

# Chamoru Self-Determination Pã'go

It has been over 20 years now since we have been appearing before the UN. As an NGO, it was OPI-R that was responsible for initiating in 1982 the people of Guam's direct participation at the UN. The young Chamorros here today were but little toddlers when I began my appearance at the UN. They represent the new generation of Chamorros that have been active in Guam's social and political affairs both locally and internationally. Mr. Chairman and Your Excellencies, thank you and *si Yu'os ma'ase'* on behalf of the colonized indigenous people of Guam for convening this important meeting on the Question of Guam.

As you know, our people's history spans over 4,000 years. Having developed a language and culture unique to the Mariana Islands, my people first experienced the pain of foreign domination under Spain. During the 28 years of Chamorro-Spanish wars in the 17<sup>th</sup> century, my ancestors fought to protect our people, our culture, and our freedom. Considered a national hero today, one of our great Chamorro chiefs of the 17<sup>th</sup> century, *Maga'lahi* Hurao, rallied over 2,000 Chamorro warriors in our capital city of Hagatna to resist the Spaniards and to fight for liberty—one that he described as having been handed down by our ancestors. Hurao knew the concept of nationhood and he longed to protect our people and our way of life. But, it was not to be. Our people not only suffered the loss of tens of thousands of our heroic ancestors but also suffered the loss of our sovereignty in our homeland for over 300 years.

Your Excellencies, it is this lost sovereignty that we, during the Second International Decade for the Eradication of Colonialism, seek to restore for upcoming generations of Chamorros.

It was through the 1898 Treaty of Paris that Guam officially became a colony of the United States of America whose sole interest was to expand its military presence, making our homeland the most strategic US colonial outpost in the Pacific. As for the people, political subjugation for US military interests has created a situation of uncertainty, neglect and inattention to our basic human, civil and political rights.

Sovereign authority over Guam continues in the hands of the US and it remains there (with the exception of 31 months of oppressive occupation by Japanese forces in WWII.) for over 100 years now. A 1901 US Supreme Court decision (*Downes v. Bidwell*) has legitimized this authority over Guam (when it ruled that the *"insular territories" are not equivalent to the states; thus the US Congress has unlimited authority over US territories since the Constitution of the US is inapplicable*). This decision by the Court enabled an unprecedented subjugation of my people by the US Navy and the US Congress.

The US's aggressive campaign to institute political and military superiority in the Pacific after WWII served to re-establish US sovereignty over Guam. US military land confiscation policies (with the goal of claiming over 50% of our island home and creating reservations for the Chamorro people) displaced my people and violated our land rights for their military interests. Currently, the US military holds 1/3 of the island and by all recent accounts, plan on using more lands for military weapons and training exercises for the 9,000 military personnel being relocated to Guam from Okinawa and

Korea. Furthermore, the unilaterally passed Congressional Organic Act of Guam that made us US citizens in 1950 also legitimized US ownership of the confiscated lands under the US Navy (with Congress given the "...power to dispose of and make all needful Rules and Regulations respecting the Territory..." (Article IV, Section 3 of the US Constitution). In effect, setting the parameters for the framework within which Guam is to develop politically, culturally and socially.

Your Excellencies, it is a sad commentary that the administering Power year after year, abstains or votes against UN resolutions addressing the Question of Guam and resolutions reflecting the work of the UN on decolonization including the recent resolution on the Second International Decade for the Eradication of Colonialism! With this non-support by Guam's administering Power, it's small wonder that the list of Non-Self-Governing Territories under the administration of the United States will soon turn half a century old without much progress.

For over three decades the administering Power dominated the discussions at the UN until our Organization and representatives from the Chamorro government of Guam came before you to help clarify the unresolved Question of Guam; and more importantly, to set the record straight in view of stepped up efforts by the US to deny the Chamorro people our right to determine our political destiny.

Two Guam Constitutions: one in 1972 and one in 1979 were not ratified. The people of Guam, ALL the eligible US citizen voters including US servicemen, new settlers and eligible immigrants in all their wisdom, voted not to ratify the Constitutions. US law PL 94-584 had mandated a constitution written under strict parameters to include sovereignty under the United States. But with the work of our grassroots, people heeded the rally cry, "No status, No constitution!"

Our entire political status process has developed without the active involvement or encouragement of the administering Power. A process of interim political status with limited internal self-government was initiated after the locally mandated 1987 plebiscite resulted in the status of Commonwealth; a choice by registered US voters. The resulting draft Guam Commonwealth Act which had been before the Congress for consideration since 1989 was eventually heard by US Congress in 1997 but was rejected because of its provisions on Chamorro self-determination, local control of immigration and other aspects of US control over Guam; a major concern being the protection of the military presence on Guam. Terms such as "national interests" or "strategic considerations" are code words for maintaining US bases.

The US holds its security interests above any other concerns present in Guam and thus the scope and breadth of military activity on Guam is a result of a unilateral and arbitrary US policy rather than from mutual agreement. Meanwhile, our people live with the labels, "possession of the United States" or, "Unincorporated (permanent colony) territory of the US". And consequently, all processes along political, social and economic lines are allowed only within the parameters established by the US.

The military's impact on our political process is significant in light of the fact that military personnel and their families are eligible to vote in local elections by virtue of their US citizenship and in spite of the transitory nature of their residency. This participation of US troops in a referendum on political status in a non-self-governing territory is illogical, unfair and an affront to our democratic right to vote on a status that

will determine our political destiny. Air Force Lt. General Daniel Leaf confirmed this US Constitutional right of US troops to participate in Guam local elections just last month (September 13, 2006) during his visit to Guam. This is especially critical as the US military views such an exercise to be a threat to their interests and continued presence with a minimum of interference.

After Guam's Commonwealth proposal failed in Congress, the government of Guam began our decolonization process by enacting into law a Chamorro Registry that sets the mechanism for the Chamorro people to register for the self-determination vote and the law creating the Commission on Decolonization for the Implementation and Exercise of Chamorro Self-Determination. To date, however, there has been little progress towards the exercise of Chamorro self-determination based on the three standards as outlined in UN Resolution 1541.

The US's stated position that the term "Non-self-governing" is inappropriate for those who can establish their own constitution, elect their own public officers, have representation in Washington and choose their own economic path does not reflect our reality in Guam. Your Excellencies, the freedom to run our local government, to make laws for ourselves in our homeland, to elect a non-voting US paid delegate to US Congress does not equate political freedom. And neither is writing a constitution as defined under the sovereignty of the US.

Your Excellencies, as we approach the end of the Second International Decade for the Eradication of Colonialism (in 2010), the Chamorro people's journey towards decolonization is once again at a crucial juncture with new and old obstacles due to:

- (1) an administering Power that does not recognize nor does it respect the political rights and cultural affairs of the Chamorro people in our situation as related to self-determination;
- (2) US immigration policies that continue to diminish our people as a group in our homeland. (From 51.8% in 1960 to 45.1% in 1980, to 43.3% in 1990 to 37.1% in Year 2000);
- (3) Mounting pressures coming from all sides including US media that is hostile to Chamorro self-determination;
- (4) US backed privatization of Chamorro assets such as water, power generation, communications infrastructure and our one port facility; and
- (5) Impediments to the exercise of Chamorro self-determination by the planned increased militarization of Guam.

We ask that you approve a UN resolution in which the General Assembly **reaffirms** that the Question of Guam is a question of decolonization and which remains to be completed by the Chamorro people of Guam and one in which our administering Power is held genuinely accountable to the Plan of Action under the Second International Decade for the Eradication of Colonialism ending in 2010.

On behalf of OPI-R and the Chamorro people thank you.

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