



SPECPOL

STUDY GUIDE

—

THE STATUS OF 21ST CENTURY COLONIES & 'SPECIAL TERRITORIES'

ROTMUN
MMXVIII



ROTMUN2018.COM



ROTMUNKHI



Humza Nadeem Jami

Secretary General

Humza Nadeem Jami will be serving as the Secretary General for the Rotaract Model United Nations Conference 2018. Jami, as he likes to be known, is a graduate of the Lahore University of Management Sciences, where he was a senior member of the LUMUN Society's Secretariat and Travelling Model UN Team. Prior to this, he was a former Head Delegate at the Lyceum School's Debate Team, one of the powerhouses of the country.

As a member of the LUMUN Secretariat, Jami is famous for the most technologically innovative and immersive crisis experiences Pakistan has ever seen - having designed and chaired Harry Truman's National Security Council as part of the country's first ever Joint Crisis Cabinet (JCC) in 2016, and a Twitter integrated real time UN Security Council in 2017. As a part of the LUMUN Travelling Model UN Team, he reached the pinnacle of his career when he won a Diplomacy Award at the Harvard World Model UN Conference hosted in Panama City, Panama in March 2018 (as seen in the picture above).

Jami has been doing Model UN since January 2011, and cannot be more excited to welcome you to ROTMUN! He is an original graduate and a two time Best Delegate winner at the original Rotaract Model UN Conference that occurred between the years of 2010 and 2012, hosted by the Rotaract Public Speaking Forum.

His vision for the conference is simple: to bring the best and the absolute best of the country inside the halls of IBA City Campus for the most uniquely immersive delegate experience offered at any Model UN Conference in the country. He is inspired by the ROTMUNs of yore, where high levels of academic integrity and learning were the core of Model UN as an activity, which he finds an opportunity to revive this year. He will be flying in chairs from the best corners of the country to achieve this.

Jami feels Model UN has become an activity that has become very elitist, very exclusionary, and has lost its roots in intellectual political dialogue. All of that will return in due time at the 2018 edition of the Rotaract Model United Nations Conference under his leadership to foster Socratic dialogue using this activity.

He cannot wait to see you this October!





Uwais Parekh

Under Secretary General

Uwais graduated from Cedar College in 2018 and is currently in the midst of figuring stuff out in his gap year. Usually found in bed with a bag of Doritos while he goes hours into the night being engrossed with Video Games

Uwais served as the Head of the Model UN wing of Cedar Union, Cedar's Public Speaking & Debating Society in his last year where he captained the Model UN Team to multiple landmarks at conferences such as LUMUN, MUNIK & HUMUN.

He has also been a long serving member of the Destiny Model United Nations Society, having served as the Vice President & the Academic Curator for their annual Conference, apart from that Uwais somehow managed to garner an Experience of more than an acceptable amount of Public Speaking & Debating Events; be they Model UNs, Parliamentary Debates or Moot Courts, at the obvious expense of his GPA

Being an Immense Believer in the change that is only plausible through discourse and engagement with Ideas. Uwais absolutely cannot wait to give it his all to ensure that aspiring policy makers have the suitable environment to participate in dialogue that helps them explore the diplomat present within themselves in the Country's best emulation of the Chambers of the United Nations





Maheen Naveed

Under Secretary General

Maheen is currently in her first year pursuing an MBBS degree at Ziauddin University but likes to spend her free time imagining all the possible, completely unrelated careers she can go into after she completes her MBBS. She is a graduate of the Lyceum School, where she was Head Delegate of the Debate Team and regards that time as one of her most cherished.

During her tenure as a member of the Lyceum's Debate Team, she has won awards at local and international conferences including LUMUN, ROTMUN, MUNIK and Harvard MUN; the former at which she was awarded a Best Delegate at UNSC and the latter at which she was awarded Honourable Mention twice.

She is looking forward to helping create a conference that is centred around the classic MUN values of energetic debate, impeccable policy making and above all, a return to the high standard of academic intellect and argumentation theory that is expected of delegates attending the hallowed halls of a ROTMUN conference.

She hopes that ROTMUN is the experience of a lifetime for it's delegates, and wishes you the best of luck in October!





Raja Safiullah

Committee Director

Co-chairing this year's Special Political and Decolonization Committee (SPECPOL) is Raja Safi Ullah Khan, who intends to end his almost 2-year long MUN dormancy with this stint.

