



EPFLMUN 2025 Study Guide

Special Political and Decolonization (SPECPOL)

*“Exploring Future Pathways for Non-Self-Governing
Territories: Charting Sustainable Development,
Autonomy, and Self-Determination”*

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Topic Summary

There are 17 Non-Self-Governing Territories remaining today, including Western Sahara, Anguilla, Bermuda, British Virgin Islands, Cayman Island, Falkland Islands, Montserrat, Saint Helena, Turks and Caicos Islands, United States Virgin Islands, Gibraltar, American Samoa, French Polynesia, Guam, New Caledonia, Pitcairn, and Tokelau. Some of the present-day challenges that these territories are facing include limited political autonomy, geopolitical disputes, and economic dependencies. Delegates at the SPECPOL committee are invited to discuss and propose innovative solutions to address the challenges faced by non-self-governing territories in achieving sustainable development, autonomy, and self-determination in the 21st century. The role of Sustainable Development Goals (SDGs) in guiding the development agenda for non-self-governing territories will also be explored in terms of, for example, how adherence to the SDGs can promote inclusive and equitable development and address the issues such as poverty, education, healthcare, and environmental conservation in these territories.

Introduction to the Committee

History

The Fourth Committee of the General Assembly of the United Nations is the Special Political and Decolonization Committee, otherwise known as the SPECPOL. It is created in accordance with the General Assembly Resolution 47/233, adopted on August 17, 1993¹. It is one of six main committees of the United Nations. Established in 1993, SPECPOL is a combination of the Decolonization Committee (formerly the Fourth Committee) and the Special Political Committee (known as the C-24). These committees were merged in 1990 when the United Nations established 1990-2000 as the “International Decade for the Eradication of Colonialism.”

The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples is also known as the Special Committee on Decolonization, or C-24, established in 1961, pursuant to GA resolution 1654 (XVI) of 27 November 1961². On a case-by-case basis and in accordance with the relevant UN resolutions on decolonization, the Special Committee: (i) keeps the political, economic and social situation in non-Self-Governing Territories under review; (ii) provides information on territorial developments; (iii) facilitates Territory-specific decolonization processes underway; (iv) offers advice on the decolonization options under the Declaration; (v) conducts annual regional seminars for face-to-face discussion with territorial and civil society representatives as well as experts; and (vi) dispatches fact-finding and advisory visiting missions to Territories.

Mandate

The mandate of the General Assembly is laid out in Chapter IV of the UN Charter, stating in Article 10 that the body may “discuss any questions or matters within the scope of the present Charter” and “make recommendations to the Member of the United Nations or to the Security Council or to both on any such questions or matters³” SPECPOL considers a broad range of issues covering a cluster of five decolonization-related agenda items, the effects of atomic radiation, questions relating to information, a comprehensive review of the question of peacekeeping operations as well as a review of special political missions, the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA), Israeli Practices and settlement activities affecting the rights of the Palestinian people and other Arabs of the occupied territories, and international cooperation in the peaceful uses of outer space.

In recent years SPECPOL has focused on questions of autonomy and independence for areas including Palestine, Western Sahara, the Falkland Islands, and several European colonies in the Caribbean and Oceania. It also has discussed related refugee issues

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United Nations. Document A/RES/47/233. 17 August 2020.

² Special Committee on Decolonization. United Nations.
<https://www.un.org/dppa/decolonization/en/c24/about>

³ Charter of the United Nations Article 10. June 26, 1945.



(particularly with respect to Israel/Palestine), mine action (for instance in Vietnam), outer space, and the safety implications of nuclear tests⁴.

Specifications of the Committee

The Fourth Committee or SPECPOL meets every year from late September to mid-November. During these sessions, it usually adopts about 30 to 35 draft resolutions or decisions annually. These adoptions are also usually done by consensus. It also works during spring on resolutions passed by one of its subsidiary organizations, the Special Committee on Peacekeeping Operations. As the committee's name entails, this work usually implicates adopting resolutions and decisions on Peacekeeping made by said committee.⁵

Unlike other organs of the United Nations, as the fourth committee of the UN's general assembly, SPECPOL allows for all 193 member states of the UN to attend its meetings. In addition to the member states, civil society is allowed to participate in one item, decolonization. SPECPOL organizes what are effectively hearings of petitioners from the 17 Non-Self-Governing Territories of the UN. As a result, these hearings allow for organizations and individuals that are a part of civil society to express them in front of the committee.⁶

Previous Actions of the Committee

As mentioned previously, the Special Political and Decolonization Committee was created in 1993. It might be easy to assume then, that the history of this committee's actions on this topic might be fairly recent. However, it is also true that SPECPOL came to be with the fusion of two committees (as previously mentioned in the study guide). As a result, for this section, we'll be looking at the past actions on Non-Self-Governing-Territories of the fourth committee in general and not just since it became SPECPOL as we know it today.

