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SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Second International Decade for the Eradication of Colonialism: assessment of decolonization process in today's world

**Nouméa, New Caledonia
18 to 20 May 2010**

STATEMENT

BY THE

Guahan and Chamorro Studies Association

(Ms. Hope A. Cristobal, Guam)

THE QUESTION OF GUAM

**STATEMENT
OF
GUAHAN COALITION FOR PEACE AND JUSTICE
and THE CHAMORRO STUDIES ASSOCIATION
By HOPE A. CRISTOBAL
Before the
THE UNITED NATIONS SPECIAL COMMITTEE ON THE SITUATION WITH
REGARD TO THE IMPLEMENTATION OF THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (C-24)
2010 Pacific Regional Seminar
“Priorities and Concerns of Civil Society Relating to the Decolonization of
Guam as a UN Non Self-Governing Territory”
Noumea, New Caledonia**

18-20 May 2010

CHAMORU SELF-DETERMINATION PA’GO

I. INTRODUCTION

Hafa Adai! (Greetings) Your Excellency Mr. Chairman and distinguished members of the Special Committee on Decolonization.

Dangkolu na si Yu'os ma'ase (sincere thank you) for your invitation to participate at this revolving seminar to assess the progress of decolonization and to discuss priorities regarding the Question of Guam on the final year of the Second International Decade for the Eradication of Colonialism in the 21st century. Also, I bring warm *Hafa Adei* greetings from our indigenous Chamorro people to our fellow Kanaky people of New Caledonia. We thank you for graciously hosting this United Nations Pacific Seminar. We extend a heartfelt "*Dangkolu na si Yu'os ma'ase*" (sincere thank you) for the opportunity to join Your Excellency, the Special Committee and my esteemed fellow delegates today. As you may know, the Chamorro people of the Mariana Islands have cultural and linguistic ties to the Kanaky people of New Caledonia through our common Austronesian heritage that spans Oceania. As peace loving peoples of the great Pacific, we hope one day to be able to share in a history of freedom from colonial dominance espoused by this Special Committee and the rest of the UN body.

I am Hope Alvarez Cristobal, a Chamorro former Senator of Guam. I am here as a representative of Guåhan Coalition for Peace and Justice, a Guam based coalition made up of grassroots organizations advocating for the political, cultural, social, environmental and human rights of the people of Guam. We formed in September 2006 as a result of the announcement of the United States-Japan Realignment Initiatives signed in May 2006 in our awareness and desire (consistent with our traditionally matrilineal social order) to organize and give voice to concerns of women and female children in a highly militarized environment. Our focus on peace and justice is central in light of the ongoing issue of the denial of our Chamorro people's inalienable human right of self-determination and decolonization of Guam as a modern-day colony of the United States. Particular emphasis is made on keeping Guam, our island home, safe and sustainable for our children and generations to come. The Guahan Coalition for Peace and Justice is comprised of the following member organizations: Chamorro Studies Association; National Association of Social Workers, Guam Chapter; Conscious Living; Guam's Alternative Lifestyle Association; and Nasion Chamoru.

II. THE LAND AND THE PEOPLE OF THE LAND

Guam's unincorporated (permanent colony) status designation under the 1950 Organic Act of Guam legitimized US military land takings with rights of eminent domain of the only 147,000 acres of land—with only 116.5 miles of natural shoreline available to it for all purposes. Of this 147,000 acres, the military currently possesses 40,000 acres constituting 27.21% of the island's landmass with the US National Park Service possessing 695 acres for 0.47% and the US Fish & Wildlife Service currently possessing 385 acres for 0.26% of the island. The local government possesses 37,673.36 acres for 25.6% of that total and with private lands consisting of only 68,246 acres for 46.43% of Guam's land mass. [Ref. legislative Resolution 258-30 (COR)].

With a history of US land takings and the possibility of more land condemnation through the current US militarization plans, the 29th Guam Legislature passed public law 29-113 which clarifies that the disposition of public lands is exclusively the purview of the Guam Legislature and not the US military. This law stipulates that duly enacted legislation by the Guam

Legislature is needed to authorize “the acquisition by condemnation or otherwise of private property” by means of Congressional appropriation to acquire property for public use. The current 30th Guam Legislature also passed another law which tasks the local government’s Guam First Commission to determine which land the Federal Government may intend to lease or sublease, exchange for other land, or purchase, and to report their findings to the Guam Legislature and the Governor of Guam. This law also requires the Legislature’s approval of any federal acquisition of Government of Guam property, whether by lease, sub-lease, exchange or sale.

