

***I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN***  
**Informational Briefing/ Oversight Hearing / Roundtable Hearing**

STANDING COMMITTEE / SENATOR	HEARING	COMMITTEE REPORT	HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor	Informational Briefing	Joint Informational Briefing on Commission on Decolonization Updates.	3/14/19 9:00 a.m.	4/26/19 9:43 a.m.	



**COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR**

**SENATOR RÉGINE BISCOE LEE, CHAIR**

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

25 APR

**The Honorable Tina Rose Muña Barnes**

Speaker

*I Mina'trentai Singko na Liheslaturan Guåhan*

163 Chalan Santo Papa

Hagåtña, Guam 96910

**VIA: The Honorable Régine Biscoe Lee**

Chairperson, Committee on Rules

**RE: Committee Report on Joint Informational Briefing on Commission on  
Decolonization Updates**

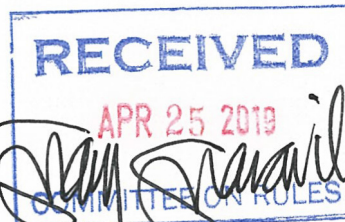
Dear Speaker Muña Barnes,

*Buenas yan Háfa adai!* Transmitted herewith is the **Committee Report on the Joint  
Informational Briefing on Commission on Decolonization Updates.**

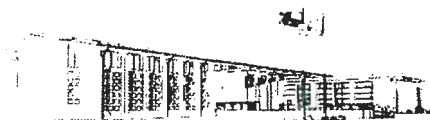
Thank you for your attention to this important matter.

Respectfully,

**Senator Régine Biscoe Lee**



4:45pm.



2019 APR 26 AM 9:43  
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**COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR**

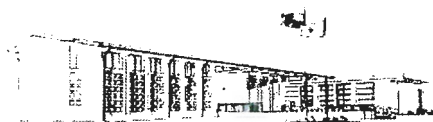
**SENATOR RÉGINE BISCOE LEE, CHAIR**  
*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

# **COMMITTEE REPORT**

## ***JOINT INFORMATIONAL BRIEFING on***

### ***Commission on Decolonization Updates***

**By Senator Régine Biscoe Lee and  
Senator Kelly G. Marsh (Taitano), Ph.D.**



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GUAM CONGRESS BUILDING | 163 CHALAN SANTO PAPA | HAGATÑA, GUAM 96910  
senatorbiscoelee@guamlegislature.org | (671) 472-3455



**COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR**

**SENATOR RÉGINE BISCOE LEE, CHAIR**

*I MINA 'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

**FOR IMMEDIATE RELEASE**

March 7, 2019

**MEMORANDUM**

**To:** All Senators, Stakeholders, Media

**From:** **Senator Régine Biscoe Lee**   
Chairperson, Committee on Federal and Foreign Affairs,  
Telecommunications, Technology, and Labor

**Senator Kelly G. Marsh (Taitano), Ph.D.**   
Chairperson, Committee on Heritage and the Arts, Parks, Guam Products,  
*Hagåtña* Revitalization, Self-Determination, and Regional Affairs

**Subject:** **First Notice of Joint Informational Briefing - Thursday, March 14, 2019 at 9:00 AM**

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*Buenas yan Håfa adai!* Please be advised that the Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self-Determination, and Regional Affairs ("Committees") will convene a **Joint Informational Briefing** on **Thursday, March 14, 2019 at 9:00 a.m.** in *I Liheslaturan Guåhan*'s Public Hearing Room on the following item:

- **Commission on Decolonization Updates**

The Informational Briefing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan*'s live feed. If written testimonies are to be presented at the Informational Briefing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Régine Biscoe Lee, Chair of the Committee. Testimonies may be submitted via hand delivery to the Office of Senator Régine Biscoe Lee at 163 Chalan Santo Papa, *Hagåtña*, Guam 96910 or via email to [senatorbiscoelee@guamlegislature.org](mailto:senatorbiscoelee@guamlegislature.org).

Individuals requiring special accommodations, auxiliary aids, or services may contact and submit their request to Christian Valencia at the Office of Senator Biscoe Lee at 163 Chalan Santo Papa, Hagatna, GU 96910, by phone at 472-3455, or by email at [senatorbiscoelee@guamlegislature.org](mailto:senatorbiscoelee@guamlegislature.org).

We look forward to your attendance and participation. *Si Yu'os Ma'åse'!*







**COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR**

**SENATOR RÉGINE BISCOE LEE, CHAIR**

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE


**FOR IMMEDIATE RELEASE**

March 12, 2019

**MEMORANDUM**

**To: All Senators, Stakeholders, Media**

**From: Senator Régine Biscoe Lee**   
Chairperson, Committee on Federal and Foreign Affairs,  
Telecommunications, Technology, and Labor

**Senator Kelly G. Marsh (Taitano), Ph.D.**   
Chairperson, Committee on Heritage and the Arts, Parks, Guam Products,  
*Hagåtña* Revitalization, Self-Determination, and Regional Affairs

**Subject: Second Notice of Joint Informational Briefing - Thursday, March 14, 2019 at 9:00 AM**

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*Buenas yan Háfa adai!* Please be advised that the Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self-Determination, and Regional Affairs ("Committees") will convene a **Joint Informational Briefing on Thursday, March 14, 2019 at 9:00 a.m.** in *I Liheslaturan Guåhan*'s Public Hearing Room on the following item:

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We look forward to your attendance and participation. *Si Yu'os Ma'åse'!*



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**FIRST NOTICE OF JOINT INFORMATIONAL BRIEFING – Thursday, March 14, 2019 at 9:00 a.m.**

1 message

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**Régine Biscoe Lee** <senatorbiscoelee@guamlegislature.org>

Thu, Mar 7, 2019 at 8:00 AM

To: "Régine M. B. Lee" &lt;senatorbiscoelee@guamlegislature.org&gt;, "Office of Senator Kelly Marsh (Taitano), PhD." &lt;office.senatorkelly@guamlegislature.org&gt;

Cc: "Christian F. Valencia" &lt;cfvalencia@guamlegislature.org&gt;

Bcc: phnotice@guamlegislature.org

*Buenas yan Håfa adai,*

Please find attached and copied below a notice regarding a Joint Informational Briefing on Thursday, March 14, 2019 at 9:00 a.m.