We can go as far back as 1946 to retrace the first list of entities considered as what we now call Non-Self-Governing-Territories made with the United Nations. That year, 8 of its member states established a 72 entity long list of territories falling under their respective administrations which fell under their definition of non-self-governing. By 1959, already 8 of the former would have become independent.

One year later, in 1960, the Declaration on Decolonization was made. Since then, the fourth committee and the United Nations as a whole entered fully into the decolonization debate. In 1963, the General Assembly approved a new list of 64 territories to which the declaration applied to. The list would add new territories in 1965, 1972 and 1986, but as it was adding

⁴ United Nations, main body, Main organs, General Assembly. United Nations. November 2020. <https://www.un.org/en/ga/fourth/>

⁵ The GA Handbook: A Practical Guide to the United Nations General Assembly (PDF) (2nd ed.). New York: Permanent Mission of Switzerland to the United Nations. 2017.

⁶ The GA Handbook: A Practical Guide to the United Nations General Assembly (PDF) (2nd ed.). New York: Permanent Mission of Switzerland to the United Nations. 2017.

territories, many left the list as they gained their independence. By 2002, 54 Non-Self-Governing-Territories gained their independence from that revised list⁷.

Since the inception of SPECPOL, the United Nations has launched multiple decade-long campaigns aimed at eradicating colonialism, with the latest one running from 2021 to 2030. These campaigns aim to accelerate the implementation of the 1960 Declaration on Decolonization. Recent efforts have focused on addressing socioeconomic, environmental, and cultural challenges faced by non-self-governing territories, as well as their relationship with administering powers. In 2018, discussions at the annual regional seminar highlighted the alignment between the Sustainable Development Goals (SDGs) and the aspirations of non-self-governing territories. However, these territories face unique challenges such as climate change, economic diversification, resource conservation, and access to healthcare and education.⁸

⁷ Mbengue, Makane Moïse. "Non-Self-Governing Territories." Max Planck Encyclopedia of Public International Law (2013).

⁸ "International Decades for the Eradication of Colonialism." The United Nations and Decolonization. <https://www.un.org/dppa/decolonization/en/history/international-decades>.

Definition of Key Terms

● **Colonization:** The theory of colonialism is the domination by a metropolitan center, which rules a distant territory through the implanting of settlements. It is the establishment and control of a territory, for an extended period of time, by a sovereign power over a subordinate and “other” people which are segregated and separated from the ruling power⁹.

● **Decolonization:** decolonization is about “cultural, psychological, and economic freedom” for Indigenous people with the goal of achieving Indigenous sovereignty – the right and ability of Indigenous people to practice self-determination over their land, cultures, and political and economic systems.

● **More Economically Developed Countries (MEDCs):** There are different ways to identify an MEDC. The term usually applies to places that have strong economies where most of the population enjoys a good standard of living. This means that they receive good education, health care, and employment opportunities. Most MEDCs have secondary industries, such as manufacturing goods, and service industries, such as banking and insurance. Primary industries of mining, farming, and fishing are not usually as important to the economy. The United Nations identifies the United States, Canada, Japan, Australia, New Zealand, and all the countries of Europe as MEDCs. The MEDCs account for less than 20 percent of the world’s total population.

● **Non-self-governing territories (NSTGs):** Under Chapter XI of the Charter of the United Nations, the Non-Self-Governing Territories are defined as “territories whose people have not yet attained a full measure of self-government¹⁰.”

● **Legitimacy:** Legitimacy is commonly defined in political science and sociology as the belief that a rule, institution, or leader has the right to govern. It is a judgment by an individual about the rightfulness of a hierarchy between rule or ruler and its subject and about the subordinate’s obligations toward the rule or ruler. When shared by many individuals, legitimacy produces distinctive collective effects in society, including making collective social order more efficient, more consensual, and perhaps more just¹¹.

● **Less Economically Developed Countries (LEDCs):** The least developed country (LDC) category comprises the most disadvantaged of the developing countries. LDCs comprise approximately 14 percent of the world’s population, but account for less than 1.3 percent of global gross domestic product (GDP) and for approximately 1 percent of global trade. The list of LDCs is reviewed every three years by the

⁹ Kortright, Chris. “The Nature of Colonization — Empires, Land, and Cultures.” *Colonization and Identity*. August 3, 2011.

<https://www.wcccd.edu/dept/pdf/af/fmp290supportmaterialeessayonidentity.pdf>

¹⁰ **United Nations.** “Non-Self-Governing Territories | The United Nations and Decolonization.” <https://www.un.org/dppa/decolonization/en/nsqt>.