Guam’s colonial status continues to pave the way for US application of federal laws over our air space and sea lanes; our 200-mile Exclusive Economic Zone; all our resources, control of exit and entry of our borders, control of our land, the environment and whatever can be defined as “a possession of but not a part of the United States.” It is clear that the Guam Legislature is now struggling as it finds itself with little power to protect local government assets under the laws of the administering power. For a small colonial people, the alienation of property by laws of the colonial power is one of the fundamental tenets of colonialism. In Guam, so much of the alienation has occurred through military seizure—but other forms of alienation have the same effect.

III. 2ND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Mr. Chairman, people of the 16 remaining NSGTs still under the yoke of colonialism have been denied the benefits of decolonization as provided by the UN Declaration on the Granting of Independence to Colonial Countries and Peoples [UN Resolution 1514 (XV)] and that despite the Special Committee’s diligent work emphasized in the proclamation of the two International Decades for the Eradication of Colonialism the world’s political map have not had any major transformation. We can honestly say that in the case of Guam, rather than the eradication of colonialism, the US administering Power has deepened its colonial roots.

What we find unacceptable, Mr. Chairman, is that the administering power’s WWII adversary, Guam’s brutal occupier of WWII, Japan, is now complicit in Guam’s modern day colonization and militarization through its joint Bi-lateral Agreement with the U.S. With respect to Guam, the Special Committee’s work was not only stymied; rather, it has been made to fail in its mission to make colonialism a fact of the past—in not having developed a programme of work for the decolonization of the NSGT of Guam in view of the US’s active, massive militarization plans. Included is the failure in dispatching a UN visiting mission at the time Guam was actively negotiating its political status over two decades ago; and today, with US plans for our militarization.

For 21st century Guam, it is déjà vu old-style colonialism again. This time it is not 17th C. Spain but the US administering Power utilizing its military forces in a kind of “*reduccion*” process of “subduing, converting and gathering the natives through the establishment of missions and stationing of soldiers to protect those missions.” (Ref. Rob Wilson, 21st Annual Conference, “Crosscurrents: New Directions in Pacific and Asian Studies,” University of Hawaii, Manoa, March 10, 2010.) The exploitation of our colonial status as a people, U.S. militarization, assimilationist immigration policies, the rising tide of cultural genocide, environmental degradation and contamination, the dispossession of our lands, etc., are direct violations of our rights as NSG people under:

- a. The UN Charter, in particular, Articles 1, 55 and 73e which addresses the rights of peoples in non self-governing territories who have not yet attained a full measure of self-government, and commands states administering them to “recognize the principle that the interests of the inhabitants are paramount.” Furthermore, that administering powers, accept as a “sacred trust” the obligation to develop self-government in the territories, taking due account of the political aspirations of the people.
- b. UN Resolutions 1514 that states, the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the UN and is an impediment to the promotion of world peace and cooperation.
- c. UN Resolution 1541 affirming three ways NSGTs could attain a full measure of self-government that must be the result of the freely expressed wishes of the peoples of NSGTs.
- d. UN Declaration on the Rights of Indigenous Peoples—the latest UN international human rights instrument to explicitly expand the universe of the holders of the right of self-determination with its Article 3 that specifically recognizes, using the classic formulation of the right of self-determination enshrined in the 1966 Human Rights Covenants, that indigenous peoples hold the right.
- e. International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, (known collectively as the 1966 Human Rights Covenants) that enshrine self-determination as a right.
- f. And, other relevant UN documents on decolonization.

Clearly, the US continues to behave contrary to its concrete UN obligations as the administering Power over Guam. There is no mistaking that US dominance and subordination of Guam is a consequence of US military power dynamics over the Asia-Pacific region. And, without the United Nations assertion of its moral authority and oversight of its non self-governing territory of Guam, our home island and our people will continue to be treated as inferior having no sovereignty or agency in relation to US foreign policy and security interests. Gone unchallenged, the possibility of a free, decolonized and self-governing Guam will be sealed and buried under by our own administering Power.

At his opening statement of the House Armed Services Committee hearing on March 25, 2010, Congressman Ike Skelton spoke about the rebasing of U.S. Marines from Japan to Guam as “one of the largest movements of military assets in decades”—estimated to cost over ten billion dollars. He further stated that the changes being planned as part of that move will not only affect U.S. bilateral relationship with Japan; they will shape U.S. strategic posture throughout the critical Asia-Pacific region for 50 years or more. Congressman Skelton stated that the US “must be proactively engaged in the Asia-Pacific region on multiple fronts,” and that U.S. actions may well influence the choices and actions of others.” For Guam, our exclusion from the decision made about the massive militarization of our island home through US military expansion and restructuring of its bases and military operations is unconscionable. Moreover, we have had no choice and no options offered vis-à-vis our colonial status or US actions having

political implications on our colonial status. Guam is a colony and remains a colony until the Chamorro people is allowed to exercise our human right of self-determination and is allowed to decolonize.