Thank you for your attention to this matter. *Si Yu'os Ma'åse'!*

Respectfully,



**Christian F. Valencia**  
Committee Director

**Office of the People • Senator Régine Biscoe Lee**  
Committee on Federal and Foreign Affairs,  
Telecommunications, Technology and Labor

35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Tel: (671) 472-3455

Email: cfvalencia@guamlegislature.org

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**FOR IMMEDIATE RELEASE**

March 7, 2019

**MEMORANDUM****To: All Senators, Stakeholders, Media****From: Senator Régine Biscoe Lee**  
Chairperson, Committee on Federal and Foreign Affairs,  
Telecommunications, Technology, and Labor**Senator Kelly G. Marsh (Taitano), Ph.D.**  
Chairperson, Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña*  
Revitalization, Self-Determination, and Regional Affairs**Subject: First Notice of Joint Informational Briefing - Thursday, March 14, 2019 at 9:00 AM**

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*Buenas yan Håfa adai!* Please be advised that the Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self-Determination, and Regional Affairs ("Committees") will convene a **Joint Informational Briefing on Thursday, March 14, 2019 at 9:00 a.m.** in *I Liheslaturan Guåhan's* Public Hearing Room on the following item:

- **Commission on Decolonization Updates**

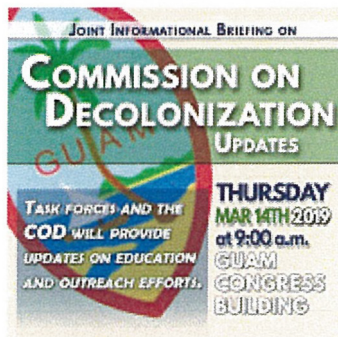
The Informational Briefing will broadcast on local television, GTA Channel 21, Docomo Channel 117/60.4 and stream online via *I Liheslaturan Guåhan*'s live feed. If written testimonies are to be presented at the Informational Briefing, the Committee requests that copies be submitted prior to the public hearing date and should be addressed to Senator Régine Biscoe Lee, Chair of the Committee. Testimonies may be submitted via hand delivery to the Office of Senator Régine Biscoe Lee at **163 Chalan Santo Papa, Hagåtña**, Guam 96910 or via email to [senatorbiscoelee@guamlegislature.org](mailto:senatorbiscoelee@guamlegislature.org).

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We look forward to your attendance and participation. *Si Yu'os Ma'åse'!*

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**2 attachments**



**COD Joint Info Briefing Flyer.jpeg**  
317K



**03072019 - First Notice of Joint Info Briefing - Commission on Decolonization.pdf**

39K

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**SECOND NOTICE OF JOINT INFORMATIONAL BRIEFING – Thursday, March 14, 2019 at 9:00 a.m.**

1 message

**Régine Biscoe Lee** <senatorbiscoelee@guamlegislature.org>

Tue, Mar 12, 2019 at 8:00 AM

To: "Régine M. B. Lee" &lt;senatorbiscoelee@guamlegislature.org&gt;, "Office of Senator Kelly Marsh (Taitano), PhD." &lt;office.senatorkelly@guamlegislature.org&gt;

Cc: "Christian F. Valencia" &lt;cfvalencia@guamlegislature.org&gt;

Bcc: phnotice@guamlegislature.org

*Buenas yan Håfa adai,*

Please find attached and copied below a notice regarding a Joint Informational Briefing on Thursday, March 14, 2019 at 9:00 a.m.

Thank you for your attention to this matter. *Si Yu'os Ma'åse'!*

Respectfully,

**Christian F. Valencia**  
*Committee Director***Office of the People • Senator Régine Biscoe Lee**  
Committee on Federal and Foreign Affairs,  
Telecommunications, Technology and Labor35th Guam Legislature  
*I Mina'trentai Singko na Liheslaturan Guåhan*

Tel: (671) 472-3455

Email: cfvalencia@guamlegislature.org

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**FOR IMMEDIATE RELEASE**

March 12, 2019

**MEMORANDUM****To: All Senators, Stakeholders, Media****From: Senator Régine Biscoe Lee**  
Chairperson, Committee on Federal and Foreign Affairs,  
Telecommunications, Technology, and Labor**Senator Kelly G. Marsh (Taitano), Ph.D.**  
Chairperson, Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña*  
Revitalization, Self-Determination, and Regional Affairs**Subject: Second Notice of Joint Informational Briefing - Thursday, March 14, 2019 at 9:00 AM**

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We look forward to your attendance and participation. *Si Yu'os Ma'åse'!*



*I Mina'trentai Singko Na Liheslaturan Guåhan*

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**COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR**

**SENATOR RÉGINE BISCOE LEE, CHAIR**

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

**Joint Informational Briefing**

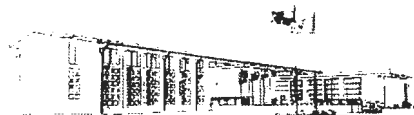
# **AGENDA**

Thursday, March 14, 2019 at 9:00 a.m.

Public Hearing Room

Guam Congress Building, Hagåtña, Guam

- I. Call to Order
- II. Opening Remarks/Housekeeping
- III. Introduction of Stakeholders
- IV. Discussion
  - Commission on Decolonization (COD) Updates
    - i. Briefing from Commission on Decolonization
    - ii. Briefing from COD Task Forces
- V. Closing Remarks/Announcements
- VI. Adjournment





COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS,  
TELECOMMUNICATIONS, TECHNOLOGY AND LABOR  
SENATOR RÉGINE BISCOE LEE, CHAIR  
I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN  
35TH GUAM LEGISLATURE

**JOINT INFORMATIONAL BRIEFING on**  
**Commission on Decolonization Updates**

Wednesday, March 14, 2019 at 9:00 a.m.  
Public Hearing Room • Guam Congress Building, Hagåtña, Guam

**SIGN-IN SHEET**

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Page 1 of     



# United Nations and Decolonization





**The process of achieving self-determination by colonial or dependent territories is known as decolonization.**

A half-century ago, much of the world, especially Africa and Asia, consisted of colonies and dependent territories ruled by a small number of colonial Powers. Nowadays, almost all of the former colonies have been transformed into independent countries. The United Nations played an important role in this historic transformation.

The United Nations was established in 1945 by 51 sovereign States. The Charter of the Organization proclaimed "the respect for the principle of equal rights and self-determination of peoples" as one of its basic purposes. Since then, nearly 750 million people have exercised their right to self-determination, and more than 80 once-colonized territories have gained their independence.



Photo credit: Denise Cook

## **Non-Self-Governing Territories**

At the time the United Nations was established, there were 72 Non-Self-Governing Territories and eleven Trust Territories. The Trust Territories were mostly former colonies of the countries defeated in the First and Second World Wars. They were placed under the United Nations International Trusteeship System and have all since exercised their right to self-determination.

All other colonies were considered as Non-Self-Governing Territories under Chapter XI of the Charter, devoted to the "territories whose peoples have not yet attained a full measure of self-government". The Member States recognized that "the interests of the inhabitants of these territories are paramount". The administering Powers, by signing the Charter, accepted as "a sacred trust" the obligation to promote to the utmost the well-being of the Territories under their administration. Under Article 73 e of the Charter, the administering Powers also accepted the obligation "to transmit regularly to the Secretary-General" information relating to "the economic, social and educational conditions in the territories".



Photo credit: UN Photo



In 1946, eight Member States—Australia, Belgium, Denmark, France, the Netherlands, New Zealand, the United Kingdom and the United States—identified 72 territories under their administration that they considered to fall under the Charter provisions as non-self-governing. Colonial territories ruled by Spain and Portugal, both of which joined the United Nations in 1955, were later added to the list.



