



# General Assembly

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

### Summary record of the 5th meeting

Held at Headquarters, New York, on Monday, 20 June 2011, at 3 p.m.

*Chairman:* Mr. Carrión-Mena ..... (Ecuador)

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*The meeting was called to order at 3.10 p.m.*

## **Adoption of the agenda**

**Special Committee decision of 15 June 2009 concerning Puerto Rico** (A/AC.109/2011/L.6 and A/AC.109/2011/L.13)

## **Hearing of petitioners** (aide-mémoire 08/11/Add.1)

### *Hearing of petitioners (continued)*

1. **The Chairman** said that, in line with the Special Committee's usual practice, petitioners would be invited to address the Committee and would withdraw after making their statements.

2. **Mr. Velgara** (Frente Socialista de Puerto Rico) said that it was incumbent upon the Special Committee unequivocally to condemn the colonial domination of Puerto Rico by the United States of America, which must acknowledge the island's natural right to independence. Thousands of Puerto Ricans had repudiated the imperial visit to the island by the President of the United States of America on 14 June, participating in demonstrations to demand their nation's independence and the immediate release of Puerto Rican political prisoners.

3. The colonial problem that Puerto Rico faced had been caused by the invasion of foreign military forces and sustained by their repressive imperial apparatus that criminalized the struggle for independence. The classification of such freedom fighters as Avelino and Norberto González Claudio as "domestic terrorists", and the arrest and prosecution of persons so classified, illustrated the difficulties that Puerto Ricans of all backgrounds faced when they attempted to defend their rights.

4. The Puerto Rican island of Vieques had been subjected to criminal bombings by the United States Marine Corps for over half a century. After an international campaign to end the bombings, operations had ended a decade earlier, but their recent resumption was cause for alarm and should therefore be monitored by the Special Committee and a United Nations observer.

5. The United States Government's attempt to impose the death penalty in Puerto Rico, which had ratified a ban on the practice in its 1952 Constitution, amounted to yet another colonial violation of the Puerto Rican people's democratic rights.

6. His organization reiterated its call for implementation of General Assembly resolution 1514 (XV) and a genuine decolonization process, the prerequisites of which included transfer of all powers to the Puerto Rican people and immediate withdrawal of the United States military, legal and political infrastructure. Ongoing United States congressional consultations on a referendum that would resolve the colonial situation were merely further proof of that country's imperial designs on a Latin American people. Meanwhile, United States authorities, who oversaw all human and commercial exchange between Puerto Rico and the rest of the planet, failed to prevent violent deaths on the island, 90 per cent of which were directly related to the illegal drug trade.

7. Lastly, given the ample evidence the Special Committee possessed on the untenable political situation of Puerto Rico, further delay in referring the matter to the General Assembly plenary would make the Committee an accomplice to the United States of America in annihilating a nation in the name of maintaining a military and economic enclave in the Caribbean.

8. **Mr. Adames** (Literary Center Anacaona) said that President Obama's recent visit to Puerto Rico had raised hopes that the island would finally be declared the fifty-first state of the United States of America. However, those hopes had gone unrealized.

9. For 100 years, Puerto Rico had been a state in all but name. Like other citizens of the United States, Puerto Ricans were required to fight in American wars, and Puerto Ricans joined the United States military and police in large numbers. However, Puerto Ricans suffered various forms of discrimination compared to other citizens of the United States.

10. Independence no longer made sense for Puerto Rico. Half of the population of Puerto Rico resided in the continental United States. While Puerto Rico's neighbours had been struggling for independence, Puerto Rico had been absorbed by the United States. A declaration of statehood would return to Puerto Rico the rights of which it had been stripped and put an end to discrimination. A mere 2 to 3 per cent of the people supported independence.

11. **Mr. Molina** (Movimiento Alternativo del Pueblo 12 de Septiembre) said that the Puerto Rican people, which had never bowed down before invading empires, was in need of the Special Committee's support, rather

than its charity, to achieve its complete liberation and transfer of powers in accordance with General Assembly resolution 1514. Once again, representatives of all sectors of Puerto Rican society had come before the Special Committee to attest to the colonial subjugation of their country. Both the Special Committee and the General Assembly of the United Nations had, on several occasions, voted overwhelmingly in favour of the inalienable right of the Puerto Rican people to join the free nations of the world.

12. He denounced the farcical colonial government and its political parties and agents, which opposed freedom of expression and the enjoyment of Puerto Rico's natural resources by its people. The United States of America had committed numerous crimes against the Puerto Rican people, starting with its invasion of the island in 1898 and ranging from the theft of its natural resources to the incarceration and assassination of its pro-independence leaders. He also condemned the imperial visit by the President of the United States of America to the island, and demanded the immediate liberation of Puerto Rican political prisoners Oscar López-Rivera, Haydée Beltrán, Avelino González Claudio and Norberto González Claudio.