IV. ON THE HUMAN ENVIRONMENT

Mr. Chairman, the U.S. military's militarization plans bodes great harm for the people and our island home environment. These plans include the construction of facilities and structure to support the full spectrum of warfare training for some 8,600 marines (and their dependants) being relocated from Okinawa to Guam; the construction of a deep-draft wharf in Guam's only harbor to provide for nuclear-powered aircraft carriers, destroying over 287,000 sqm (71 acres) of healthy and endangered coral reef; the construction of an Army Missile Defense Task Force modeled on the Marshall Islands-based Ronald Reagan Ballistic Missile Defense Test Site, for the practice by US military personnel of intercepting intercontinental ballistic missiles; the forcible land-grabbing of an additional 2,200 acres of indigenous Chamorro land; the desecration of Pagat, one of Guam's oldest ancient villages dating back to 2,000 B.C.; the dangerous over-tapping of Guam's water system to include the drilling of 22 additional wells; and the denial of the most fundamental human right of the Chamorro people of Guam to self-determination.

The militarization plan calls for an alarming 80,000 new residents within the next five years. These new residents include the 8,600 Marines and 1,000 Army troops with 9,000 of their dependents and large numbers of construction workers that will add to our current 180,000 residents. This is obviously not about demographics alone as we see US hegemony flourish and cultural genocide work for the administering power. As non-US citizens after WWII, we were over 95% of the population. As United States citizens 50 years later, our population is reduced to 42% (2000 Census). Five years ago, we comprised some 35% of our home population. But with the new US plan, the Chamorro population can be expected to drop to around 24%! This is perhaps the most plausible reason why all information impacting our people's lives were kept secret until the official release of the draft environmental impact study last November 20, 2009.

This Draft Environmental Impact Statement (EIS)/Overseas Environmental Impact Statement (OEIS) was intended to, "assess the potential environmental effects associated with the proposed military activities" (DEIS, Executive Summary, Abstract) for the relocation of US marines to Guam, enhancement of infrastructure and logistic capabilities, improvement of pier/waterfront infrastructure for transient US Navy nuclear aircraft carrier (CVN) and placement of US Army ballistic missile defense (BMD) task force. It is supposed to report the overall impacts that the military's plans will have on Guam's environment. It was a document of 11,000 pages and we were given a 90-day window to comment (ending Feb. 17, 2010) with a Final EIS to be completed in July and a Record of Decision to be released in 30 days.

The selective and exclusive sharing of information on the military's plans prevented our full participation and served to silence our voices in this critical process. The community scrambled to respond to the 11,000-page report within the rigid schedule. The "record speed" of a two-year environmental impact study for such unprecedented militarization of a non self-governing territory was obviously suspect. We were not told about the 80,000 people or that the US had planned to go outside their existing footprint. At the public outreach meetings, hundreds spoke resoundingly against the military's plans. At the close of the public comment window, the

military received over 10,000 comments from various indigenous Chamorro groups, community members and stakeholders and other external stakeholders.

The fear of being overwhelmed by the construction of a new US Marine base has permeated the community. In reference to the local government's costs grossly underfunded in the plan, Lt. Governor Michael Cruz, M.D. who himself is a Colonel in the Army National Guard, stated "Our nation knows how to find us when it comes to war and fighting for war, but when it comes to war preparations—which is what the military buildup essentially is—nobody seems to know where Guam is." Government officials put the total direct and indirect costs of coping with the military buildup at about \$3 billion, including \$1.7 billion to improve roads and \$100 million to expand the already overburdened public hospital.

Three days after the DEIS was released, the Pacific Daily News conducted a straw poll asking, "Do you support the Guam buildup?" Of 773 respondents, 55% stated "No" and 45% stated "Yes". Since then, the community has been flooded with all kinds of pro-military community relations activities. We have also seen a steady stream of federal officials and Japanese officials visit our island.

Last January 22, the 30th Guam Legislature adopted a resolution expressing the "strong and abiding opposition of the Guam Legislature and the People of Guam to any use of eminent domain [condemnation] for the purpose of obtaining Guam lands for either the currently planned military buildup or other U.S. Federal Government purposes, or both." Copies were transmitted to the President of the United States, the Speaker of the House of Representatives of the United States, the President Pro-Tem of the U.S. Senate, to UN Secretary General, Ban Ki-moon, and other officials. Another resolution (No. 275-30 (LS)) was introduced and adopted relative to presenting to President Obama and the US Congress, the sentiments expressed by the people of Guam regarding the Draft Environmental Impact Statement for the Guam military build-up; to enumerating the findings of the Legislature that have led to the conclusion that the DEIS is grossly flawed; to providing a list of essential elements which must be favorably resolved; to restate Guam's agenda of priority concerns relative to federal-territorial issues that must be addressed concurrently with the buildup; and to asserting additional findings on actionable items relative to the DEIS.