By 1963, the General Assembly approved a revised list of 64 Non-Self-Governing Territories. The list included the Territories for which information was transmitted under Article 73 e; plus the two remaining Trust Territories (Nauru and the Trust Territory of the Pacific Islands), Namibia (then referred to as South

West Africa) and Southern Rhodesia (now Zimbabwe).

The list was expanded in 1965 to include French Somaliland (now Djibouti) and Oman. The Comoro Islands were included in 1972 and New Caledonia in 1986.

## Non-Self-Governing Territories



## **Territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples continues to apply (as of 2004)**

<b>Territory</b>	<b>Administering Authority</b>
------------------	--------------------------------

### **Africa**

Western Sahara<sup>1</sup>

### **Asia and the Pacific**

American Samoa	United States
Guam	United States
New Caledonia <sup>2</sup>	France
Pitcairn	United Kingdom
Tokelau	New Zealand

### **Atlantic Ocean, Caribbean and Mediterranean**

Anguilla	United Kingdom
Bermuda	United Kingdom
British Virgin Islands	United Kingdom
Cayman Islands	United Kingdom
Falkland Islands (Malvinas)	United Kingdom
Gibraltar	United Kingdom
Montserrat	United Kingdom
St. Helena	United Kingdom
Turks and Caicos Islands	United Kingdom
United States Virgin Islands	United States



Photo credit: UN Photo

<sup>1</sup> On 26 February 1976, Spain informed the Secretary-General that as of that date it had terminated its presence in the Territory of the Sahara and deemed it necessary to place on record that Spain considered itself thenceforth exempt from any international responsibility in connection with its administration, in view of the cessation of its participation in the temporary administration established for the Territory. In 1990, the General Assembly reaffirmed that the question of Western Sahara was a question of decolonization that remained to be completed by the people of Western Sahara.

<sup>2</sup> On 2 December 1986, the General Assembly determined that New Caledonia was a Non-Self-Governing Territory.



## Declaration on Decolonization

By 1960, membership of the United Nations had nearly doubled, two thirds of the new Member States being former colonies. There was a growing sense in the General Assembly that the pace of decolonization was too slow, and that in an increasing number of cases the interests of the inhabitants of the colonies were being disregarded by the administering Powers. These developments led the Assembly to adopt, in December 1960, two landmark resolutions.

**Resolution 1514 (XV)** contained the Declaration on the Granting of Independence to Colonial Countries and Peoples. While the Charter of the United Nations treated “self-determination” as a “principle”, rather than a “right”, the Declaration marked a turning point by stating that “all peoples have the right to self-determination”. With its adoption, the General Assembly began actively promoting the goal of self-determination in the remaining Non-Self-Governing Territories, rather than simply monitoring the activities of the administering Powers. This change was particularly welcomed by the colonial peoples who were struggling for their independence, especially in those Territories where armed action and repressive measures were being directed against them. Resolution 1514 (XV) also stated that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a country was incompatible with the principles of the Charter of the United Nations.

**Resolution 1541 (XV)**, which complemented the Declaration on decolonization, affirmed that there were three ways in which a Non-Self-Governing Territory could attain a full measure of self-government, as envisaged in the Charter. These were:

(a) Free association with an independent State as a result of a free and voluntary choice by the people of the Territory expressed through an informed and democratic process;

(b) Integration with an independent State on the basis of complete equality between the peoples of the Non-Self-Governing Territory and those of the independent State;

(c) Independence.

Whatever option is chosen by the peoples of a Non-Self-Governing Territory, this choice must be the result of the freely expressed wishes of these peoples.

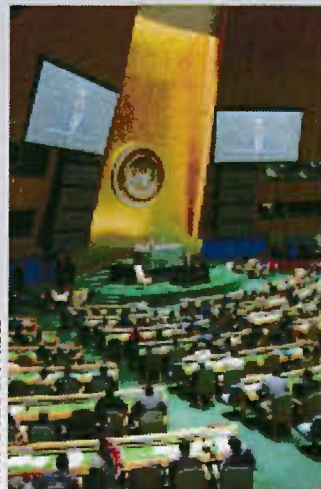


Photo credit: UN Photo



**DECLARATION ON THE GRANTING  
OF INDEPENDENCE  
TO COLONIAL COUNTRIES  
AND PEOPLES**

General Assembly resolution 1514 (XV) of  
14 December 1960 declares that:

1. *The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.*
2. *All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.*
3. *Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.*
4. *All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.*
5. *Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.*
6. *Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.*
7. *All States shall observe faithfully and strictly the provision of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.*

## Special Committee on decolonization<sup>3</sup>

In 1961, the General Assembly created the Special Committee on decolonization, which has become the focal point for the implementation of the Declaration on decolonization. The Committee (also known as the Committee of Twenty-four because of the original number of its members) reviews the political, economic and social situation in each of the remaining Non-Self-Governing Territories on the United Nations list. Each year, the Secretariat prepares for the Committee working papers on the developments in these Territories. During its annual sessions, the Committee hears petitioners from the Territories, who speak about the concerns and aspirations of their people. The Committee also holds annual seminars in the Pacific or in the Caribbean regions in order to better understand the conditions in the remaining Non-Self-Governing Territories and to make it easier for their representatives to communicate with the Committee and with each other.

Taking into account all the available information, the Special Committee recommends, and the General Assembly adopts, resolutions aimed at protecting the interests of the peoples of Non-Self-Governing Territories.

The principles of the Charter of the United Nations, together with the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples, continue to guide the international community towards a better world where the fundamental rights and freedoms of nations big and small are equally respected.



Photo credit: UN Photo

To make colonialism a fact of the past, the General Assembly and the Special Committee appeal to the administering Powers to take necessary steps and to develop a programme of work for the decolonization of each Territory on the list.

As each Territory has a unique combination of circumstances and concerns, such programmes can only be developed on a case-by-case basis. In each case, the participation of both the administering Power and the representatives of the Territory is essential.

<sup>3</sup> Officially, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.



## Meetings at the United Nations Headquarters

The annual meetings of the Special Committee on decolonization take place in June/July at United Nations Headquarters in New York. The Fourth Committee of the General Assembly holds its annual session in September/October. Both Committees discuss recent developments in the remaining Non-Self-Governing Territories, hear representatives and petitioners from the Territories, and make recommendations to the General Assembly.

At the end of each year, the General Assembly adopts resolutions on issues related to the Non-Self-Governing Territories.

## Seminars

The Special Committee organizes annual seminars in the month of May, which are held alternately in the Caribbean and the Pacific, the regions where the majority of the remaining Non-Self-Governing Territories are situated. Participants include representatives of the peoples of the Non-Self-Governing Territories and their administrations, non-governmental and regional organizations, and experts. United Nations Member States, the administering Powers and specialized agencies of the United Nations system also participate. These seminars allow for focused and frank discussions on decolonization and a lively exchange of views on a variety of issues of concern to the peoples of the Territories.

