

THE FOURTH COMMITTEE: SPECIAL POLITICAL AND DECOLONIZATION

The Question of Granting Independence to Colonized
Countries



National Youth Model United Nations

GENERAL ASSEMBLY 4 (SPECPOL) STUDY GUIDE
'The Question of Granting Independence to Colonized Countries.'

History of the Committee

The post WW2 period saw the establishment of the United Nations General Assembly in order to serve as a platform for multilateral cooperation and discussion on global issues. The mandate of the General Assembly as a whole is mentioned in Chapter XI of the UN Charter. In brief the General Assembly does not have the power to mandate any actions but can propose recommendations to the bodies that can initiate action (i.e.-Security Council).

The 4th Committee of the General Assembly (also known as the Special Political and Decolonization Committee) was formed in 1993 as a means of consolidating the Decolonization Committee and the Special Political Committee mandated in resolution 47/233. It has the membership of all the 193 member nations of the United Nations. Essentially GA4 originally was created according to Article 9 of the UN Charter, to initiate the decolonization process of the remaining colonies as promised in the Declaration of the Granting of Independence to Colonial Countries and Peoples in 1960.

Ever since its inception GA4 has expanded its scope beyond that of decolonization and trusteeship and now has one of the broadest mandates of the 6 General Assembly committees. GA 4 currently deals with decolonization, human rights and refugees, peacekeeping, mine action, outer space, public information, atomic radiation, the University for Peace and self-determination issues. These are done in collaboration of several committees like the Disarmament and International Security committee (DISEC), the Committee of 24 (Special Committee on Decolonization), the United Nations High Commissioner for Refugees (UNHCR), and the Security Council (SC).

Topic Introduction

In 1960, the United Nations called for independence for all colonial countries. Adopted by the General Assembly, the Declaration on the Granting of Independence to Colonial Countries and Peoples, stated that all people have a right to self-determination and proclaimed that colonialism should be brought to a speedy and unconditional end. As of 2017, 17 regions around the world remain colonies; also known as Non-Self-Governing Territories (NSGTs).

Non-Self-Governing Territories:

A territory whose people have not yet attained a full measure of self-government

The concept of colonization has been practiced by all major nations or empires for centuries, especially during the 'Colonial Era' or 'Age of Discovery' which spanned 5 centuries; the 16th till the 20th centuries. It wasn't until the end of the Second World War that the issues caused by colonies and the idea of decolonization came to the fore. It was around that time that the United Nations was established, with nearly a third of the world's population - 750 million people - living in NSGTs. Today only 2 million people live in NSGTs in several regions of the world including: Western Sahara, Gibraltar, Bermuda, Guam and New Caledonia. Decolonization not only refers to the complete "removal of the domination of non-indigenous forces" within the geographical space and different institutions of the colonized, but it also refers to the intellectual decolonization from the colonizers' ideas that made the colonized feel inferior.

Discussion of the Topic

It's alarming to see the discourse of decolonisation continuing to linger within the political leadership of the 21st century, when it shouldn't be the case at all. The period 2011-2020 in which we are in marks the Third International Decade for the Eradication of Colonialism and the fact that there are 17 more NSGTs remaining is a frustrating concern.

According to the Declaration of the Granting of Independence to Colonized Countries and Peoples of 1960, alien subjugation, domination and exploitation of peoples constitutes a denial of fundamental human rights, which is contrary to the Charter of the United Nations. It is also considered an impediment to the promotion of world peace and cooperation. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. The inadequacy of political, economic, social or educational preparedness should never be a pretext for delaying independence.

It was also declared that all armed action or repressive measures directed against dependent peoples should cease in order to enable them to exercise their right to complete independence, and the integrity of their national territory. In addition, immediate steps were to be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country was considered incompatible with the purposes and principles of the Charter of the United Nations. All States should faithfully as well as strictly observe the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.

Bearing the above in mind, the main reason as to why the decolonisation process has been delayed is because of the presence of various number of disputes between nations regarding the authority of each territory.