¹¹ **Princeton University.** “Legitimacy | The Princeton Encyclopedia of Self-Determination.” The Trustees of Princeton University. <https://pesd.princeton.edu/node/516>

Committee for Development Policy (CDP), a group of independent experts that report to the Economic and Social Council (ECOSOC) of the United Nations¹².

- **Self-determination:** it can be defined as a community's right to choose its political destiny. This can include choices regarding the exercise of sovereignty and independent external relations (external self-determination) or it can refer to the selection of forms of government (internal self-determination)¹³.

- **Sovereignty:** Sovereignty is a political concept that refers to dominant power or supreme authority. In a monarchy, supreme power resides in the "sovereign", or king. In modern democracies, sovereign power rests with the people and is exercised through representative bodies such as Congress or Parliament¹⁴.

¹² UNCTAD. "The least developed countries in the post-COVID world: Learning from 50 years of experience." *United Nations Conference on Trade and Development*. 2021. https://unctad.org/system/files/official-document/ldc2021_en.pdf

¹³ Self-Determination. Princeton University. <https://pesd.princeton.edu/node/656>

¹⁴ Sovereignty. Cornell Law School. <https://www.law.cornell.edu/wex/sovereignty>

Topic Analysis

When the United Nations was established in 1945, 760 million—almost a third of the world's population—lived in Territories that were non-self-governing, dependent on colonial Powers. The Charter of the United Nations established, in Chapter XI (Articles 73 and 74), the principles that continue to guide United Nations decolonization efforts, including respect for self-determination of all peoples.

The United Nations Charter also established the International Trusteeship System in Chapter XII (Articles 75-85) and the Trusteeship Council in Chapter XIII (Articles 86-91) to monitor certain Territories, known as "Trust" Territories. Those Territories, each subject to separate agreement with administering States, were formerly administered under Mandates from the League of Nations, or were separated from countries defeated in the Second World War, or were voluntarily placed under the system by States responsible for their administration. Eleven Territories were placed under this system.

Historical Development

Since the creation of the United Nations, more than 80 former colonies have gained their independence. Among them, all eleven Trust Territories have achieved self-determination through independence or free association with an independent State. There are 17 non-Self-Governing Territories remaining today.

In 1962 the General Assembly established the Special Committee on Decolonization (formally the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples) to monitor implementation of the Declaration and to make recommendations on its application.

In 1990, the General Assembly proclaimed 1990-2000 as the International Decade for the eradication of Colonialism and adopted a Plan of Action. In 2001, the Second International Decade for the eradication of Colonialism was proclaimed. In 2011, the General Assembly proclaimed 2011-2020 as the Third International Decade for the eradication of Colonialism.

Non-Self-Governing Territory

According to the United Nations, a non-self-governing political status. Moreover, "a territory whose people have not yet attained a full measure of self-government can be classified as non-self-governing territories¹⁵." In each case, a ruling UN Member State, often with important allies, has reasons to keep their status as they are. But with a lack of full political autonomy, the peoples of these territories are prone to political instability, the rival claims of neighboring states, and in some cases denial of their own search for self-rule. Functions of a "state" or nation-state can persist in non-self-governing territories but the roles for implementation are blurred. Generally, these territories have minimal populations due to small, island land areas

¹⁵ United Nations. (2022) "International Week of Solidarity with the Peoples of Non-Self-Governing Territories." <http://www.un.org/en/events/nonselfgoverning/>



and concentrated resources. One issue to keep in mind when discussing the Falkland Islands, Gibraltar, and Western Sahara is ownership and claims. The idea of authority is vital to understanding the functions of non-self-governing territories. In the United Nations Fourth committee, decolonization is a concept that corresponds appropriately with non-self-governing territories. Many of these territories function under the premise of colonization, minimal political autonomy.

Autonomy and Self-determination

Sovereignty, and autonomy are two concepts that shape identity even for non-self-governing territories seeking self-determination.

The loss of legitimacy and proper sovereignty that results from having the right to self-determination denied to them is one of the most important issues facing non-self-governing areas. The right to self-determination is one of the basic human rights recognized by the

United

Nations Charter. Non-self-governing regions are generally perceived as illegitimate, and their sovereignty is regularly contested since they lack the ability to decide on their own future. The inability of non-self-governing territories to manage their own resources is a significant problem. The colonial power or the state in charge of governing the region frequently maintains control over its natural resources and decides how to use them without consulting the local populations. It also makes it more difficult for them to exercise their sovereignty because the non-self-governing areas become dependent on the colonial power or administering state. Another significant issue for non-self-governing areas is the absence of control over their own security. They frequently fall short in protecting their population adequately and are open to dangers from without.

