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Distr. RESTRICTED

PRS/2012/CRP.8

ORIGINAL: ENGLISH

THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Third International Decade for  
the Eradication of Colonialism: current realities and prospects

Quito, Ecuador  
30 May to 1 June 2012

STATEMENT

BY

THE REPRESENTATIVE OF AMERICAN SAMOA

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**Written Statement of American Samoa Government**

**For the Honorable Togiola T.A. Tulafono**

**Governor of American Samoa**

**By Toetasi Fue Tuiteleapaga, Governor's Chief Legal Counsel**

**United Nations Pacific Regional Seminar Special Committee of 24**

**Quito, Ecuador, 30 May to 1 June 2012**

Honorable Chairman, Members of the Special Committee of 24, Ladies and Gentlemen: thank you for the invitation to address you here today on American Samoa's experience as a non self-governing territory. I present this statement today on behalf of our Governor, the Honorable Togiola T.A. Tulafono, who cannot be here owing to his presence at the 50<sup>th</sup> Independence celebrations in neighbouring Samoa.

Governor Togiola Tulafono expresses his deep regrets at being unable to attend this seminar, as it is his last as the Territory's seventh popularly elected Governor. This seminar marks the tenth occasion that Governor Togiola has had the opportunity to provide American Samoa's position on our status as a non-self governing territory of the United States. The Governor expresses his great appreciation for the work of this Committee and for the efforts at realizing true self determination for non self governing territories.

Over these several years, this Committee has observed the progress of American Samoa towards self governance and self determination as a possession of the United States. American Samoa has asked this committee

over those several years to remove American Samoa from the list of colonized territories because we felt our unincorporated and unorganized status was akin to being self governing. For those that are unfamiliar with these terms, “unincorporated” means that not all of the laws of the US apply to American Samoa, “unorganized” means that the US Congress has never enacted legislation delineating the political relationship between the US and American Samoa.

While we do not advocate a change in our position of removal from the list of colonized states, American Samoa must continue to progress politically and economically while respecting the concerns of the United States and the United Nations in this process.

One of the most challenging issues that American Samoa has to deal with in our relationship with the United States is the lack of understanding for American Samoa’s unique circumstances and characteristics. In recent years, I have detailed American Samoa’s experience with regard to the US minimum wage.

Because of a strictly political issue, American Samoa’s economy – easily one of the weakest of all of the US States and Territories, was forced to bear the increase of minimum wages without consideration of the impact on the economy or the job sector. I bring this matter to the attention of the Committee once again because of the high potential for this situation to be repeated. Today it is minimum wage, tomorrow it could be American Samoa’s immigration and customs system – two areas of control that would significantly hamper American Samoa’s future self determination efforts.

It is with this in mind that I set forth a more pronounced follow up statement on our recommendations of last year. To this end, I recommend a more active involvement of the administering powers in the self determination efforts of their non self governing territories. In 2008, American Samoa's Future Political Status Study Commission submitted its report to the Territory on its findings and recommendations concerning American Samoa's political status. This study was critical to a general understanding of where we currently stand with regard to self governance.

It is my fervent belief that this type of activity, especially for non self governing territories is absolutely essential to progressing politically. With the assistance and guidance of the administering powers, this activity will help to increase awareness of all political statuses and encourage healthy discussions surrounding the political status quo and how status relates to the overall general direction envisioned by the people.

American Samoa also exercised a determination of the people's political will via our Constitutional Convention in 2010. Again, the discussions were very healthy and involved not only our Territory's views on our own form of government, but also ventured into the realm of political status. Although the referendum of Constitutional changes were rejected, through this process I have become convinced that this must be done regularly in order to keep the minds and hearts of the people open to the possibility of political change, especially where development, political and economic, are critical to moving the Territory forward.

This type of thinking encourages more than just thoughts towards greater self governance, it encourages critical discussion and an exchange of ideas as to where the People see this Territory – their children’s Territory, in the future.

Over the past several years, American Samoa has tried, with little success to promote our unique and special circumstances which often leave us on the outside looking in. Such situations have resulted in undesirable results for the Territory as a whole with regard to air passenger and air cargo service to and from our islands. The general rules that work for the country do not always take into consideration what is best for a territory that is so far isolated from the rest of the country that its needs and requirements represent the perfect instance for waiver from rules whose intent is protection. Also, with regard to certain education programs – where American Samoa needs help the most, there have been instances where American Samoa, along with other territories have been categorically excluded.

This uneven treatment of American Samoa has resulted in a federal policy toward the Territory that is accomplished on a piecemeal basis. While American Samoa endeavors to deal with these situations as they present, the much better way is to be proactive, and to reach better results on policies based on scientific and forward thinking methodologies and not based on a reaction to certain events.

One of the biggest players in American Samoa’s current political system is the US Department of Interior. DOI’s approach to the Territory’s political status and workings has always been one of greater self determination for the people of American Samoa within constraints set by the current system. The US Department of Interior continues to assist our Territory with our general operations, infrastructure and technical assistance needs, but the development of the Territorial

economy is hampered by limited resources which inherently pit the interests of a tiny remote island against the needs of several hundred million US Citizens. The result of this state of affairs is that American Samoa's interests and the development of our economy are usually outweighed by the more pressing needs of the many. This is not to blame the United States, the Department of Interior or any other agency of the US federal government. I state this to simply point out that in many, many instances, the interests of a tiny remote island in the middle of the South Pacific do not carry the day.

It is with this in mind, that I set forth the aforementioned recommendation. I believe that a more structured approach to determine the will of the People would be better implemented and carried out over the future if there were a detailed work plan on how best to gauge the people's will on political status, complete with benchmarks for carrying this plan into action, such as periodic commissions and constitutional conventions which provide for the discussion of such mechanisms for determining the political will of the People.

American Samoa continues to share a very close relationship with the United States as one of its biggest supporters of armed service. To this day, American Samoa has one of the highest rates of enlistment in the US Military. The great percentage of our college bound students are educated in US institutions of higher education. Thousands of our people lead prosperous and productive lives in the United States. This Committee would be hard pressed to find an American Samoan who is not proud to be a US National and who does not have a relative who has served in the US Military. American Samoans have a great affinity for the United States, its ideals and its protections that are afforded to their people.

## Conclusion

In sum, I thank this Committee once again for its work over the years. I reiterate my recommendation for an agreed, detailed work plan with effective mechanisms for determining the will of the people. That will must be one that is well informed and supported by the administering powers.

Thank you once again for this excellent opportunity. Soifua.