13. **Ms. Datil** (Soho Art Fest) said that the constitutional rights of Puerto Ricans were being violated, including their right to vote and be represented in the Congress of the United States, to receive equal protection as a United States territory against invasion and to engage in free trade with the states of the United States. A law governing relations between the United States and Puerto Rico, intended as a temporary measure and signed in 1952, had become a permanent instrument of oppression. Although the Constitution of the United States mentioned the right to vote some half-dozen times in various articles and amendments, Puerto Ricans could not exercise that right.

14. The United States did not protect Puerto Rico against invasion, as guaranteed under the Constitution, leaving it open to an aggressive invasion of illegal aliens whose presence was resulting in increased drug use and social problems. Nor was the United States Government taking steps to put a stop to human trafficking, which in the last 40 years had become an open, multimillion dollar business.

15. During the Presidential campaign leading up to the 2008 election, Mr. Obama had promised that a constituent assembly would be established to discuss

and modify the political status of Puerto Rico and its people. However, while President Obama had visited Puerto Rico recently for four hours to collect money for his campaign, there had been no developments with regard to the right of the Puerto Rican people to vote.

16. The people of Puerto Rico paid extremely high customs fees and federal taxes on United States imports and exports. Puerto Rico's foreign trade was unilaterally controlled by the State Department of the United States, with devastating consequences for the Puerto Rican economy.

17. **Mr. Espada** (Coalición Puertorriqueña contra la Pena de Muerte) said that the issue of the death penalty should be considered by the Special Committee and included in the draft resolution under consideration, as it was vital to the question of self-determination. The application of the death penalty in his country dramatized the subjugation of its people to foreign domination. Puerto Rico had legislated the abolition of the death penalty in 1929 and enshrined that abolition in its 1952 Constitution; nevertheless, the island remained subject to United States legislation, which imposed the practice under the Federal Death Penalty Act. In addition, death penalty cases in Puerto Rico were conducted in a language different from the people's native tongue. Puerto Ricans could be extradited to face the death penalty anywhere in the United States of America even if the Government of Puerto Rico opposed it. Under such circumstances, it could not be said that Puerto Ricans enjoyed the right to self-determination.

18. In 2010 the Government of Puerto Rico had granted United States federal authorities exclusive jurisdiction in all murder cases involving motor vehicle theft, bank robbery and use of illegal weapons, effectively increasing the possibility of reinstating the death penalty in Puerto Rico, in flagrant disregard of the will of the people.

19. He requested the Special Committee to recommend that the General Assembly should consider both the question of Puerto Rico and the serious conflict existing between Puerto Rico's right to self-determination and the application of the death penalty within its territory by the United States of America, and to adopt a resolution demanding that the United States Government immediately stop application of the federal death penalty in Puerto Rico.

20. **Mr. Tag-Eldin** (Observer for Egypt), speaking on behalf of the Movement of Non-Aligned Countries,

reiterated the Movement's strong support for the work of the Special Committee on Decolonization and urged the administering Powers to grant their full support to the activities of the Committee. The Movement renewed its call to Member States of the United Nations to speed up the decolonization process to achieve the complete elimination of colonialism.

21. The Movement reaffirmed its positions on the question of Puerto Rico contained in the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries, held in Sharm el-Sheikh, Egypt, in July 2009, and in the final document of the sixteenth Ministerial Meeting held in Bali, Indonesia, in May 2011.

22. The question of Puerto Rico had been under consideration of the Special Committee for more than 36 years. A total of 29 resolutions or decisions had been adopted by the Committee on the subject. The Movement welcomed the fact that over the last decade the Committee had adopted its resolutions by consensus.

*Draft resolution A/AC.109/2011/L. 6 (continued)*

23. **Mr. De Las Ovalles Colmenares** (Bolivarian Republic of Venezuela) said that although Puerto Rico had been removed from the list of colonial territories in respect of which transmission of information was required under Article 73 *e* of the Charter of the United Nations, the Puerto Rican people, which constituted a Latin American and Caribbean nation, were still being denied their sovereignty.

24. The international community continued to make clear its commitment to the decolonization of Puerto Rico. In particular, the Final Declaration of the Tenth Summit of the Bolivarian Alliance for the Peoples of Our America (ALBA) had reiterated its members' support for Puerto Rico's struggle to achieve national sovereignty and end the imperialist occupation and military threat. The violation of the rights of civil rights organizations and the deteriorating social situation of the Puerto Rican people were disturbing. Consequently, his delegation reiterated its call for the United States Government to provide for a process that would allow the people of Puerto Rico to exercise fully their inalienable right to independence in conformity with General Assembly resolution 1514 (XV) and the relevant resolutions and decisions of the Special Committee.

25. **Mr. Echegoyen** (Nicaragua) said that although the Third International Decade for the Eradication of Colonialism was under way, the General Assembly had yet to fully consider and discuss the question of Puerto Rico. The United States of America should assume its responsibility in the decolonization process. Self-determination and independence were necessary to put an end to centuries of occupation and environmental destruction in Puerto Rico.

26. The Puerto Rican people were clearly dissatisfied with their colonial status, and all of the island's political parties, as well as civil society, were calling for change.

