

Territories and reaffirming the value of sending, at an appropriate time, a further visiting mission to American Samoa,

1. *Approves* the chapter of the report 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 relating to American Samoa;¹²

2. *Reaffirms* the inalienable right of the people of American Samoa to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. *Reiterates the view* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to American Samoa;

4. *Calls upon* the Government of the United States of America, as the administering Power, to take all necessary steps, bearing in mind the rights, interests and wishes of the people of American Samoa as expressed freely in any act of self-determination, to expedite the process of decolonization of the Territory in accordance with the relevant provisions of the Charter of the United Nations and the Declaration and reaffirms the importance of fostering an awareness among the people of American Samoa of the possibilities open to them in the exercise of their right to self-determination and independence;

5. *Reaffirms* the responsibility of the administering Power, under the Charter, to promote the economic and social development of American Samoa and calls upon the administering Power to intensify its efforts to strengthen and diversify the economy of the Territory;

6. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of American Samoa to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources;

7. *Reiterates its appeal* to the administering Power to consider favourably the expressed request of the people of the Territory to appoint the Chief Justice and other members of the Territory's judiciary themselves;

8. *Also urges* the administering Power to continue to foster close relations between the Territory and other island communities in the region and promote co-operation between the territorial Government and regional institutions, as well as the specialized agencies and other organizations of the United Nations system;

9. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to American Samoa at an appropriate time and in consultation with the administering Power, taking into account, in particular, the wishes of the people of the Territory, and to report thereon to the General Assembly at its forty-fifth session.

*80th plenary meeting
11 December 1989*

44/98. Question of Guam

The General Assembly,

Having considered the question of Guam,

Having examined the relevant chapters of the report 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,²¹

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Guam, in particular General Assembly resolution 43/42 of 22 November 1988,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,¹⁵

Recalling the approval, in referendums held in Guam in 1987, of a draft Commonwealth Act, which, upon its enactment by the United States Congress, would reaffirm the right of the people of Guam to draft their own Constitution and to govern themselves,

Noting that the draft Commonwealth Act provides that the Congress of the United States would recognize the inalienable right to self-determination of the Chamorro people, for which provisions would be made in the Guam Constitution,

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Taking note of the statement of the representative of the administering Power that legislation had been introduced in the United States Congress to release 1,431 hectares of land no longer required by the Department of Defense and that the 100th Congress of the United States had considered the issue, and noting that a decision has yet to be taken on the matter,

Noting the potential for diversifying and developing the economy of Guam through commercial fishing and agriculture,

Taking note of the statement of the representative of the administering Power concerning the growth in tourism and the desire of the Government of Guam for balanced economic growth,

Taking note also of the statement of the representative of the administering Power that the cultural identity of the Chamorro people, the indigenous inhabitants of Guam, would be recognized.

Recalling the dispatch in 1979 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of ascertaining the situation in the small Territories and reiterating that the possibility of sending a further visiting mission to Guam at an appropriate time should be kept under review,

1. *Approves* the chapter of the report 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 relating to Guam;¹²

2. *Reaffirms* the inalienable right of the people of Guam to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

²¹ *Official Records of the General Assembly, Forty-fourth Session, Supplement No. 23 (A/44/23), chaps. IV, VI and X.*

3. *Reaffirms its conviction* that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the implementation of the Declaration, which fully applies to Guam;

4. *Reaffirms* the importance of fostering an awareness among the people of Guam of the possibilities open to them with regard to their right to self-determination and calls upon the United States of America, as the administering Power, in co-operation with the territorial Government, to expedite the process of decolonization strictly in accordance with the expressed wishes of the people of the Territory;

5. *Reaffirms its strong conviction* that the presence of military bases and installations in the Territory could constitute a major obstacle to the implementation of the Declaration and that it is the responsibility of the administering Power to ensure that the existence of such bases and installations does not hinder the population of the Territory from exercising its right to self-determination and independence in conformity with the purposes and principles of the Charter of the United Nations;

6. *Urges* the administering Power to continue to take all necessary measures not to involve the Territory in any offensive acts or interference against other States and to comply fully with the purposes and principles of the Charter, the Declaration and the resolutions and decisions of the General Assembly relating to military activities and arrangements by colonial Powers in Territories under their administration;

7. *Reaffirms* the responsibility of the administering Power, under the Charter, to promote the economic and social development of Guam and, in that connection, calls upon the administering Power to take further steps to strengthen and diversify the economy of the Territory, with a view to reducing its economic dependence on the administering Power;

8. *Reiterates* that one of the obstacles to economic growth in Guam is the holding of large tracts of land by the United States federal authorities, and calls upon the administering Power, in co-operation with the territorial Government, to expedite the transfer of land to the people of the Territory and to take the necessary steps to safeguard their property rights;

9. *Urges* the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Guam to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, as well as to support measures by the territorial Government aimed at removing constraints to growth in commercial fishing and agriculture;

10. *Reaffirms* the importance of continued efforts by the territorial Government, with the support of the administering Power, to promote and develop Guam's unique cultural identity;

11. *Urges* the administering Power to give full recognition to the status and rights of the Chamorro people;

12. *Requests* the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Guam at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-fifth session.

44/99. Question of the United States Virgin Islands

The General Assembly,

Having considered the question of the United States Virgin Islands,

Having examined the relevant chapters of the report 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,¹⁹

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to the United States Virgin Islands, including in particular General Assembly resolution 43/44 of 22 November 1988,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United States of America, as the administering Power,¹⁵

Recalling the statement of the representative of the administering Power that the participation of the people of the Territory in the electoral process demonstrated that they exercised responsibility for local government and local political affairs and recalling also that the representative of the administering Power re-emphasized the policy of her Government to respond to the wishes of the people regarding their future political status whenever they indicated the direction in which they wished to proceed,²²

Noting with satisfaction that the territorial Commission on Status and Federal Relations started its work in September 1988 in preparation for the referendum on the Territory's future political status that had been scheduled to be held on 14 November 1989,

Noting, however, that the devastation to the Territory caused by hurricane Hugo resulted in an indefinite postponement of the referendum,

Noting also that legislation of July 1988 would lengthen from 30 to 90 days the residency requirement for voting in general elections and that a ruling of the United States Supreme Court could render the new law inoperative before it is due to take effect at the general elections to be held in the Territory in 1990,²³

Aware of the special circumstances of the geographical location and economic conditions of the Territory and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Noting the measures being taken by the territorial Government with a view to strengthening the Territory's financial viability and facilitating its economic development,

Taking note of the statement of the representative of the Territory that his Government shares the concern of other Caribbean countries over the rapid depletion of the region's marine resources due to massive overfishing, mostly by large extraregional vessels, and bearing in mind the measures taken by the territorial Government and the administering Power to address this problem,

Noting the stated position of the Government of the United States Virgin Islands on the disposition of Water

²² *Ibid.*, Forty-third Session, Fourth Committee, 11th meeting, and corrigendum

²³ See A. AC.109/986, para. 20.