Contention surrounding politically non-self-governing territories is amplified due to internal differences. Referendums are often the result of potential changes in the status quo. For instance, in March 2013, the autonomous government of the Falkland Islands organized a referendum as to whether the territory should remain a British Overseas Territory. With a 92 percent turnout, 99.8 percent of Falkland Islanders voted to maintain that status; only three islanders favored changing it¹⁶. The Argentine position is to challenge the validity of such votes, since the population is entirely immigrants from the Nineteenth Century and more recently. Complications arise when a non-self-governing territory becomes too dependent or has two or more different states contesting for authority. Like with the Falkland Islands, located south of Argentina, not only the United Kingdom but Argentina claims authoritative responsibility to the territory. This dispute is historic, “to challenge Britain for control of the Falklands, which Argentina invaded then lost during the 1982 war¹⁷.” Analyzing the status of the Falkland Islands/Malvinas, it’s crucial to address the costs of both Argentina and Great Britain as the administrative powers. Particularly, how that fits into the mold of Falkland islanders; no matter the population their rights are protected and a priority of the United Nations.

¹⁶ BBC News. "Falklands referendum: Voters choose to remain UK territory." 2003. <http://www.bbc.com/news/uk-21750909>

¹⁷ Beckhusen, Robert. The National Interest. "Argentina Has Just 3 Years to Invade the Falklands." 2017. <http://nationalinterest.org/blog/the-buzz/argentina-has-just-3-years-invade-the-falklands-18964>

The narrative of Western Sahara is different, located at the northwest tip to the African continent, surrounded predominantly by Muslim. Africa faces internal issues as a non-self-governing territory. Morocco, Western Sahara's neighbor to the east, has recently been very active in conversation surrounding the stability of the territory.

With much of resource extraction located in various parts of Africa, the progression of self-determination needs to be expedited in accordance with many for Western Sahara. Africa is another face of Western Sahara and a change of status as politically non-self-governing territory. For example, UNGA SPECPOL committee seventy-first session was built around a tone of "Despite Diminished Violence, Peace Still Does Not Prevail in Western Sahara: While the people of Western Sahara no longer went to bed with the sound of bombs and gunfire in their ears every night, they still did not live in peace¹⁸."

Gibraltar is a peninsula in the south of the Iberian Peninsula (Spain and Portugal) but controlled by the United Kingdom since the Eighteenth Century. Spain has long contested British control over Gibraltar, sometimes restricting access to the territory. The people of Gibraltar, overwhelmingly British in background, are not prepared to give up their British sovereignty. For the UN General Assembly, Gibraltar can be highly controversial. Spanish spokesmen have kept the issue alive, raising it regularly, although they also make clear their commitment to a peaceful solution, they want Spanish sovereignty over the territory restored.

On another note, closely related in the eyes of many UN Member States is the fate of the Israeli-controlled Occupied Palestinian Territories (OPT). While some parts of Palestine and Gaza have been permitted partial self-rule, other parts (in blue in the map above) are under direct Israeli authority. Their population has been displaced to make room for Israelis, and the native rights have been sharply limited. This Palestinian issue is extremely important to many UN Member States. The question of Non-Self-Governing Territories got more complicated following Russia's annexation of Crimea in 2014 and four additional regions of Ukraine in September 2022. The Russian Federation says these regions are fully self-governing as part of Russia now. The Government of Ukraine denies the annexation is legal under international law and insists the people of these regions were not able to choose their fate. Western-oriented Member States, led by Eastern Europe and the United States have sought to challenge Russian rule. Whether this will be accepted by the UN General Assembly remains to be seen.

Sustainable Development

Sustainable Development is a concept that's been thrown around for more time than one might imagine, but going through its history could be a Study Guide of its own. In general, when we refer to Sustainable Development, we think about the idea of a "development that meets the needs of the present without compromising the ability of future generations to meet their own

¹⁸ United Nations. (2016) United Nations General Assembly: SPECPOL 4th Committee. "Despite Diminished Violence, Peace Still Does Not Prevail in Western Sahara, Fourth Committee Hears as It Continues Hearing of Petitioners." GA/SPD/610. <https://www.un.org/press/en/2016/gaspd610.doc.htm>



needs.” In 2015, the Sustainable Development Goals (SDGs) were adopted by the United Nations. As a result, modern discussions regarding sustainable development center on the SDGs.

The Sustainable Development Goals (SDGs) are a set of 17 global parts of the 2030 Agenda for Sustainable Development. These goals address a wide range of social, economic, and environmental challenges facing the world today. The end goal of these is to respond to the definition of Sustainable development given previously.