So far, seminars have been held in Vanuatu (1990), Barbados (1990), Grenada (1992), Papua New Guinea (1993, 1996 and 2004), Trinidad and Tobago (1995), Antigua and Barbuda (1997), Fiji (1998 and 2002), Saint Lucia (1999), Marshall Islands (2000), Cuba (2001) and Anguilla<sup>4</sup> (2003).

## Scholarships

Some Member States of the United Nations offer scholarships for which qualified students from Non-Self-Governing Territories may apply. Over the years, more than 50 States have made such scholarships available to the inhabitants of the Territories in response to the General Assembly resolutions. In 2004, scholarship offers were made by Antigua and Barbuda, Argentina, Cuba, Japan, Mexico, New Zealand, Sweden, Switzerland, Trinidad and Tobago and the United States of America.



Photo credit: UN Photo

<sup>4</sup> For the first time, a decolonization seminar was held in a Non-Self-Governing Territory.

## Visiting missions

To fulfil its mandate, the Special Committee has dispatched visiting missions to some Territories for the members of the Committee to see the conditions there for themselves. This requires the co-

operation of the administering Powers. Visiting missions are considered an important tool to better understand what can be done to bring the process of decolonization for a particular Territory to a successful completion. The most recent visiting mission was to Tokelau, facilitated by the Government of New Zealand in 2002.



Photo credit: Denise Cook



Photo credit: Denise Cook

## Development assistance

In recent years, a new international awareness of the unique development needs of small island Non-Self-Governing Territories has emerged. Some Territories are already receiving support in the framework of regional programmes of specialized agencies and organizations of the United Nations system. Assistance is provided in such areas as social development, gov-

ernance, capacity-building, health services, environmental management and disaster preparedness.

## Regional commissions of the United Nations

A number of Non-Self-Governing Territories participate in the regional commissions of the United Nations. Anguilla, the British Virgin Islands,





Photo credit: Denise Cook

Montserrat and the United States Virgin Islands have associate member status within the UN's Economic Commission for Latin America and the Caribbean (ECLAC). American Samoa, Guam and New Caledonia are associate members of the UN Economic Commission for Asia and the Pacific (ESCAP). Through their membership, these Territories are eligible to take

part in United Nations-sponsored World Conferences and other multilateral activities in the economic and social spheres.

### **The challenges ahead: the Second International Decade for the Eradication of Colonialism**

The year 2000 marked the fortieth anniversary of the adoption of the United Nations Declaration on decolonization. It also signalled the end of the first International Decade for the Eradication of Colonialism. Despite its obvious success in overseeing a dramatic transformation of the world's political map, the United Nations goal of complete decolonization remains unfulfilled. To achieve this goal, the General Assembly has declared the years 2001-2010 as the Second International Decade for the Eradication of Colonialism. In its resolution, adopted on 8 December 2000, the General Assembly called upon Member States to redouble their efforts to achieve complete decolonization. It called upon the administering Powers to cooperate fully with the United Nations with regard to the implementation of the Declaration on decolonization in developing a constructive programme of work on a case-by-case basis for the remaining Non-Self-Governing Territories.

### Further information

- ❖ Information on the United Nations and decolonization may be found at our web site: [www.un.org/Depts/dpi/decolonization](http://www.un.org/Depts/dpi/decolonization)
- ❖ This site presents a history of decolonization and includes recent documentation of the Special Committee, the latest working papers on each of the Non-Self-Governing Territories and press releases. It also provides links to the web sites of specialized agencies and other organizations of the United Nations system.
- ❖ Relevant material can also be found at: United Nations information centres (UNICs) in your region, local universities and United Nations depository libraries. To locate your nearest UNIC, please visit the United Nations web site: [www.un.org/aroundworld/unics](http://www.un.org/aroundworld/unics)
- ❖ Requests for participation in the meetings of the Special Committee and the Fourth Committee, or in the regional seminars, may be submitted in writing to the Chairman of the Special Committee at the following address:  
Chairman, Special Committee on decolonization  
Department for General Assembly and Conference Management  
United Nations  
New York, NY 10017, USA  
Fax: (212) 963-5305
- ❖ Additional information can be obtained from:

Decolonization Unit	Palestine, Decolonization
Department of Political Affairs	and Human Rights Section
United Nations	Department of Public Information
New York, NY 10017, USA	United Nations
Fax: (212) 963-7752	New York, NY 10017, USA
	Fax: (212) 963-2218

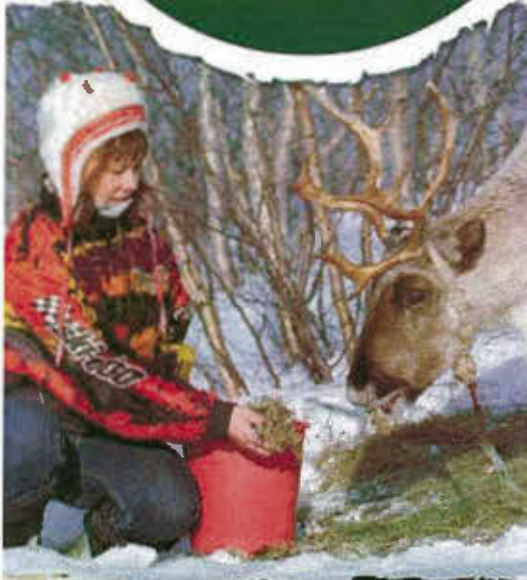
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# Know Your Rights!

## United Nations Declaration on the Rights of Indigenous Peoples for indigenous adolescents



Secretariat of the Permanent  
Forum on Indigenous Issues

unicef 





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The text for this publication – written for adolescent boys and girls, aged 13–18 years – was prepared by Dr. Cindy Blackstock, a member of the Gitksan First Nation (Executive Director, First Nations Child and Family Caring Society of Canada and Associate Professor for the University of Alberta) in collaboration with UNICEF, the Secretariat of the United Nations Permanent Forum on Indigenous Issues (SPFII) and the Global Indigenous Youth Caucus.

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The views expressed in this publication are those of the contributors and do not necessarily reflect the views or positions of UNICEF, the Secretariat of the Permanent Forum on Indigenous Issues and the Global Indigenous Youth Caucus.

The designations employed and the presentation of the material in this publication do not imply an opinion on the legal status of any country or territory, or of its authorities or its position with regard to the recognition of frontiers. This publication has not been edited to official publication standards. UNICEF, the Secretariat of the Permanent Forum on Indigenous Issues and the Global Indigenous Youth Caucus accept no responsibility for errors.