CASE STUDIES

1. The Question of New Caledonia

A French overseas territory in the Pacific Ocean. While their population comprises of their indigenous tribes namely Kanaks and the European population. There has been mixed opinions from both parties regarding independence.

Recent Developments

In its conclusions, the visiting mission in Caledonia (Report: <https://undocs.org/A/AC.109/2018/20>) observed that the overall security situation in New Caledonia remained calm and peaceful in the lead- up to the self- determination referendum, he continued. All parties concerned had underscored the importance of peace, stability and security. The mission had also found that preparations for holding the referendum were on track and well under way. However, many challenges remained, including the need to ensure that the electoral process was acceptable to all parties.

2. The Question of the Falkland Islands

General Assembly resolution 2065 made clear that the question of the Malvinas Islands was a sovereignty dispute between Argentina and the United Kingdom that should be resolved through negotiations. The Malvinas are deemed to be Argentine, and the military exercises in the vicinity contravened to the status of Latin America and the Caribbean as a zone of peace. At present, United Kingdom is to respond positively to provisions reiterated by Argentina to renew bilateral negotiations.

3. The Question of Western Sahara

Western Sahara is a highly populated area on the north west coast of Africa. Ever since its annexation to Morocco in 1975 there has been a long term dispute between Morocco and it's Indigenous Peoples (namely Saharawi), who are led by a contingent called the Polisario Front. 1991 saw a UN brokered truce between these two parties which promised a referendum for independence (which has still not being entertained). Currently a buffer strip has been set up between the Eastern portion held by the Polisario Front and the

Western portion held by the Moroccan Administration. A key reason for this long ongoing dispute is possibly the presence of natural resources and their claim for it.

Recent Developments

In June 2018, it was alleged that Morocco had perpetrated human rights violations against journalists or prevented them from entering the Territory in order to shield the situation from the international community. A petitioner stated at the Special Committee that Morocco was undisputedly an occupying Power in Western Sahara. Significant evidence collected by international organizations had revealed the adverse impacts of the occupation, she said, noting that the United Nations Committee on Economic, Social and Cultural Rights had raised concerns about the people's right to access their own natural resources. Local civil society organizations had documented similar illegal economic activities, the petitioner noted, adding that the Territory's people continued to be treated as second-class citizens in their own land. The goals of all the development projects implemented by Morocco were intended not for their benefit, but only for Moroccan settlers, and for that country to gain further.

4. The Question of Gibraltar

In June 2018, Fabian Picardo, the Chief Minister of Gibraltar, stated before the special committee that some of the worst economic sanctions imposed by Spain had affected the Territory in recent years in that country's attempt to break down relationships with Spanish businesses and with people on a human level. However, the people of Gibraltar had an undeniable right to determine their own future, which had already been recognized by the General Assembly. As such, administering Powers and all concerned parties must abide by the United Nations Charter and the findings of the International Court of Justice, he said, describing Spain's attempt to carve out an exception as legally unconvincing. "Our right to self-determination is clearly established," he emphasized, adding that moves had been made towards self-governance. However, the Special Committee had yet to provide feedback on queries about the next steps, he said, calling on members to visit Gibraltar and to provide guidance. Stressing his readiness to reach mutually beneficial agreements on establishing a constructive friendship with Spain, he said that the ball was now in their court.

Major Actors Involved

- **Committee of 24 (Special Committee on Decolonization)-**

It was created by the General Assembly in 1961 to handle the implementation of the 1960 declaration of the Granting of Independence to Colonial Countries and Peoples as well as to enlighten the affected parties on the process of decolonization. It receives progress reports from the representatives of in the various NSGTs to oversee the decolonization process.

Past UN Action

Since the creation of the United Nations, 80 former colonies have gained their independence. This includes all 11 Trust Territories, which have achieved self-determination through independence or free association with an independent State. The Special Committee continues to monitor the situation in the remaining 17 territories, working to facilitate their advance towards complete self-determination.