For non-self-governing territories, the SDGs provide a framework for sustainable development and integration into the international community. By matching their efforts with the SDGs, these territories can address poverty, education, healthcare, environmental conservation, and economic development. Troubles which are often very present in these territories.

One significant aspect of the SDGs is that they apply to all countries, regardless of their governance status. This means that non-self-governing territories have the opportunity to actively participate in the global pursuit of sustainable development and to leverage international cooperation and support in achieving their goals.

It is also worth noting that the SDGs offer non-self-governing territories a blueprint for inclusive and equitable development. The SDGs emphasize the importance of addressing the needs of marginalized and vulnerable populations, including those in territories seeking self-governance.¹⁹

However, while the SDGs provide this framework for sustainable development, non-self-governing territories face unique challenges in their implementation. These challenges include limited resources, capacity constraints, and the complexities of their status within the international community. Additionally, external factors such as geopolitical dynamics and dependence on administering powers may influence their ability to achieve SDG targets.

Despite these challenges, the SDGs offer non-self-governing territories a roadmap for building resilient and inclusive societies. By leveraging the principles of sustainability, equity, and partnership embedded within the SDGs, these territories can work towards realizing their aspirations for self-determination and sustainable development in the 21st century.²⁰

Present Challenges

It is important to consider the long and oftentimes violent histories of many non-self-governing territories today. Generations of power imbalance and economic hardship have shaped the issue of independence for non-self-governing territories into a multifaceted and complex issue. Even with the Special Committee’s case-by-case basis, the goal of a completely decolonized

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Hub, I.S.K. UN Committee focuses on SDG needs in Non-Self-Governing Territories: News: SDG knowledge hub: IISD, SDG Knowledge Hub. Available at: <https://sdg.iisd.org/news/un-committee-focuses-on-sdg-needs-in-non-self-governing-territories/>

²⁰ Hub, I.S.K. UN Committee focuses on SDG needs in Non-Self-Governing Territories: News: SDG knowledge hub: IISD, SDG Knowledge Hub. Available at: <https://sdg.iisd.org/news/un-committee-focuses-on-sdg-needs-in-non-self-governing-territories/>

world is far from completion. Countries governing non-self-governing regions are very reluctant to allow the United Nations or outside groups to become involved, working to maintain their dominance over these territories in most cases. For residents of these territories who do want independence it can often be difficult when they are working against more powerful countries militarily and economically, not to mention diplomatically. Generally, non-self-governing territories are not afforded diplomatic recognition and face difficulties in getting their cases heard by other countries who might be more interested in maintaining their relationships with non-self-governing territories' rulers. At the United Nations this diplomatic imbalance becomes more important as the governing-country can work to prevent their recognition at the United Nations and, in regards to the permanent members of the Security Council, veto resolutions and recommendations to the international criminal court. The United Nations must work together with both the people of non-self-governing territories, but also the administering powers of those territories.

Especially in the 21st century, the challenges that these territories face were even more noticeable, with the current political and social happenings such as the COVID-19, a pandemic that lasted approximately two years from 2020-2022, that revealed and made these areas' already-existing vulnerabilities and difficulties worse.

The pandemic's effects on non-self-governing regions' economics have been among its most serious ones. Many of these areas have a substantial reliance on the tourism industry as well as other sectors that have been adversely harmed by the outbreak. The local population has experienced severe hardship as a result of the loss of revenue and the fall in economic activity, which also jeopardizes the long-term stability and prosperity of these territories.

Vital services such as healthcare were also under significant influence. It has been challenging for many non-self-governing regions to respond to the epidemic successfully due to their lack of infrastructure and resources. Their already fragile economies have been significantly burdened by the low capacity of their healthcare systems, which has made it challenging to provide proper care for people who have been infected by the virus. What is more, the lockdowns and limitations put in place to stop the virus's spread have restricted these territories' capacity to conduct political and diplomatic affairs and have interfered with the activity of civil society organizations and other entities that are essential to promoting their rights and interests.

Western Sahara

Since 1965 on the list of the Non-Self-Governing territories of the UN Decolonization Committee, Western Sahara is a territory of which the decolonization process has been interrupted by the Moroccan invasion and occupation of 1975 and which is based on the implementation of the General Assembly resolution 1514 (XV) regarding the Declaration on the Granting of Independence to Colonial Countries and Peoples²¹.