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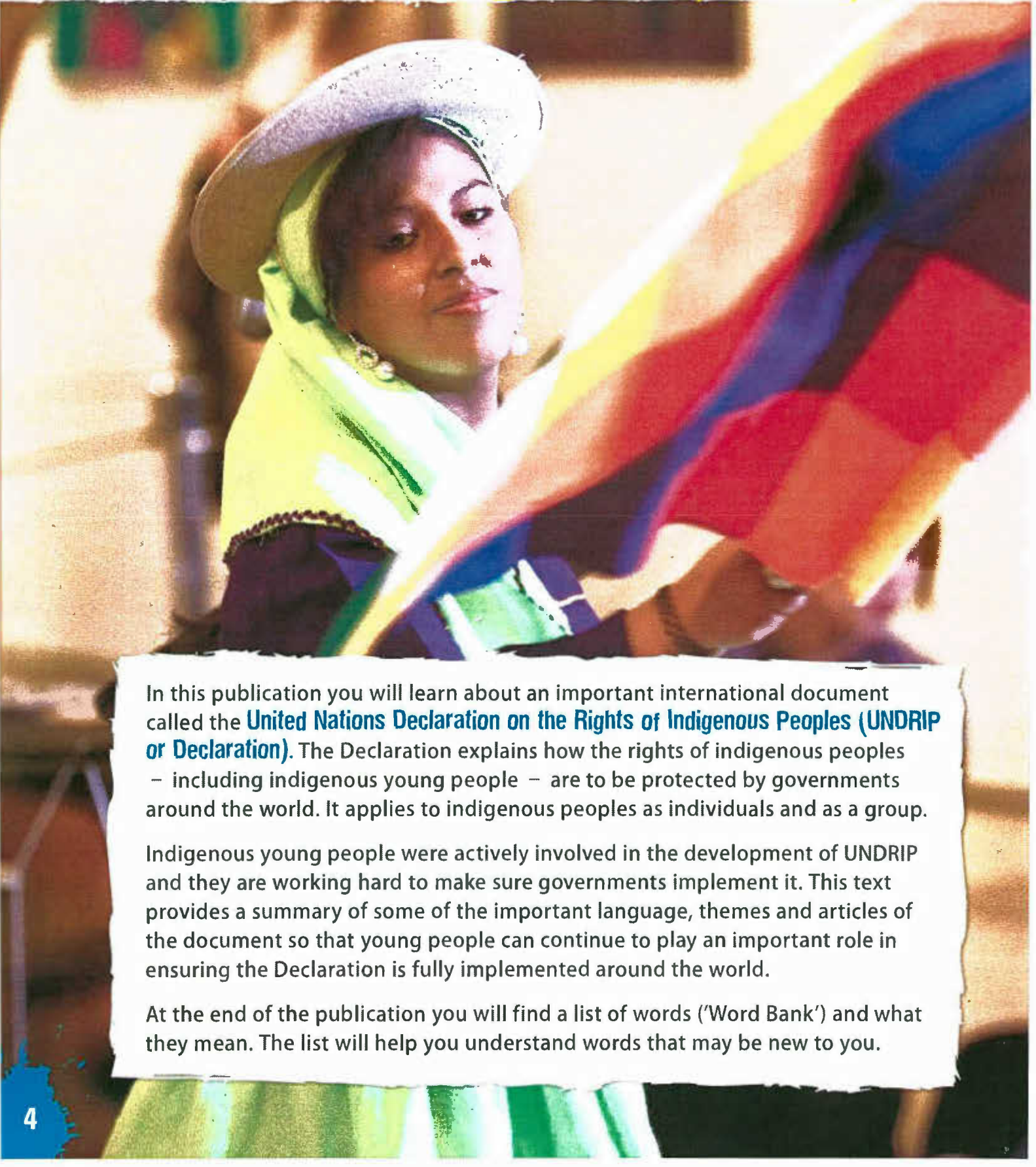
The 13th of September 2007 will be remembered as a day when the United Nations and its Member States, together with Indigenous Peoples, reconciled with past painful histories and **decided to march into the future on the path of human rights ...**

This Declaration has the distinction of being **the only Declaration in the UN which was drafted with the rights-holders, themselves, the Indigenous Peoples. We see this as a strong Declaration which embodies the most important rights we and our ancestors have long fought for: ... This is a Declaration which makes the opening phrase of the UN Charter, "We the Peoples..." meaningful for the more than 370 million indigenous persons all over the world. ...**

I call on governments, the UN system, Indigenous Peoples and civil society at large to rise to the historic task before us and **make the UN Declaration on the Rights of Indigenous Peoples a living document for the common future of humanity.**

*Statement by Victoria Tauli-Corpuz, Former Chairperson of the United Nations Permanent Forum on Indigenous Issues, to the United Nations General Assembly on the occasion of the adoption by the United Nations General Assembly of the Declaration on the Rights of Indigenous Peoples on 13 September 2007*

# About this Publication



In this publication you will learn about an important international document called the **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP or Declaration)**. The Declaration explains how the rights of indigenous peoples – including indigenous young people – are to be protected by governments around the world. It applies to indigenous peoples as individuals and as a group.

Indigenous young people were actively involved in the development of UNDRIP and they are working hard to make sure governments implement it. This text provides a summary of some of the important language, themes and articles of the document so that young people can continue to play an important role in ensuring the Declaration is fully implemented around the world.

At the end of the publication you will find a list of words ('Word Bank') and what they mean. The list will help you understand words that may be new to you.



## What is a declaration?

A declaration is an agreement among countries about a specific issue that requires urgent action. It tells us what governments must do or not do around such an issue.

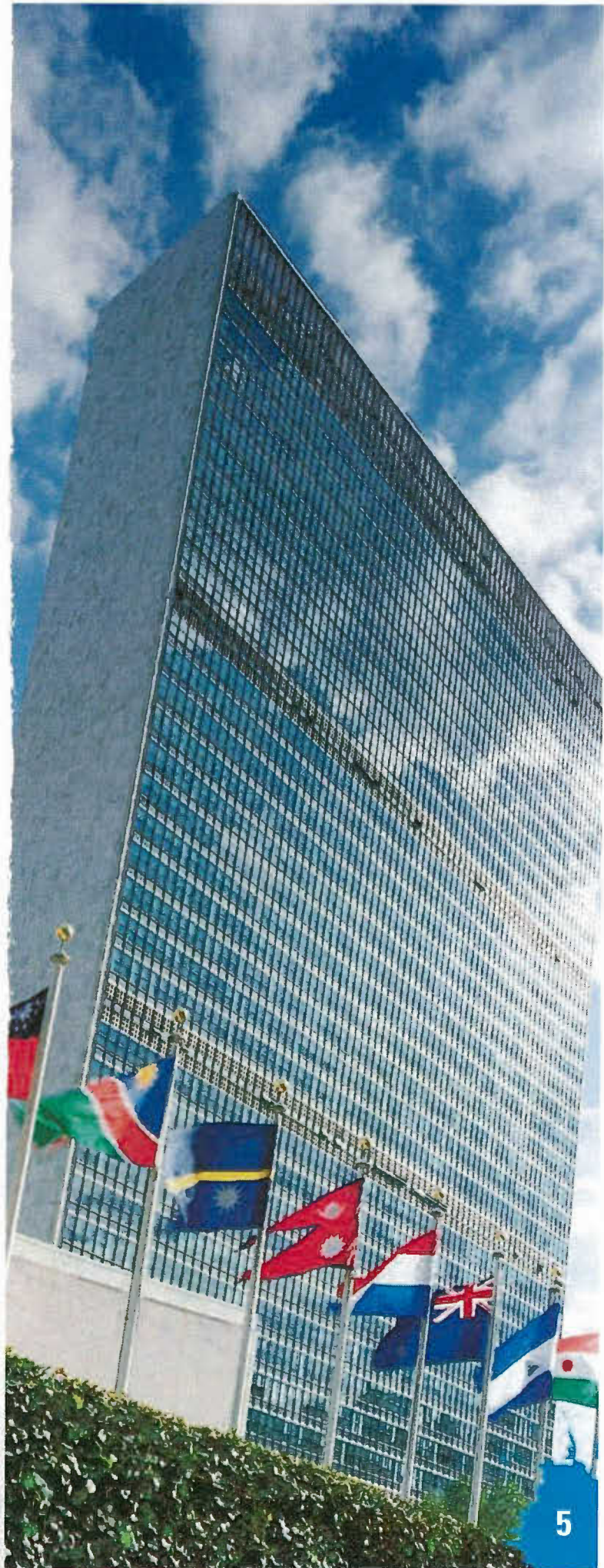
## Who are indigenous peoples?