His first appearance in the MUN circuit dates back to 2010, where after he took a liking to the exercise and ventured to impress upon the circuit his ideals of eloquence, politeness and diligence. His exploits in the world of MUN-ing have delivered him to some of the finest conferences across the globe – including the Harvard WorldMUN. Therefore, he brings with him a wealth of experience and insights into the ever-evolving and diverse world of MUNs.

He has served as the General Secretary of LUMUN 13, equipping him with a sound understanding of hosting a brilliant conference and enriching the delegate experience.

He hopes to see you in SPECPOL at this year's conference!





Shah Anas Ahmed

Committee Director

Mr. Shah has requested some words to be said before his introduction.

"Despite Parekh's insistence on leaving my intro blank to serve as a testament to my laziness, I would like at least three things to be announced from my end:

- 1) I do not like dressing up for anything, least of all MUNs
- 2) I would like to make it abundantly clear, from here on out, that I will not let Mr Binyameen Noor exploit the working class and will proactively work against his goals
- 3) I'm Batman!"

Primarily a Parliamentary Debater by preference, Shah Anas Ahmed occasionally fiddles with Model UNs. He has won in the Security Council of LUMUN and an award in the only MUNIK that he was blessed to attend.

Shah Anas Ahmed has been a part of the Pakistan National Debate Camp twice and has managed to quite literally hoard silverware from the numerous debating championships in the city, alongside having adjudicated the finals of various university debating tournaments for 2017-2018 where he didn't have a conflict of interest, such as IBADC & HUDC.

Shah has also played football competitively and can be found watching every Arsenal match that he can. He also has an everlasting crush on Roger Federer alongside having a tendency to melt at the sound of the aeroplane over the seas. He can usually be found at some dhaba singing "dee dee dee dee deeeedeeeee eeeeeee eeee deeeeee deeee"*. He desires to one day give back to the world and do what he can to make the world a bit better to live in

* Please Note Mr Shah wanted it written exactly like that.



Introduction

The Special Political and Decolonization Committee (SPECPOL) is the Fourth Committee of the General Assembly. SPECPOL was formed in 1993 through General Assembly Resolution 47/233, which combined the Decolonization Committee (the original name of the Fourth Committee of the GA) and the Special Political Committee.

This merging aimed to address the decreasing workload of the Decolonization Committee - since the inception of the United Nations, over 80 former colonies have gained independence, leaving only 17 non-self-governing territories today.

Today, SPECPOL includes all 193 member states of the UN and thus serves as a forum for discourse for all countries in the world. SPECPOL draws power from its mandate in Chapter XI, "Declaration Regarding Non-Self-Governing Territories," in the Charter of the United Nations. Article 73 reminds member states controlling non-self-governing territories to support the rights of these territories' people to pursue progressive self-determination and economic, social, and educational development. Article 74 urges a general respect for the social and economic interests of these territories as well as of the rest of the world. SPECPOL resolutions are not binding, and the committee cannot undertake military action, so its resolutions are often sent along as suggestions to the Security Council. Apart from its strong focus on decolonization and political sovereignty, the committee also deals with issues related to Palestinian refugees and human rights, mine action, outer space, peacekeeping, public information, atomic radiation, and the University for Peace. Due to SPECPOL's broad scope of issues, there exist many subsidiary committees and subcommittees whose work and areas of focus mirror parts of SPECPOL's agenda. In the area of interest for this conference, the work of subsidiary committees is vital toward the success of SPECPOL in addressing challenging issues. Matters of decolonization are often tackled by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (also known as the Special Committee on Decolonization or the Committee of 24). As implied by its name, this committee was created by the GA in 1961 to ensure the implementation of the titular Declaration (United Nations Resolution 1514). Today, there are 17 non-self-governing territories as deemed by the Committee of 24.

However, the UN and SPECPOL recognize that other groups with limited sovereignty or freedoms - including the entire category of peoples that is the focus of this guide - exist and warrant multinational attention.



Founded in light of one of the UN's greatest objectives, SPECPOL is neither a committee designed to address a farrago of unrelated issues, nor a vestigial appendage of the GA trying to tackle long-resolved issues of colonization. Rather, SPECPOL is truly a bridge between the past, present, and future, simultaneously remedying past infringements of sovereignty and self-determination and working to prevent exploitation of these basic tenets of international law in future settings. Discourse in committee thus relies on both empirics and forecasting, requiring a diversity of knowledge and logical, inferential, and rhetorical skills.

Statement of the Problem

To begin, there are certain terms that a delegate should know that help clarify the legal status of such territories.