Of grave concern is the fact that Chamorro self-determination and decolonization was not even addressed by the military in the DEIS and the fact that decisions have been made in the context of a huge power imbalance in which the US has the ultimate decision-making power with the social, cultural and political implications to the Chamorro community being grossly understated. It is no secret that the US and its military representatives are fully cognizant of the irreversible and significant consequences that their decision will have on its colonial people. Broad concerns relating to local infrastructure, environmental, labor and workforce, socio-economic and health and human services are being discussed among government and military officials. But the difference is: The US has completely ignored the negative implications to its colonial people's human, political and legal right to self-determination. Just as select private businesses collectively predict positive gain by Guam's militarization, the Chamorro people alone have historically and will predictably bear the unequal proportion of the burden.

On the last day of the public comment period, the federal Environmental Protection Agency issued the lowest possible rating of the DEIS of "environmentally unsatisfactory" and providing

“inadequate information.” In its strongly worded six-page letter, the US EPA stated that “The impacts are of sufficient magnitude that....action should not proceed as proposed and improved analyses are necessary to ensure the information in the EIS is adequate to fully inform decision makers.” Specifically, the EPA stated that the military’s plan would lead to:

- a. A shortfall in Guam’s water supply, resulting in low water pressure that would expose people to water borne diseases from sewage.
- b. Increased sewage flows to wastewater plants already failing to comply with the Clean Water Act regulations.
- c. More raw sewage spills that would contaminate the water supply and the ocean.
- d. “Unacceptable impacts” to the 287,000 sqm (71 acres) of a high quality coral reef.

But even with this indictment of its draft EIS, the military continues with its military expansion and restructuring plans today.

In Congress, Guam’s delegate introduced a bill that would provide for public education on Guam’s political status options. This bill was amended in the House of Representatives and now includes the other two NSGT’s: American Samoa and the US Virgin Islands and would “include but not (be) limited to the 3 internationally recognized options. The implication is that the educational program could also include other options, albeit not defined in the bill. There is no reference to any referendums nor provision of a specific budget although Congressional estimate of the costs is some \$2 million in the next 5 years for all the territories. It remains to be seen what will happen in the US Senate. If the draft Guam Commonwealth bill or the Guam War Reparations bill or the bill to amend the US Radiation Exposure Compensation Act (to give compensation to the “downwinders” (Guam included)) are any examples, it will end up taking many forms over many years. Only time will tell. And, time, Mr. Chairman is not on our side.

V. OBSTACLES/OPPORTUNITIES/RECOMMENDATIONS

The Question of Guam shall remain a question of Chamorro self-determination and decolonization for Guam. As a process of decolonization, the exercise of Chamorro self-determination must necessarily occur outside the influences of the administering Power and with the cooperation of the United Nations.

We make the following recommendations to this seminar:

1. That the inalienable right of the Chamorro people of Guam to self-determination in conformity with all relevant UN documents be given utmost priority by the Special Committee on Decolonization in view of the administering power’s massive militarization planned from 2010 to 2014.
2. That a *customized* process of decolonization for the Chamorro people of Guam be immediately adopted in view of the severe irreversible impacts on Guam by the US administering power.
3. That an investigation be conducted as to the compliance of the administering power with its treaty obligations under the Charter of the United Nations to promote the

economic and social development and to preserve the cultural identity of the Territories as related earlier in this text.

4. That a study be conducted on the implications of US militarization plans on Guam's decolonization and that UN funding be allocated immediately.
5. That the UN denounce the militarization of the non-self-governing territory of Guam without the consent of the people of Guam due to irreparable harm to the inalienable human rights of the Chamorro people and interests of the people of Guam.
6. That a work programme be adopted by the Special Committee to carry out its objectives for the decolonization of Guam.

VI. CLOSING

Thank you, Mr. Chairman and delegations for the opportunity to make this presentation. My people's journey towards decolonization is at a very critical juncture. We can only rely on the United Nations to assure that the US live up to its obligations under the United Nations Charter and to its promise of self-determination and decolonization for the people of Guam.

HOPE ALVAREZ CRISTOBAL
GUAHAN COALITION FOR PEACE AND JUSTICE
And THE CHAMORRO STUDIES ASSOCIATION
GUAM dated MAY 18, 2010