Indigenous peoples are descendants of the original people or occupants of lands before these lands were taken over or conquered by others. Many indigenous peoples have maintained their traditional cultures and identities (e.g., way of dressing, language and the cultivation of land). Therefore they have a strong and deep connection with their ancestral territories, cultures and identities.

## What is the United Nations?

The United Nations (UN) is an international organization founded in 1945 after the Second World War by 51 countries, with headquarters in New York in the United States of America. Today this number has increased to 193 countries.

The UN is a platform for countries to discuss and take decisions on a number of important issues. It plays a key role in keeping peace throughout the world and helping governments work together to improve the lives of people who live in their countries. Countries that form part of the UN are called 'Member States' and take decisions through the United Nations General Assembly, which is very similar to a world parliament. Sometimes these decisions are documented as declarations.





# Know Your Rights!

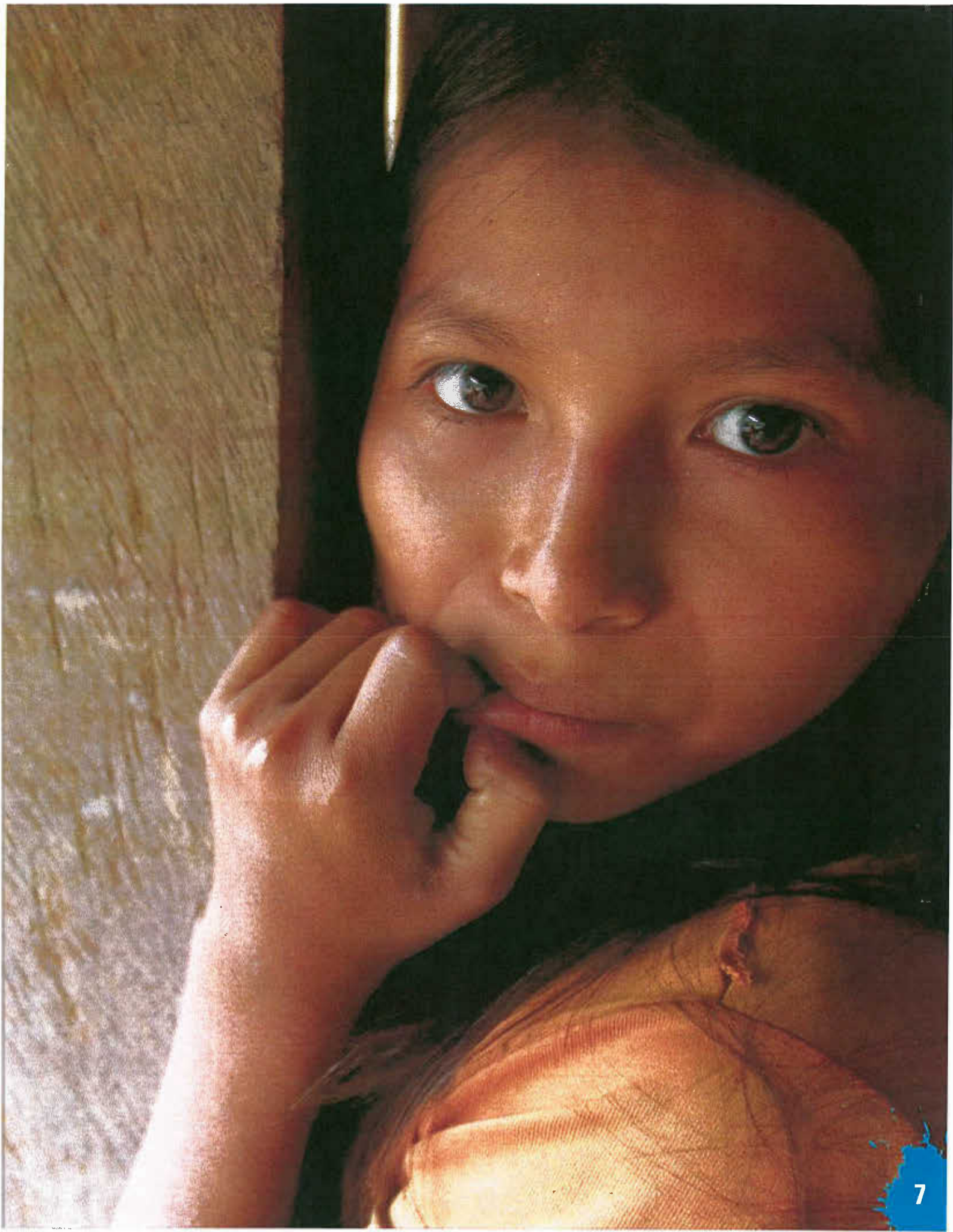
The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was the result and highlight of many years of work. For the approximately 370 million indigenous peoples in some 90 countries around the world, UNDRIP is an expression of their rights and place in the global community.

The cultural and linguistic heritage of indigenous peoples contributes to the world's diversity. Their knowledge and practices have enhanced respect for the environment and the natural resources of the world's communities, food security, health and education. Indigenous peoples' knowledge of traditional medicines, for example, has contributed immensely to protecting the health of both indigenous and non-indigenous peoples.

UNDRIP is the most advanced and comprehensive Declaration on indigenous peoples' rights.

• continued on page 8







By adopting the Declaration, governments have moved towards achieving consensus with indigenous peoples on the minimum standards necessary for their survival, dignity and well-being. UNDRIP addresses the most significant issues affecting indigenous peoples - their civil, political, social, economic and cultural rights. It also bears on their right to self-determination, spirituality, language, lands, territories, resources and free, prior and informed consent.

It is, therefore, important that indigenous young people, all over the world, become acquainted with its provisions. To this end, an adolescent-friendly version has been developed. It is the outcome of cooperation between the United Nations Children's Fund (UNICEF) and the Permanent Forum on Indigenous Issues and its Secretariat, in collaboration with the Global Indigenous Youth Caucus.

This version of UNDRIP will help indigenous young people learn about indigenous peoples' rights. For all of us, this is a priority.

