

2019 United Nations C-24 Regular Session
Statement by Lieutenant Governor of Guam
The Honorable Joshua Tenorio
June 27, 2019

Hafa Adai Madam Chair, Members of the United Nations Special Committee on Decolonization, ladies and gentlemen, please accept my appreciation for this opportunity to discuss the situation of Guam.

Although Guam has been under the rule of external powers for almost five centuries, I want to assure you that our aspirations for self-determination and true self-government remain. It is a matter of fairness and justice and will remain until a process of decolonization is completed.

I encourage the Special Committee and Member States to retain the pressure on the administering power to decolonize Guam. In this regard, as we approach the end of the third Decade for the Eradication of Colonialism, we encourage the United Nations to enable a Visiting Mission to examine and record the situation of Guam. This would elevate the issue of decolonization to the highest levels of the administering power.

The last visiting mission to Guam in 1977 brought tremendous attention to the issue of Guam's status and preceded a series of referendums and plebiscites used to determine a course of action. That resulted in the drafting and approval of the Guam Commonwealth Act by Guam voters in 1987, its introduction in the United States Congress, and a decade of talks and engagement with the administering power.

This was arguably the farthest Guam's decolonization has ever gone. A visiting mission to Guam would capture the attention of other administering powers to prioritize decolonization for the remaining territories on the list.

Thirty-two years ago, when I was just 12 years old, Guam voters democratically called on the administering Power to recognize the right of its native inhabitants, the Chamorro people of Guam, to decolonize their homeland. This continues to require urgent attention by the administering power, whose own legal processes are actively preventing our government's ability to follow through on this mandate.

As the Special Committee and the General Assembly have noted, this process came to an end when the administering Power failed to act on our proposal for a constructive path toward a sovereign status for Guam. The negotiating team of the administering Power did not negotiate in good faith and could not reconcile the concerns and preferences of its bureaucracy with the need for justice and fairness in Guam. Without political interest from the highest levels of leadership from the administering power, practical political discussions would never take root.

When the administering power failed to act, we embarked on a decolonization process of our own. Under the aegis of Guam law¹, we established a process to allow the native inhabitants of Guam to express their preference for political status consistent with UNGA Resolution 1541.

These native inhabitants of Guam are the remaining direct descendants of the people first subjected by the administering Power via the Treaty of Paris (1899) and the same group later provided for with the enactment of the “Organic Act of Guam” (1950) by the U.S. Congress. As the Committee may be aware, this process has now been halted by the Courts of the administering Power despite it being a non-binding vote.²

Clearly nothing that we have proposed—all of which consistent with the standards of international law—has been acceptable to the administering Power. The only course proposed by the administering power, to date, is the status quo — which is not the desire of Guam.

It is within this context that I would like to bring to the Special Committee’s attention language in the proposed resolution which incorrectly describes the administering Power’s responsiveness to conditions in Guam.

UN Resolution A/73/113 notes “the importance of the administering Power continuing to implement its program of transferring surplus federal land to the Government of Guam.” The reality is however, that the administering Power has not transferred land since 2011. Some lands previously used for utilities slated for return since 1977 have still not been returned to Guam, despite the exclusive reliance on local government owned utilities for services.

¹ Guam Decolonization Statute

² Davis

True to the nature of the colonial relationship and reality, lands which the administering Power at various times has declared excess to its needs have later been rescinded and many times transferred internally between its military and non-military agencies.

In this regard, the modifier “continues” in the language of the resolution is incorrect. The systematic program for land return including most of the land designated for return over the last 30 years is ineffective. Land return is delayed by a process that enables various departments and agencies of the administering power to intercede and assert rights to use the property for other purposes or for that matter — to just acquire the property for inventory.³

Guam’s government has worked cooperatively with the administering power to advances its global security interests and objectives in the region in full recognition of Guam’s well established strategic value. However, this process of holding forth and then pulling back from the return of Guam lands is frustrating our people and our leadership. It has resulted with land transfers between agencies of the administering Power rather than being returned to Guam.

Specifically, over 1,217 acres at Puntan Litekyan was slated to be returned to Guam, but was instead claimed by another entity of the administering power to create a National Wildlife Refuge. Instead of land being returned to the original landowner families or even the Government of Guam, the administering Power transferred the property internally to another agency on the primacy (under the administering Power’s laws) of environmental preservation.

While this action in and of itself usurps the legitimate right of landowning families to their lands, recent developments by the administering Power’s military forces to utilize 300 acres of native habitat adjacent to Litekyan for a new live firing range is contrary to its prior expressed desire for environmental preservation and conservancy in that area.

We are advised that this live firing range is mission critical to the administering power’s ability to train its forces in support of its geopolitical objectives and to defend Guam from its global competitors. Although “environmental assessments” and “cultural investigations” are being undertaken by the administering Power as part of its development plans, the military services have made it clear that the

³ Letter to the Governor of Guam from the Undersecretary of the US Navy (February 7, 2011)

development of this property for a firing range must continue despite other reasonable alternatives.

I leave this dichotomy related to land use as an example of colonial decision-making in Guam. Our local elected leadership is frustrated with its lack of influence over the administering power to be more flexible in the land use requirements of the administrative Power's military. Our leadership must only rely on hope that the administering power would seek sensible alternatives for military land use. It is clear that without true decolonization, our views and recommendations regarding land use will remain subordinate and without proper legal authority or influence in the decision making process.

Despite Guam's commitment to a high level of transparency and cooperation with our Administering Power, the inequity of our relationship continues.

I again reiterate my request and suggestion that Guam be selected for a visit by a Visiting Mission. It is true that the situation of Guam is complex given the land use required by the administering power to advance its geo-political security interests, a significant native inhabitant population, its social and economic successes and challenges, its inherent economic and political limitations due to its colonial status, its significant non-native inhabitant population, and its access to the world — with more than 1.5 Million visitor arrivals annually. These are all significant reasons in favor of a Visiting Mission to Guam.

Members of the Special Committee: I have only begun to scratch the surface of the issues that would compel your keen interest on the Question of Guam. I will, however, make myself available in the coming days to respond to any questions you may have and provide information to the Special Committee on an ongoing basis. You also have my assurances that the Government of Guam will continue to engage the Special Committee and the relevant Committees and organizations of the United Nations in the coming months.

In closing, allow me to also note that it is my pleasure to be accompanied here by the Executive Director of the Guam Commission on Decolonization. Please accept the assurances of our support for the message which he brings today.

Thank you again for this opportunity.