Non-Self-Governing Territory: In the UN Charter, a Non-Self-Governing Territory is defined as a Territory "whose people have not yet attained a full measure of self-government" and under international law, the definition is extended to specify that the territory is currently under governance of another country. Such territories cannot be members of the United Nations, as they are not countries. Currently, the UN recognizes 17 territories as NSGTs. They are located in the Pacific Ocean (French Polynesia, Pitcairn, American Samoa, Tokelau, Guam and New Caledonia), the Atlantic Ocean (Bermuda, Falkland Islands/Malvinas and St. Helena), the Caribbean Sea (Turks and Caicos Islands, Cayman Islands, US Virgin Islands, Anguilla, British Virgin Islands and Montserrat) as well as on the end of the Iberian Peninsula for Gibraltar and in North Africa for Western Sahara.

Administering Powers: These are Member States of the United Nations that administrate governance in NSGTs. While NSGTs cannot be members of the United Nations, they are afforded representation by their administering Powers in the relevant meetings and conferences of the specialized agencies and other organizations of the United Nations system. Under Article 73e of the UN Charter, it is the responsibility of administrative Powers to ensure the political, economic, social and educational advancement of the peoples in their territories, and to regularly report to the Secretary-General on these conditions. However, countries can take the unilateral decision to not report on their NSGTs to the General Assembly.

Self-Determination: The principle of self-determination as a right and its universal acceptance into international law and diplomacy framework was set by the UN Charter in 1945. The UN Declaration on



the Granting of Independence to Colonial Countries and Peoples states that "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," without interference of any exterior entity. The aim of the UN is universal decolonization, through ensuring that all NSGTs have the right to self-determination.

International Trusteeship System: This system was established by the UN for the supervision of Trust Territories placed under it by states responsible for their administration. The aim of the program was to facilitate a process for self-determination and self-governance in these territories. The program closed in 1994 when the last territory, the Trust Territory of the Pacific Islands (Palau), administered by the United States, became independent.

Overseas territory: The UN does not define an 'overseas territory' and the term itself is only exclusively used in UK and EU legal language. A broad definition of the term 'overseas territories' includes a wide variety of inhabited territories which were originally colonized and today either remain non-self-governing or have become self-governing other than through independence and are geographically separated from their administrative State by sea.

Overseas collectivity: Similar to overseas territories, but is referred to as such in French law.

Special collectivity: NSGTs under French administration that have gained special status, bringing them closer to an actualization of self-determination, or are uninhabited and thus not considered a NSGT. It is used in French law.

Unincorporated organized territory: Unincorporated territory is an area controlled by the United States government which is not part of the United States. In unincorporated territories, the U.S. Constitution applies only partially. In the absence of an 'organic law,' i.e., a set of rules that determine how it is governed under the US Congress, a territory is classified as unorganized. In unincorporated territories, "fundamental rights apply as a matter of law, but other constitutional rights are not available" unless introduced by congressional acts and judicial rulings.

Today, well into the 21st century and the United Nations' Third International Decade for the Eradication of Colonialism, decolonisation has largely faded from the international agenda, despite 17 territories remaining on the United Nations list of NSGTs. Developments in these territories are monitored by the seminars, missions, and annual resolutions of the UN Special Committee on Decolonisation. Across the region there are also 'second order' self-determination struggles in postcolonial states that do not fall under



the mandate of the UN special committee, such as Bougainville (Papua New Guinea), Rapanui (Chile), and West Papua (Indonesia).

While the UN is an important institution for setting human rights norms, it has certain limitations in enforcement capacity. The United Nations can act with the support of the administering power, as shown with New Zealand's extensive work with the UN decolonisation unit over Tokelau. But Paris and Washington have long ignored UN criticism of their colonial policies, prioritising strategic interests such as US military deployments in Guam or France's control of the resources in its seven-million-square-kilometre Exclusive Economic Zone in the Pacific. Moreover, the UN decolonisation unit is starved for funds and staff, and reluctant to implement an assertive agenda.

In the Pacific, the work of the Pacific Islands Forum has been instrumental in establishing a unified Pacific response to colonisation; island leaders have been bolstered to use regional mechanisms to take diplomatic initiatives on decolonisation, such as the Melanesian Spearhead Group (MSG) and Pacific Small Island Developing States (PSIDS) ambassadors. However, there are roadblocks to achieving decolonisation. The diversity and small size of some territories is a constraint on advancing the decolonisation agenda, and significant parts of some local populations welcome immigration rights, federal grants and other benefits of territorial status. In other cases - Guam, West Papua, and New Caledonia - indigenous peoples have been made a minority in their own country, constraining advances through elections or referenda.