We hope that young people will find this publication useful and interesting. Please help us to disseminate its contents and promote and protect indigenous peoples' rights.

**Grand Chief Edward John**

*Chairperson*

Permanent Forum on Indigenous Issues

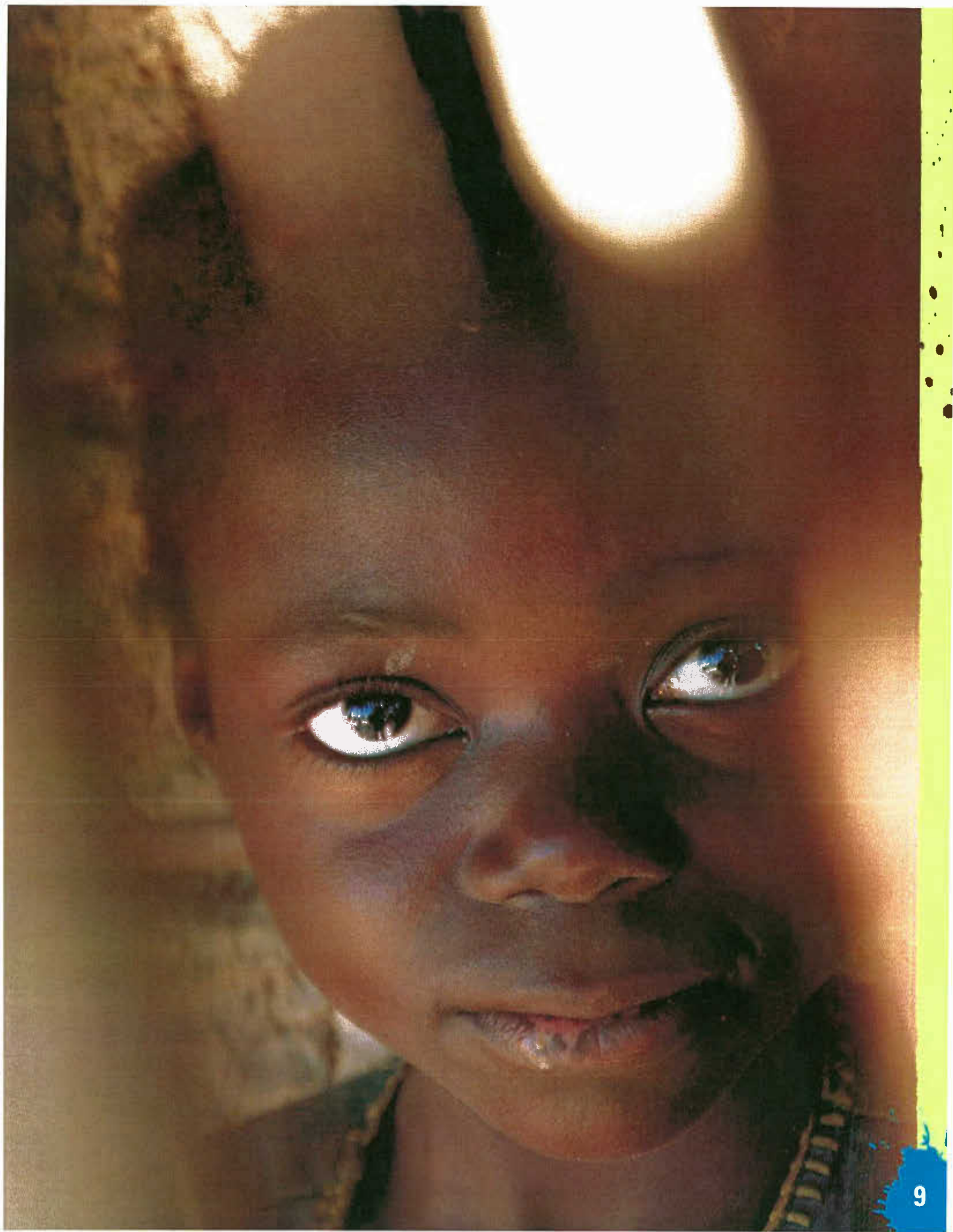
**Dr. Nicholas Alipui**

*Director*

UNICEF Programmes







# About UNDRIP

UNDRIP is a declaration containing an agreement among governments on how indigenous peoples should be treated. A group called the Working Group on Indigenous Populations began drafting it in 1985, and it took over 20 years until the Declaration was adopted – or formally accepted – by the United Nations General Assembly, on 13 September 2007. It took so long because it was difficult for some governments to agree on some parts of its content.

At the time of the vote, Australia, Canada, New Zealand and the United States of America voted against the Declaration and 11 countries abstained (decided not to vote). Since then, Australia, Canada, New Zealand and the United States have decided to support the Declaration. It is due to indigenous peoples' advocacy for their rights in their countries that this change has come about.

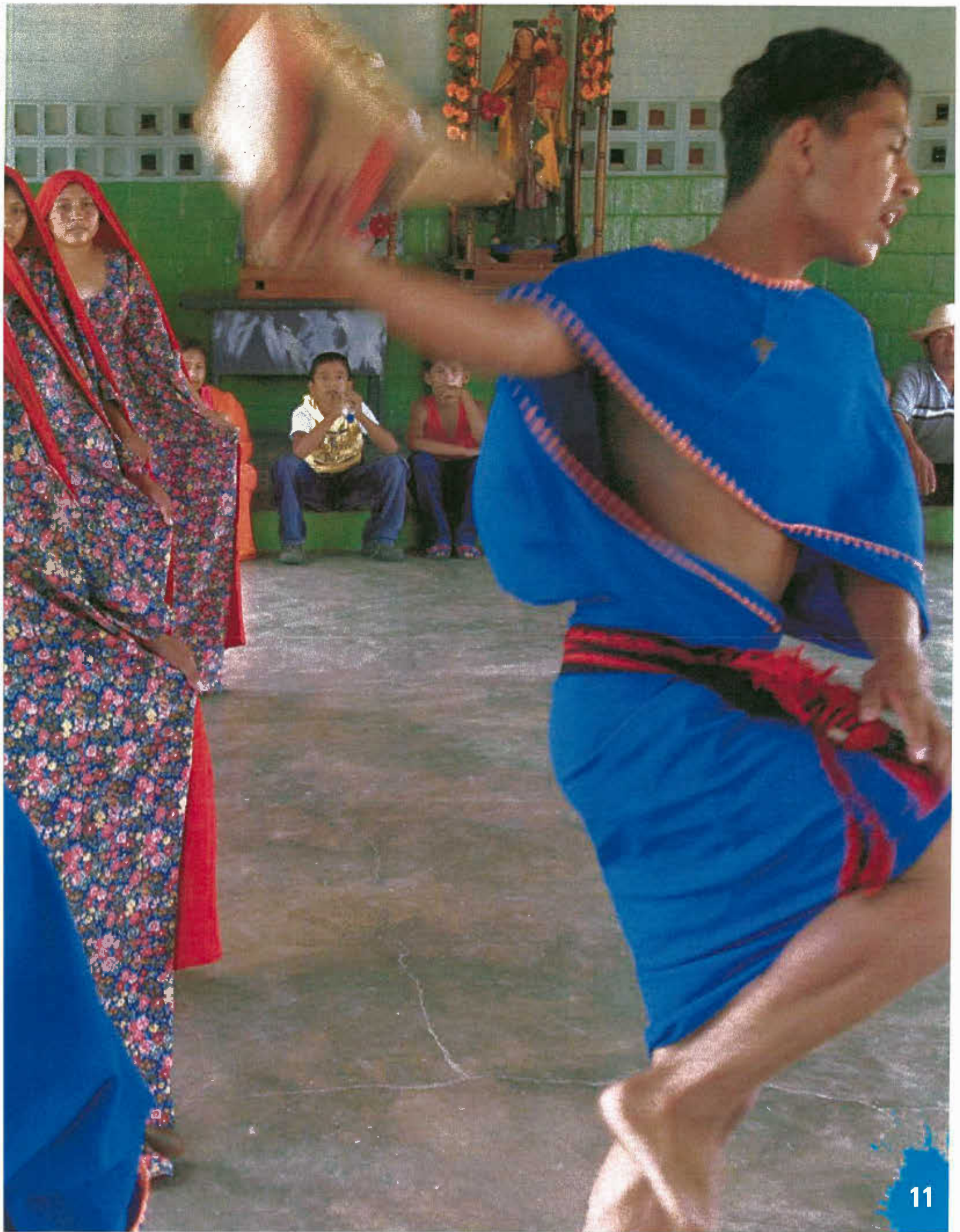
UNDRIP sets out how governments should respect the human rights of indigenous peoples. It is also an important guide for the proper implementation (or fulfilment) of other human rights agreements or conventions affecting indigenous peoples, such as ILO Convention 169, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. You can learn more about these documents at the end of this publication in the 'Learn More' section.