²¹ United Nations Security Council. Letter dated 16 April 2007 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Security Council. April 16, 2007. <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/MINURSO%20S2007%20210.pdf>

The origin of the Western Sahara conflict lies in the fact that Spain, the colonial power since 1884, failed to abide by its commitment to hold a referendum on self-determination in the Spanish Sahara. Such a referendum was first demanded by the United Nations in 1965²² and by the Organization of African Unity (OAU) in 1972²³. Spain's attempt to hold the referendum in 1974 was interrupted when Mauritania and Morocco—the latter of which had "historic" claims over the entire territory and persuaded the U.N. General Assembly to adopt a resolution on December 13, 1974²⁴. The guerrilla war between the Polisario Front and Morocco over the Moroccan claims for sovereignty ended in 1991 with a cease-fire agreement and the establishment of a UN peacekeeping operation, MINURSO. The UN was planning on offering the people of Western Sahara the chance to hold a referendum to choose between independence (supported by the Polisario Front) and Moroccan ruling, but the referendum never took place due to a lack of agreement on voter eligibility. Morocco maintains a heavy security presence in the territory²⁵.

In 2006 the Moroccan Royal Advisory Council for Saharan Affairs (CORCAS) proposed a plan for the autonomy of Western Sahara and made visits to several countries to explain and gather support for their proposal. The plan was presented to the UN Security Council in April 2007.¹² On 30 April 2007, the United Nations Security Council passed Resolution 1754, which urged Morocco and the Polisario Front to "enter into direct negotiations without preconditions and in good faith." As a result of the passage of this resolution, the parties involved met in Manhasset, New York to once again try and settle the dispute²⁶. The talks between the Moroccan government and the Polisario Front were regarded as landmark peace negotiations. However, after several rounds of inconclusive talk led to both parties agreeing on, "the need to move into a more intensive and substantive phase of negotiations²⁷". To date, all negotiations have failed to resolve the dispute.

Gibraltar

Gibraltar is located at the southern tip of the Iberian Peninsula and is a British overseas territory. Great Britain took control of the peninsula from Spain in 1713 and was formally declared a colony in 1830²⁸. The people of Gibraltar voted against any form of Spanish sovereignty. The British rule. From 1997 to 2002, the United Kingdom and Spain held a series of talks about temporary joint custody over Gibraltar. Subsequently, the Gibraltar government called a referendum in late 2002 on the topic. The people of Gibraltar voted against any form

²² G.A. Res. 2072, U.N. GAOR, 20th Sess., Supp. No. 14, at 59-60, U.N. Doc. A/6014 (1965).

²³ Resolution On the so-called Spanish Sahara, A.H.G. Res. 272, 9th Ord. Sess., Rabat, June 12-15, 1972, taken into consideration by G.A. Res. 2983, U.N. GAOR, Supp. No. 30, at 84-85, U.N. Doc. A/8730 (1972). See HODGES, *supra* note 5, at 107.

²⁴ G.A. Res. 3292, U.N. GAOR, 29th Sess., Supp. No. 31, at 103-04, U.N. Doc. A/9631 (1974).

²⁵ "Western Sahara." CIA Factbook. <https://www.cia.gov/library/publications/the-world-factbook/geos/wi.html>.

²⁶ "Manhasset Spirit Fading in Western Sahara." ISSA Africa. <https://issafrica.org/iss-today/manhasset-spirit-fading-in-western-sahara>.

²⁷ "Western Sahara: UN-led talks end with parties pledging to step up negotiations." UN News. <https://news.un.org/en/story/2008/01/245342-western-sahara-un-led-talks-end-parties-pledging-step-negotiations>.

²⁸ "Gibraltar." United Nations. https://www.un.org/en/decolonization/pdf/Gibraltar%202015%20profile_15%20Dec%202015.pdf.



of Spanish sovereignty. The Chief Minister of Gibraltar has stated that the country will never be Spanish. Since late 2004, Spain, the UK, and Gibraltar have held talks that aim to cooperatively resolve problems affecting the local population, ranging from financial and taxation services to environmental protection.

In 2007, a new non-colonial constitution was implemented. This constitution led to the European Court of First Instance recognizing Gibraltar's right to regulate its own tax regime in December 2008. However, the United Kingdom retains responsibility for issues such as defense, foreign relations, and internal security. Spain and the UK have continued their historical struggle over Gibraltar into the late 2000s. Throughout 2009, a dispute over Gibraltar's territorial waters led to periodic non-violent maritime confrontations between Spanish and UK naval patrols. In 2013, the British reported a high number of entries by Spanish vessels into waters claimed by Gibraltar after a dispute over Gibraltar's creation of an artificial reef²⁹. When the United Kingdom voted to leave the European Union, Spain renewed its demands for an eventual return of Gibraltar to Spanish control. However, the UK has disregarded any connection between the vote and its future commitment to Gibraltar. The European Commission has said that the UK will need to reach a separate agreement with Spain to allow Gibraltar to be covered by the UK's broader European Union exit agreement³⁰. In particular, Gibraltar has long acted as a tax-haven for companies and individuals seeking a low-tax environment. Brexit threatens this as the European Union has announced its intention to back Spain in future disputes over Gibraltar and stop the territory from being a tax-haven in the future³¹. To this end the Spanish government has continuously lobbied to include Gibraltar as a chapter (or section) of the Brexit negotiations between the European Union and the United Kingdom in order to stop tax avoidance, smuggling, and clarify the border between Gibraltar and Spain³².

