



# 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 11th meeting

Held at Headquarters, New York, on Friday, 22 June 2012, at 10 a.m.

*Chair:* Mr. Morejón . . . . . (Ecuador)

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*The meeting was called to order at 10.25 a.m.*

### **Adoption of the agenda**

1. *The agenda was adopted.*

**Question of Tokelau** (A/AC.109/2012/1;  
A/AC.109/2012/L.15)

2. **The Chair** drew attention to a working paper on Tokelau prepared by the Secretariat (A/AC.109/2012/1).

#### *Hearing of representatives of the Non-Self-Governing Territory*

3. **The Chair** said that, in line with the Committee's usual practice, representatives of Non-Self-Governing Territories would be invited to address the Committee and would withdraw after making their statements.

4. **Mr. Kalolo** (Ulu-o-Tokelau), titular head of the Territory, said that in referendums held in 2006 and 2007 Tokelau had failed to achieve the two-thirds vote required to change its political status to that of a self-governing State in free association with New Zealand. The Governments of Tokelau and New Zealand had therefore decided to focus on improving the quality of life of the people of the Territory through development programmes, as set out in the National Strategic Plan 2010-2015. New schools and health care facilities were being built, and the Tokelau Renewable Energy Project was on target to meet 100 per cent of Tokelau's electricity needs, which would allow the Government to divert funds normally used to purchase fossil fuel into addressing development priorities. Pursuant to the recent decision of the General Fono, Tokelau would be conducting a devolution review aimed at improving the delivery of public services across the board.

5. Tokelau had consistently expressed its desire to have a reliable transport system that would support the development of domestic infrastructure and facilitate good communication and delivery of services within the Territory and between Tokelau and the outside world. The Government of New Zealand would be providing Tokelau with a new vessel in June 2012 as a short-term solution, with shipping and air services planned for the long-term solution.

6. Although the issue of decolonization was secondary to that of infrastructure development, Tokelau was aware of its inalienable right to self-

determination and was continuing its nation-building process. The Territory had adopted a constitution and was holding discussions of its internal governance structures. The question of when it might next address self-determination was a decision to be made by Tokelau alone. All options, including free association, would have to be analyzed before another referendum was held. The people's insufficient understanding of the issues involved and the lack of unity among national leaders had been cited as possible reasons for the lack of a two-thirds majority in the previous referendums.

7. Tokelau's experiences in recent referendums had shown that the people of the Territory must understand the different options available to them in the exercise of their right to self-determination and how autonomy would be sustained if they were to choose it. The leadership of Tokelau must be united and must provide educational programmes to raise public awareness on political development in relation to self-determination.

8. **Ms. Cavanagh** (New Zealand) said that Tokelau continued to face a number of challenges posed by its geographic isolation, skill shortages, small population and limited resources. Transport had dominated New Zealand's engagement with Tokelau over the previous two years. The recent launch of a two-year shipping charter service between Apia and Tokelau marked a significant step forward in New Zealand's efforts to secure safe, reliable and efficient transport for the Territory.

9. New Zealand remained committed to the long-term development of Tokelau and was providing \$25 million to the Territory in 2012 in the areas of transport, renewable energy and budget support. Over the past year, New Zealand had also focused on major infrastructure, including a solar energy project.

10. Much remained to be accomplished by Tokelau to ensure that core services were delivered and to meet the conditions for any future referendum. New Zealand was taking an active interest in the current devolution review, which would assess the efficiency of the existing governance structure. As administering Power, it would have to strike a balance between respecting Tokelau's wish for control of some of its own affairs and New Zealand's need to ensure that its substantial assistance was used effectively. New Zealand remained committed to helping achieve Tokelau's most important

objective: healthy and safe communities for all of Tokelau's people.

*Draft resolution A/AC.109/2012/L.15*

11. **Mr. Thomson** (Fiji), introducing the draft resolution on the question of Tokelau on behalf of his country and Papua New Guinea, said that the text contained mostly technical updates to General Assembly resolution 66/88, adopted in December 2011.

12. *Draft resolution A/AC.109/2012/L.15 was adopted.*

**Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands** (*continued*)

*Hearing of petitioners*

13. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take a place at the petitioners' table and would withdraw after making their statements.

*Turks and Caicos Islands*

14. **Mr. Roberts** (Turks and Caicos Forum) said that an impartial assessment of the conditions in the Turks and Caicos Islands was urgently needed in view of the administering Power's decree of direct rule and the lack of transparency in the governance exercised by the interim Administration. Local offenders had been prosecuted for corruption, while high-ranking officials from the administering Power who had been in charge during the same period had been allowed to leave the Territory without being questioned by the authorities or the press, which cast grave doubts on the legitimacy of the ongoing investigation.

15. The decision to hold elections in the Turks and Caicos Islands in November 2012 had been taken by the administering Power without consulting the citizens. Moreover, the Governor had informed the citizenry that the British Chief Financial Officer would remain in place irrespective of the election outcome while the Territory's 260-million-dollar loan guarantee was in force, claiming that the Turks and Caicos Government — a Government installed by the administering Power — had agreed to that condition. That unconstitutional and disingenuous condition must

be revoked at once, and the Special Committee must act to prevent other such perversions of justice, lest Turks and Caicos citizens be reduced to second-class citizens in their native land.

16. By processing the applications for Belonger status filed by a large number of expatriates who had lived in the Turks and Caicos for many years, the administering Power had in effect expanded the franchise in the Territory despite the citizenry's strong opposition to the initial recommendation. In addition, members of the British Armed Forces, almost none of whom were citizens of the islands, were allowed to vote in local elections. Taken together with the stringent requirement that Turks and Caicos citizens living abroad must reside in the Territory twelve out of twenty-four months in order to be able to vote and did not have the option of absentee balloting that was available to United Kingdom citizens resident abroad, the measures constituted a gross violation of the indigenous citizen's right to vote. Lastly, the timing of the administering Power's issuance of principles of good governance was suspect, given that it had come just prior to the election of a local Government and that those principles had been flouted by the British interim Administration. The United Kingdom of Great Britain and Northern Ireland should be obliged to explain those measures to the Special Committee and to all United Nations bodies concerned with decolonization.

17. In order to remedy the precarious situation of the Turks and Caicos Islands and to hold the administering Power accountable, the Committee should establish a special mission to monitor the interim Administration's actions, including the forthcoming elections. The United Nations should also consider a resolution on the Turks and Caicos Islands independently of the all-inclusive omnibus resolution for Non-Self-Governing Territories.

**Question of New Caledonia**

*Draft resolution A/AC.109/2012/L.12*

18. **Mr. Thomson** (Fiji), introducing the draft resolution on the issue on behalf of his country and Papua New Guinea, read out a technical correction to the text. Operative paragraph 21 should be changed to reflect that the high-level Ministerial Mission of the Melanesian Spearhead Group was to take place from 1 to 6 July 2012, not from 2 to 9 July 2012.

19. *Draft resolution A/AC.109/2012/L.12 was adopted.*

**Closure of the session**

20. **The Chair**, after reviewing the work accomplished by the Special Committee during the past session, observed that the Committee would need to seek realistic ways of implementing its decolonization mandate on a case-by-case basis and with full recognition of the aspirations and interests of the peoples and Governments of the Non-Self-Governing Territories. To that end, the Special Committee must remain engaged in the process of decolonization with the active participation of the United Nations system and the Territories themselves, and with enhanced cooperation from the administering Powers. After expressing appreciation for the outgoing Secretary's many years of service, he declared the session closed.

*The meeting rose at 11.20 a.m.*