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SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Caribbean Regional Seminar on the implementation of the Second
International Decade for the Eradication of
Colonialism: next steps in decolonization

St. George's, Grenada
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Statement by H.E. Mr David Payton

Administrator of Tokelau

Delivered by the Secretary of the Special Committee, Mr. Sergei Cherniavsky

Tokelau, its administration by New Zealand since 1926, and efforts that both Tokelau and New Zealand are taking to ensure the people of Tokelau have the best possible opportunity to understand the principles of self determination and, when they decide they wish to do so, to exercise that right have been a feature of the work of the UN Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for many years. At the Committee's Pacific Regional Seminar in Fiji last November Tokelau's experiences, including its then recently held referendum on self-determination, were a focus of discussions.

It was appropriate that it should be and I was grateful for the opportunity to be able to participate as was the Ulu of Tokelau. I regret that it is not possible for either the Ulu or me to be with you at your Caribbean seminar. There are several reasons for this. In just over a month we will be with you in New York and be able to participate in the meeting of the Committee. Then we will be pleased to explain recent developments relating to Tokelau. A second reason is the distance. In anyone's language it is a very long way from the Pacific to the Caribbean – more than 24 hours flying for me and in the case of the Ulu almost a week from his atoll in the north of Tokelau to Grenada. I know you will all understand that we would have liked to be with you but can not on this occasion.

Notwithstanding our absence, I am pleased to have this opportunity to update members of the Committee and representatives of territories covered by the work of the Committee on recent developments in Tokelau's self-determination efforts. I thank the Secretariat for being willing to bring this statement to the attention of the Seminar.

All those with an interest in decolonisation will be aware of the considerable effort New Zealand, as the administering power for Tokelau, and Tokelau itself, have devoted in recent years to preparing Tokelau for an act of self-determination. At Tokelau's request that took place in February 2006. The reports of the UN Special Committee, including documentation for the forthcoming session next month, have set out in considerable detail the activities leading to the February 2006 Referendum and the outcome of it.

While sixty percent of voters supported a change of status to that of self-government in free association with New Zealand, the same status as that of Niue and the Cook Islands, the required two-thirds majority for a change of status for Tokelau was not achieved. Such a result came as a surprise to many. Why had the people of the atolls of Tokelau decided not to move to self-government?

Considerable time and thought has been devoted to this question. Opinions vary. In my view two points deserve to be highlighted here. First, the voters of Tokelau gave insufficient support for a change of status in February 2006. That was their right and they exercised it. It is important that we value the exercise of that right. Equally

important was the decision of the Tokelau General Fono to set the date for a second referendum. That will be in the first week of November this year.

In response to this decision by the General Fono New Zealand committed to supporting this referendum in similar fashion to the first one. The draft Constitution and the draft Treaty of Free Association remain on the table. The substantial financial support provided by New Zealand to Tokelau continues, as does our commitment to ensure that the people of Tokelau have the essential services they require.

In Yanuca at the Pacific Regional Seminar in November last year I made the following comments about preparations for this second referendum : "It is vital that the months ahead are used well to ensure that those who vote next November in this act of self-determination do so with the clearest possible understanding of the implications of their actions. If that happens we will all have done our duty to the people of Tokelau. We will also have acted in full compliance with the objectives of this Second International Decade for the Eradication of Colonialisation."

I am pleased to be able to report that preparations for the November 2007 referendum are proceeding very well. Having gained invaluable experience from the conduct of the first referendum, the Tokelauan public service now has the ability to prepare for a further referendum vote. Systems are in place, each atoll is working to ensure voter registration is of a high standard and that all eligible voters on Tokelau are well briefed on the intention of the referendum and know what their vote will mean.

Alongside this work with the voters of Tokelau, the Council for the Ongoing Government of Tokelau has also been active, seeking to identify ways in which it might contribute better to the self-determination process. Those who have followed the Tokelau process closely over recent times will recall that a major issue before the first referendum was a decision taken by Tokelau that only those usually resident in Tokelau would be eligible to vote. Tokelau's population is about 1500 but in New Zealand live another 7,000 Tokelauans and there are also small Tokelauan communities in several Australian centres. The "residence on Tokelau" requirement for the referendum created some tensions within the wider Tokelauan community – what is coming increasingly to be referred to as "the family of Tokelau" – and it is clear that in many instances this fed back to Tokelau as active encouragement for a "no" vote.

The Council, as Tokelau's leaders, was determined to tackle such concerns by the wider family of Tokelau and so, earlier this year, undertook an extensive programme of meetings with Tokelauan communities outside Tokelau. Meetings have been held in Hawaii, American Samoa, Samoa, Australia and New Zealand. At each meeting Council members – the three Faipule of Tokelau supported by the three Pulemuku – set out what the coming referendum would mean. Considerable effort, including through power point presentations, was put in to addressing issues of concern that had been identified from the earlier referendum process.

It is clear that this extensive process of consultation has been appreciated by the Tokelauan communities outside Tokelau. No longer is there any significant debate and

disagreement about the restriction of voting rights to those residing on the atolls. The communities outside Tokelau have largely moved on from that concern. What has been encouraging is the far greater understanding of what any change in status would mean – and equally what it would not mean. Tokelauans will continue to retain New Zealand citizenship and their unfettered right of access to New Zealand. Current levels of economic and development support for Tokelau will continue. In fact one of the few changes that would occur if next November's referendum decides to shift to self-government would be the removal of the post of Administrator of Tokelau.

I have explained this phase of the preparatory process in some detail as I see it as an essential part of ensuring that all possible aspects of the self-determination issue are addressed in an open manner. Tokelau's leadership understands that the future of Tokelau as a country will depend in large part on the support of the wider "family of Tokelau". New Zealand understands and accepts this too. The people of Tokelau have a unique culture, heritage and language. Together Tokelau and New Zealand are committed to ensuring that these are protected and enhanced.

In this world of 2007 Tokelau and countries like it face challenges far more complex and difficult than those imagined when the United Nations declared that colonization must come to an end. It is essential that the international community – administering powers, UN member states and international organisations – acknowledge clearly the enormity of the challenge faced by countries like Tokelau. We must not let our commitment to them focus only on their right for self-determination. There is much more that they need - and deserve.

I look forward to hearing the outcomes of your deliberations and to having the opportunity to discuss them further and in depth at next month's Committee meeting in New York.