French Polynesia's Reinscription with the United Nations

For many years, the French State has resisted international scrutiny of its colonial policies and ignored international obligations created by UN decolonisation resolutions. In the 1980s, during a period of secessionist violence between the Kanak independence movement in New Caledonia and the French government, the United Nations included New Caledonia on the United Nations list of Non-Self-Governing Territories. An independence referendum was held the following year, but independence was rejected by a large majority. With the signing of the Noumea Accord in 1998, the groundwork was laid for a referendum on full independence from France, which will be held on 4th November 2018. Despite this engagement on New Caledonia, France has continued to resist decolonisation for French Polynesia. In 2010, then French President Nicolas Sarkozy stated that France's overseas territories "are French and will remain French." He stressed that for French Polynesia, there is "one red line that I will never accept should be crossed: that of independence." Despite this, in 2013 the GA adopted a resolution sponsored by Solomon Islands, Nauru, and Tuvalu with support from Vanuatu, Samoa and Timor-Leste, to reinscribe French Polynesia on the UN list



of non-self-governing territories.

The French government however, refuses to bend. The French UN Ambassador boycotted the general assembly session and refused to send their annual reports on the economic, social and educational conditions in French Polynesia to the UN. A session of the Special Committee on Decolonization held on 22nd June 2018 concluded with representatives of the French Polynesia Assembly, the office of International Affairs, European and Pacific, and the Chair of the Special Committee in 2013 all giving different statements on the progress of self-determination. While the delegate of International Affairs, European and Pacific noted that significant economic improvements had been made under French administration, there was general consensus that lack of studies, analyses and political education programmes had resulted in limited progress in self-determination over the last three decades, and that the territories people still lacked control over their own resources.

Weaponization of Guam

The United States of America maintains a significant military presence in Guam. In statements made by the representative of the government of Guam, Mr. Edward Alvarez, in a GA meeting in 2011; he recounted the recapture of the island by US forces after World War II through massive military bombardment and moving the island's people to concentration camps while the Navy rezoned the land. Current US military build-up plans entail additional land takings that will increase the percentage of U.S. military occupation of Guam to about 40%.

Another area of great concern for people living on Guam as a result of militarization is the impact of U.S. bases on the physical environment. Currently, there are over 95 Air Force and Navy IRP (Installation Restoration Programs) sites on Guam, potential toxic sites of which only 41 have been cleaned up so far but the implications to local health are far reaching.

Additionally, the population influx connected to the increased military presence has contributed to the political minoritization of indigenous Chamorros, a process which ensures lack of political power for native peoples in their respective homelands.

Although a self-determination plebiscite that had been prepared by the Guam Election Commission since 2000 was to be held in 2016, the plebiscite process was interrupted. As the 2017 UN Secretariat's Working Paper on Guam notes, Guam's Commission on Decolonization "voted not to move forward with plans to hold a plebiscite in the general election of November 2016, citing the need for time to conduct a fair and comprehensive education campaign." In March 2017, a ruling of the United States District Court of Guam raised questions over the position of the Chamorro population in the context of Guam's future self-determination discussion, stating that limiting a plebiscite on self-determination to native inhabitants, as had been planned, was unconstitutional.



Western Sahara

Initially a Spanish colony since 1884, the territory was annexed by Morocco in 1975 and since then is disputed territory between Morocco and the indigenous Sahrawi Arab Democratic Republic, the party of the indigenous population proclaimed by the Sahrawi nationalist movement, the Polisario Front.

In 1975, the case of Western Sahara was taken up by the International Court of Justice, which stated that “the materials and information presented to it do not establish any tie of territorial sovereignty between the territory of Western Sahara and the Kingdom of Morocco or the Mauritanian entity. Thus the Court has not found legal ties of such a nature as might affect the application of General Assembly resolution 1514 (XV) in the decolonization of Western Sahara and, in particular, of the principle of self-determination through the free and genuine expression of the will of the peoples of the Territory.” Despite this ruling, Morocco was eager to establish its presence in the region and initiated an influx of over 350,000 Moroccans in what came to be known as the ‘Green March,’ which effectively ensured significant Moroccan control over the region.