UN Actions and Conventions

For the United Nations in the 1950s through 1970s, decolonization particularly in Africa but also in island territories became a pressing agenda item. Colonies and territories alike had independence; political autonomy began to matter and, in many ways, defined sovereignty for some. The Fourth Committee of the United Nations General Assembly is the Special Political and Decolonization committee. Since the start of the UN, Great Britain, and France the victors of WWII were permanent members and very influential in the UNGA particularly because membership was minimal. Both states were also key stakeholders of colonialism in Africa, Asia, and Atlantic and Pacific islands. However, the United Nations charter in chapter XI details the obligations of the United Nations to non-self- governing territories; somewhat still colonized entities.

²⁹ "Spain fisherman protect artificial reef in Gibraltar." Reuters. <https://www.reuters.com/article/us-gibraltar-protest-idUSBRE97H04Y20130818>.

³⁰ "Gibraltar." CIA Factbook. <https://www.cia.gov/library/publications/the-world-factbook/geos/gi.html>.

³¹ "EU backs Spain in Brexit row over Gibraltar as Barnier holds talks in Madrid." Express. <https://www.express.co.uk/news/world/1019387/brexit-news-eu-spain-gibraltar-michel-barnier>.

³² "Spain wants a special chapter on Gibraltar in Brexit agreement." El País. https://elpais.com/elpais/2018/09/17/inenglish/1537169967_017791.html.

Trusteeship Council

The Trusteeship Council was formed by the UN Charter as one of the principal UN bodies, and it was given the responsibility of overseeing the management of Trust Territories put under the International Trusteeship System. The International Trusteeship System's primary objectives were to support the development of Trust Territory citizens and their gradual transition to self-government or independence. The five permanent members of the Security Council—China, France, the Russian Federation, the United Kingdom, and the United States—make up the Trusteeship Council. To the degree that all Trust Territories have achieved self-government or independence, either as separate States or by joining other nearby sovereign countries, the objectives of the Trusteeship System have been achieved. In accordance with the Charter, the Trusteeship Council has the authority to review and discuss Administering Authority reports on the political, economic, social, and educational advancement of the peoples of Trust Territories, as well as to examine petitions from and conduct periodic and other special missions to Trust Territories in consultation with the Administering Authority³³.

The Department of Political Affairs, Decolonization Unit

The Decolonization Unit of The Department of Political Affairs, was first established in 1945 along with chapter XII. The organization's principal duties include preparing annual working papers on each of the remaining 17 Non-Self-Governing Territories on the United Nations list and monitoring political, economic, and social changes in each of those 17 Territories. Additionally, it offers political advice to the C-24, which we will examine in more detail in the next sections on visiting missions to Territories, as well as for yearly regional seminars that alternately take place in the Pacific and the Caribbean and bring together representatives of the Territories, the C-24, administering Powers, and other interested parties. Finally, it seeks to spread knowledge about the issue using internet platforms or other means.

The United Nations Mission for the Referendum in Western Sahara (MINURSO)

Resolution 690 of the Security Council from April 29, 1993³⁴, created the United Nations Mission for the Referendum in Western Sahara (MINURSO). Its main objective is to aid in conversations between parties that might result in a political resolution. The mission also keeps watch over the ceasefire area to ensure that the parties uphold their commitments and don't take any steps that would undermine the situation or jeopardize the UN process.

United Nations Development Programme (UNDP)

The United Nations Development Programme (UNDP) was established in 1965 to assist nations in eradicating poverty and achieving sustainable human development, a method of economic growth that emphasizes raising citizens' standards of living while protecting the environment and natural resources for future generations. More than 170 nations and territories are included in this, which also contain NSGTs. Thus, it is a group that addresses

³³ Trusteeship Council. United Nations, <https://www.un.org/en/about-us/trusteeship-council>.

³⁴ "Minurso Peacekeeping." United Nations, United Nations, <https://peacekeeping.un.org/en/mission/minurso>.



several pressing issues that the world is currently struggling with, and it can be found to help overcome the difficulties these regions face.