27. Nicaragua supported the call made at the Sao Paulo Forum, held in May 2011 in Managua, to take steps to ensure the presence of an observer delegation from Puerto Rico at the Summit of Heads of State and Government of the Community of Latin American and Caribbean States, to be held in Caracas in July 2011.

28. **Mr. Morejón** (Ecuador) said that Ecuador's Constitution enshrined the right to self-determination. Regrettably, although the Special Committee had been considering the issue of Puerto Rico for over 30 years, it had been unable to make concrete progress towards ending the colonial relationship. The many resolutions and decisions that it had adopted over the years should now be implemented. His delegation joined those urging the General Assembly actively to consider the question of Puerto Rico in all its aspects. Ecuador's decision to co-sponsor draft resolution A/AC.109/2011/L.6 reflected its commitment to the Puerto Rican people and its hope that Puerto Rico would soon join the community of independent and sovereign States, as a Latin American and Caribbean nation with its own unequivocal national identity.

29. **Mr. Solón** (Plurinational State of Bolivia) said that colonialist policies belonged to an interventionist past and constituted an unacceptable anachronism in the twenty-first century. The majority of the Puerto Rican people were in favour of decolonization. The constitutional assembly on status was particularly important as a mechanism to ensure broad and representative participation by the people of Puerto Rico in a genuine and transparent self-determination process, with the ultimate goal of independence. In that context, the United States of America had the responsibility of facilitating that process, and it must also return to the people of Puerto Rico the land it had

occupied, finance the decontamination of areas used in military exercises, and release Puerto Rican political prisoners arrested for their involvement in the struggle to liberate Puerto Rico.

30. In view of the solidarity with Puerto Rico expressed by various regional bodies, multilateral forums and civil society organizations, the question of its colonial status should undoubtedly be returned to the agenda of the General Assembly for active consideration in all its aspects.

31. **Mr. Ayzouki** (Syrian Arab Republic) said that the people of Puerto Rico had been seeking self-determination for years. Thus far the Special Committee had adopted 29 resolutions and decisions reaffirming their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV). The Secretary-General Government should fulfil its responsibilities in that regard.

32. His delegation fully supported the call by the Heads of State and Government of the Non-Aligned Movement at their fifteenth and sixteenth Summits for implementation of the resolutions of the General Assembly demanding self-determination for the people of Puerto Rico, a Latin American and Caribbean country. He trusted that the draft resolution before the Special Committee would be adopted by consensus, in a reaffirmation of international legitimacy and the principles of the United Nations, of which self-determination was the most important.

33. **Mr. Sahraei** (Islamic Republic of Iran) said that the mandate of the Special Committee was to bring the scourge of colonialization to an end. The exercise of the right of self-determination was the most important component of the decolonization process for territories under the Committee's consideration. His delegation reaffirmed the sovereign right of the people of Puerto Rico to self-determination under the Charter of the United Nations and General Assembly resolution 1514 (XV), entitled "Declaration on the granting of independence to colonial countries and peoples".

34. Adoption of the draft resolution by consensus would send a clear and strong message of support to the people of Puerto Rico. It would ensure increased momentum for change and indicate that the Special Committee, as the voice of the world's conscience, continued to support full achievement of the right of self-realization and independence. His Government supported the complete elimination of colonialism.

35. *Draft resolution A/AC.109/2011/L.6 was adopted.*

36. **Mr. St. Aimee** (Saint Lucia), speaking in explanation of position, said that his country had joined the consensus on the draft resolution because, to quote St. Paul, the people of his country wished that all people were like them. Saint Lucia was a free country and it wanted all people to be independent.

37. For the sake of consistency, General Assembly resolution 1541 (XV), entitled "Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73e of the Charter" should have been cited as one of the relevant resolutions in the preambular paragraphs of the draft resolution.

38. **The Chairman** said that the concern would be noted.

39. **Mr. Núñez Mosquera** (Cuba) said that the number of delegations, both members and non-members of the Committee, which had spoken on the issue was increasing each year. The statement made on behalf of the Non-Aligned Movement had been excellent.

40. Cuba and Puerto Rico had long been united in the struggle for Puerto Rican independence. Both lands had been inhabited by Taino natives, had been invaded and occupied and had received infusions of African and Spanish blood. The independence struggles of Cuba and Puerto Rico had begun at almost the same time. At the founding of the Cuban Revolutionary Party, José Martí had said that its purposes were to achieve complete independence for Cuba and to aid and encourage Puerto Rican independence. Over 2,000 Puerto Ricans had shed their blood in the fight for Cuban independence. According to Martí, Cuban and Puerto Rican independence were indispensable to preserve the dignity of the United States of America. One of Fidel Castro's purposes in organizing the first congress of Latin American students in 1948 had been to demand the independence of Puerto Rico.

41. Despite 113 years of colonial domination, the Puerto Rican people had not lost their culture, identity or national sentiments. Cuba was in solidarity with the Puerto Rican people and would continue to uphold the legitimate right of the Puerto Rican people to self-determination and independence.

*The meeting rose at 4.50 p.m.*