- [Declaration on the Granting of Independence to Colonial Countries and Peoples Adopted by General Assembly resolution 1514 \(XV\) of 14 December 1960](#)

- [Specialized Committee on Decolonization Established in 1962 to oversee the implementation of the above Declaration](#)

- [First, Second & Third International Decade for the Eradication of Colonialism Proclaimed by the GA, they include a specific plan for action](#)

Research Points & Links

There are numerous UN documents related to non-self-governing territories, self-determination, decolonization and related topics. This list highlights some of the most widely cited documents.

Charter of the United Nations

- Chapter XI, Articles 73-74: Declaration regarding Non-Self Governing Territories
- Chapter XII, Articles 75-85: International Trusteeship System
- Chapter XIII, Articles 86-91: Trusteeship Council

General Assembly Resolutions

- Non-self-governing peoples
 - A/RES/9 (I) of 9 Feb. 1946
- Transmission of Information under Article 73e of the Charter
 - A/RES/66 (I) of 14 Dec. 1946

- Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies
 - A/RES/1466 (XIV) of 12 Dec. 1959
- Declaration on the Granting of Independence to Colonial Countries and Peoples
 - A/RES/1514 (XV) of 14 Dec. 1960
 - Procedural History in the Audiovisual Library of International Law
- 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
 - A/RES/1541 (XV) of 15 Dec. 1960
- The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples
 - A/RES/1654 (XVI) of 27 Nov. 1961
- Permanent sovereignty over natural resources
 - A/RES/1803 (XVII) of 14 Dec. 1962
 - Procedural History in the Audiovisual Library of International Law
- Strict observance of the prohibition of the threat or use of force in international relations, and of the right of peoples to self-determination
 - A/RES/2160 (XXI) of 30 Nov. 1966
- International Covenant on Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights and Optional Protocol to the International Covenant on Civil and Political Rights
 - A/RES/2200 (XXI) of 16 Dec. 1966
- Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations
 - A/RES/2625 (XXV) of 24 Oct. 1970
- Declaration on the Establishment of a New International Economic Order
 - A/RES/3201 (S-VI) of 1 May 1974
- Programme of Action on the Establishment of a New International Economic Order
 - A/RES/3202 (S-VI) of 1 May 1974
- Charter of Economic Rights and Duties of States
 - A/RES/3281 (XXIX) of 12 Dec. 1974
- Declaration on the Right to Development
 - A/RES/41/128 of 4 Dec. 1986
- International Decade for the Eradication of Colonialism (1990-2000)
 - A/RES/43/47 of 22 Nov. 1988
- Second International Decade for the Eradication of Colonialism (2001-2010)
 - A/RES/55/146 of 8 Dec. 2000
- United Nations Declaration on the Rights of Indigenous Peoples
 - A/RES/61/295 of 13 Sep. 2007
- Third International Decade for the Eradication of Colonialism (2011-2020)

- A/RES/65/119 of 10 Dec. 2010

To read the Special Committee reports:

<https://www.un.org/press/en/theme/decolonization>

Conclusion

We as the head table expect Delegates to be familiar with the committee mandate and understand the intricacies of the disputed territories of the NSGTs. All these issues need to be brought to the table to ensure that the process of decolonization can be sped up. Some particular areas that the head table hope are considered in the house are as follows:

1. Criteria for Granting Independence sufficient?
2. The issue in Western Sahara
3. The dispute on the Falkland Islands
4. Criteria that needs to be fulfilled to become enlisted as a NSGT or to be dropped from it
5. Presence of neocolonialism with special regards to Africa

Delegates please note that the above points mentioned are just the tip of the iceberg when it comes to this topic - the above list is far from exhaustive. Therefore we urge delegates to bring up more topics (even about other disputes between NSGTs) that could be addressed alongside the ones mentioned above.

The Special Political and Decolonization Committee has a big task on its hands as it looks to put a full stop to one of the most controversial issues of the United Nations. The debate will be decided by the preparation of the delegates for this topic and we hope that 4th General Assembly will be able to rally and produce a concrete resolution.

Good luck and happy researching!