of free entry into New Zealand. The human drama was as poignant as the economic reality; it was a two-way process. The outside world had impinged on Tokelau in terms of lifestyles, but the people themselves had long been interested in what was happening beyond their borders and 5,000 immigrants from the islands now lived in New Zealand.

18. During the present decade, Tokelau had come to see that its three isolated communities, for their own sakes, needed to come to terms with conditions of life beyond the atolls, but in a way that reflected their distinctive identity. Clearly, however, a programme of that kind was beyond the capacity of any individual village. Thus, it had become realistic in the 1990s to work to build a national governing capacity, particularly since the people had long aspired to national unity. In that context, the current policy was aimed at bringing home to Tokelau that part of government which dealt with interests of all the inhabitants rather than of individual villages. In other words, it was a matter

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of devolving executive and legislative powers held by New Zealand. Another important further step in that direction would be the withdrawal by the New Zealand State Services Commissioner from his role as the employing authority of the Tokelau Public Service at whatever time Tokelau was ready.

19. The Ulu-o-Tokelau had described the way in which the people themselves were devising a constitutional solution that was geared exactly to local needs. That was an innovative approach since it did not entail the use of borrowed constitutional solutions. From the local perspective, the village was the embodiment of the nation. A sense of autonomy which Tokelau had previously experienced for centuries was now being restored. The colonial period had brought a break with that tradition and some important decisions for Tokelau were no longer being made in the traditional consensus environment. Thus, current changes were taking Tokelau closer to familiar concepts of decision-making. One important factor was the coincidence of interest between the Territory, the administering Power and the United Nations. Tokelau needed reassurance from the international community. It knew that the path on which it had embarked, which implied greater economic self-sufficiency, carried a risk, especially of the material kind. Its greatest fear was that, with self-determination, Tokelau could find itself adrift.

20. The Committee was urgently seeking to complete the work of the United Nations on decolonization. It used innovative and pragmatic approaches, of which Tokelau offered numerous variants. A sound and well thought-out approach to defining the forms of government in Non-Self-Governing Territories of the small island type, used creatively, with the engagement of the administering Power and the United Nations, might be the most practical path to the attainment of self-determination by such Territories. A process under way in Tokelau also pointed to new ways of thinking about post-self-determination situations that remained important, particularly in circumstances where the smaller partner clearly wished to coexist alongside the larger one, without the threat of being absorbed.

The meeting rose at 4.15 p.m.