The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP)

One of the five regional commissions under the control of the UN Economic and Social Council is the Economic and Social Commission for Asia and the Pacific (ESCAP). It was created to promote economic ties between the region and other parts of the world while also boosting economic activity in Asia and the Far East. Nine Associate members and 53 Member States, largely from Asia and the Pacific, make up the commission. The commission's members also include nations from Asia and the Pacific, France, the Netherlands, the United Kingdom, and the United States. Following the official UN documents, ESCAP has accepted several Non-Self-Governing Territories as associate members of its Special Body on Pacific Island Developing.

UN Resolution A/RES/66(I)

Along with other important articles and decisions that were established during the years 1945-1946, which were considered to be the improvement of the aftermath that the Second World War had created, resolution A/RES/66(I) was agreed and voted on by the General Assembly. It is an important resolution as it highlighted the way for more actions to be taken and implemented in the aspect of decolonization and independence. More specifically, in accordance with Article 73e of the Charter, it supports Regional Conferences of Representatives of Non-Self-Governing Territories and wants to improve information transmission. It was also the first formal resolution on the aspect that first counted the 72 primary territories.

UN Resolution A/RES/1514(XV)

In its fifteenth session, in 1960, the United Nations General Assembly passed Resolution 1514, popularly known as the Declaration on the Granting of Independence to Colonial Countries and Peoples, which acknowledged the independence of nations and peoples subject to colonial control.

UN Resolution A/RES/54/91

A resolution written in December of 1999 and requested the annual observance of the “Week of Solidarity” with the Peoples of Non-Self-Governing Territories and implemented the Declaration on the Granting of Independence to Colonial Countries and Peoples. It was a document that mostly focused on the “raising awareness” aspect of the issue.

UN report on “What the UN can do to assist Non-self-governing territories”

Written in 2015, under Article 73 of the Charter of the United Nations, the administering Powers of the Non-Self-Governing Territories have the obligation to promote to the utmost the well-being of the inhabitants of these Territories, further constructive measures of development and cooperate with the United Nations and other associated international bodies in this endeavor, when and where appropriate. The following is a select list of United Nations bodies that offer assistance to the Non-Self-Governing Territories.

Major Countries and Organizations Involved

To understand divisions that can occur when discussing Non-Self-Governing-Territories, the concept of Most Economically Developed Countries (MEDs) and Least Economically Developed Countries (LEDs) is important to understand.

On one hand, we have MEDs. They represent countries that have a high level of economic development, high GDP and strong infrastructure. These are countries like the United States, France and Japan. This classification is important to keep into account, because these same countries are often the administering powers or stakeholders of Non-Self-Governing-Territories and can play a role in governance, development, and relationship dynamics of the latter.

On the other hand, LEDs represent the other edge of the spectrum. They are nations and territories that have low income levels, limited access to resources, and underdeveloped infrastructure. For the vast majority of Non-Self-Governing-Territories, this is the category they fall into. Geographic isolation, small populations, and historical legacies of colonization are some of the factors that create this struggle in their financial development. As one might imagine, LEDs require support and assistance from the international community, including administering powers and organizations, to address their development needs and achieve sustainable growth. This often creates a sort of dependency in favor of MEDs, by Non-Self-Governing-Territories which adds complexity to the issue.³⁵

However, countries and territories are not the only actors which come into play in regards to Non-Self-Governing-Territories. The most obvious is the United Nations, and by consequence SPECPOL. However other actors include regional organizations such as the African Union, the Caribbean Community (CARICOM), and the Pacific Islands Forum. They provide the means for collaboration, and advocacy aimed at promoting the interests and development priorities of Non-Self-Governing-Territories. Finally, numerous NGOs are also actively engaged in assuring the rights and well-being of Non-Self-Governing-Territories. They also provide humanitarian assistance, and help in similar ways to regional organizations.³⁶

³⁵ Wade, Robert Hunter. "What strategies are viable for developing countries today? The World Trade Organization and the shrinking of 'development space'." *Review of international political economy* 10.4 (2003): 621-644.

³⁶ Fischer, I. "THE UNITED NATIONS AND NON-SELF-GOVERNING TERRITORIES."

Guiding Questions

- What is your country's perspective regarding the political status of non-self-governing territories? Should all non-self-governing territories achieve a status of independence according to your country?
- Does the question of Neo-Colonialism come into play from your countries' perspective when discussing non-self-governing territories?
- How can the principle of self-determination be upheld in non-self-governing territories, taking into account the international recognition and the diverse identities of their populations?
- How can the principle of territorial integrity be balanced with the right to self-determination in resolving disputes, according to your country?
- What measures can be taken to enhance access to quality education, healthcare, and social services in non-self-governing territories, considering their limited resources and infrastructure?
- What strategies can be implemented to reduce economic dependency on administering powers and promote sustainable economic development in these territories?
- How can mechanisms for monitoring progress towards achieving sustainable development goals be established and maintained in these territories?



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