Beyond Spain's and Morocco's internal affairs, the armed conflict in the Western Sahara Territory had very serious political consequences, considering that in 1984 Morocco had left the AU due to the African Union recognition of the Sahara Arab Democratic Republic as a legate authority of Western Sahara. The United Nations considers the Polisario Front to be the legitimate representative of the Sahrawi people, and maintains that the Sahrawis have a right to self-determination. In 1991, the Polisario Front accepted a peace plan that called for a referendum, but disagreements over voter eligibility has delayed the referendum continuously - it is pending to date.

As of this date, there is no framework, solution or resolution that would help the referendum to take place. With Morocco not allowing any referendum to take place without the registration of the people who moved in during the Green March, and the Polisario Front unwilling to meet the demands on how the referendum should be held.

Falkland Islands

This archipelago in the South Atlantic Ocean is disputed between the governments of Argentina and the United Kingdom. The Argentine government claims the islands by virtue of geography, history, and international law. It is argued that the Islands were a Spanish possession and that Argentina succeeded to the Spanish title until they were taken by the British by force in 1833. The British government claims that more than a century and a half of continuous, effective, peaceful control and the clear wishes of the inhabitants justify the Islands remaining British. Additionally, there is contention over who claimed the islands first, with the British contesting that they claimed the territory in 1765, and the Argentinians contesting that the British claim begins in 1833, after they claimed the islands in 1816 upon independence from Spain.



On 11th March 2013, amid growing tensions, Falkland Islands, with the support of the United Kingdom, held a referendum posing the question: "Do you wish the Falkland Islands to retain their current political status as an Overseas Territory of the United Kingdom?" It was also specified that if the majority of votes were 'No,' further referendums would be conducted on alternative options. The vote turned out overwhelmingly for the status they held, with a 91.94% voter turnout and with only three voters answering 'No'

The Argentinian government refused to accept the referendum as valid. The chair of Argentina's Lower House Foreign Affairs Committee stated that "This has no value at all since Argentina rejects the possibility of self-determination for an implanted population, such as the implanted British population in the Malvinas." The Special Committee on Decolonization called for the United Kingdom and Argentina to negotiate on another referendum.

Past UN Actions

Apart from the resolutions already mentioned above, the following resolutions and instruments have been instrumental in safeguarding the rights of self-determination of NSGTs. However, there are many more resources available online such as sessions records and press releases that are encouraged to look into.

- Resolution 43/47: Passed in 1990, this resolution established the decade 1990-2000 as the 'International Decade for the Eradication of Colonialism' which was later extended by two more decades.
- The International Covenant on Economic, Social and Cultural Rights: This resolution ensured that the people living in NSGTs would have access to basic social, economic and cultural rights and that their well-being would not be compromised.
- The Declaration on Granting of Independence to Colonial Countries and their population: This was the first resolution passed in 1960 which affirms the willingness of the United Nation towards decolonization. The resolution can be found on the United Nation's website as Resolution 1514 (XV).

Possible Solutions

Within the parameters of our topic, it is essential to understand that all NSGTs are ethnically and culturally distinct, therefore any means of affording them the right of self-determination must take into account the demographics of their population. In that regard, the development of an education programme by the administrative power, to inform the people of their NSGT about the nature of self-determination, is recommended so that they may be better prepared to face a future decision on the matter. The process



of self-determination through referendums should be streamlined in order to allow greater transparency and equal representation of the indigenous peoples; and a framework should be put into place for a just and peaceful conduct for elections. There is a need for stricter accountability for nations to adhere to the transmission of information as regards the socio-economic and political conditions of their NSGTs.

Questions a Resolution Must Answer (QARMA)

- With a target of zero colonisation, how should the United Nations deal with the territories that wish to stay under administrative rule?
- What steps should be taken by the United Nations and the administrative Powers to ensure economic stability of territories seeking autonomy or independence?
- Should administrative powers be doing more to facilitate infrastructure building and pursue sustainable policies in their territories? What frameworks should be adopted in this regard, keeping in mind the unique role of the local government of the territory?
- How to the United Nations ensure a peaceful process of self-determination in territories under dispute, such as the Western Sahara and the Falkland islands?
- Is there is a need for stricter accountability for nations to adhere to the transmission of information as regards the socio-economic and political conditions of their NSGTs? If yes, how will such accountability measures be implemented?
- How effective has current legislature been in ensuring an effective and peaceful process of self-determination?
- What sort of sustainable measures can be implemented towards creating greater awareness among the indigenous populations of modern-day colonies of their right to self-determination?



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