UNDRIP consists of **46 articles** that describe specific rights and actions that governments must take to protect these rights. All the articles are very important, linked to each other and form a frame for governments to make sure that the rights of indigenous peoples are protected.

**The next section of this publication is a summary of the 46 articles of the Declaration.**









# United Nations Declaration on the Rights of Indigenous Peoples – in brief



## PART 1: IMPORTANT THEMES IN THE DECLARATION

### ARTICLES 1-6

The main themes are: (i) the right to self-determination; (ii) the right to be recognized as distinct peoples; (iii) the right to free, prior and informed consent; and (iv) the right to be free of discrimination. These themes are important to keep in mind as you read the Declaration.

### The right to self-determination

The right of indigenous peoples to self-determination is fundamental to UNDRIP. While there are different interpretations, self-determination generally means that indigenous peoples have the right to decide what is best for them and their communities. For example, they can make their own decisions on issues that concern them and carry them out in the way that will be meaningful to indigenous peoples, while being respectful of the human rights of their community members (including children) and other peoples as well.

Indigenous peoples have the right to be independent and free. They have the right to be citizens of the country they live in and at the same time to be members of their indigenous communities. As citizens, they have the right to choose to build relationships with other peoples and to take active roles in the country in which they are living.

### The right to cultural identity

Indigenous peoples are equal to all other peoples, but they also have the right to be different, for example in the way they dress, the food they eat and in the language they speak.

### The right to free, prior and informed consent

Free, prior and informed consent means that indigenous peoples have the right to be consulted and make decisions on any matter that may affect their rights freely, without pressure, having all the information and before anything happens.

### Protection from discrimination

The right to be free from discrimination means that governments must ensure that indigenous peoples and individuals are treated the same way as other people, regardless of sex, disability or religion.





## Did you know?

There is no international agreement on the definition of indigenous peoples. Indigenous peoples decide whether they consider themselves to be indigenous. This is known as **self-identification**. Indigenous peoples take pride in their identity and are determined to maintain their distinctness as indigenous peoples.

## PART 2: LIFE, LIBERTY, CULTURE AND SECURITY

### ARTICLES 7-10

#### **Article 7: Right to life, liberty and security**

Every indigenous person is born with the right to life, to live freely (liberty) and to be safe and secure. Indigenous peoples as a group have the right to live freely, be safe and secure, and not exposed to violence. For example, the children of an indigenous group may not be taken away from their family by force.

#### **Article 8: Assimilation or destruction of culture**

Indigenous peoples and individuals have the right not to be assimilated – meaning, they have the right not to be forced to take up someone else's culture and way of life, and for their culture not to be destroyed.

#### **Article 9: Belonging to an indigenous community or nation**

Indigenous peoples and individuals have the right to belong to indigenous communities or nations. They may not be discriminated against because of their belonging to (being a member of) an indigenous community or nation.

#### **Article 10: Forceful removal and relocation**

Indigenous peoples may not be removed or relocated by force from their lands. If they are relocated, then only with their free, prior and informed consent, meaning that they have the right to make decisions on relocation freely, without pressure, having all the information and before anything happens. They also have the right to compensation for their relocation, and the option to return to their land, if possible.

## PART 3: CULTURE, RELIGION AND LANGUAGE

### ARTICLES 11-13

#### **Article 11: Right to culture**

Indigenous peoples have the right to practice and revive their culture and traditions.

Governments will work with indigenous peoples to ensure indigenous property rights to their cultures, knowledge, spiritual and religious traditions are respected, and to address cases where these have been used without free, prior and informed consent.

#### **Article 12: Right to spiritual and religious traditions and customs**

Indigenous peoples have the right to practice their spiritual and religious traditions. Governments will, with indigenous peoples, ensure that indigenous peoples are free to practice, protect and revive and keep alive their cultures, spiritual, religious and knowledge traditions.

#### **Article 13: Right to know and use language, histories and oral traditions**

Indigenous peoples have the right to recover, use and pass on to future generations their histories and languages, oral traditions, writing systems and literature and to use their own names for communities, places and people.

Indigenous peoples also have the right to be heard and understood in their own languages in different settings as for example in court, through an interpreter.





## Did you know?

### Indigenous Peoples:

Indigenous peoples use the term 'peoples' because it is more closely linked to the inherent recognition of their distinct identity, their possessing both individual human rights and collective rights, as well as their right to self-determination.

For more information see "Study Guide: The Rights of Indigenous Peoples," University of Minnesota Human Rights Center, 2003, available at [www1.umn.edu/humanrts/edumat/studyguides/indigenous.html](http://www1.umn.edu/humanrts/edumat/studyguides/indigenous.html).





## PART 4: EDUCATION, MEDIA AND EMPLOYMENT

### ARTICLES 14-17

#### **Article 14: Establishment of educational systems and access to culturally sensitive education**

Indigenous peoples have the right to set up and manage their own schools and education systems. Indigenous individuals, particularly children, have the same right as everyone else to go to school and cannot be left out because they are indigenous. This means that governments must ensure that indigenous peoples – particularly children – living in, or outside of, their communities get the same benefit from the education system as others in ways that respect indigenous cultures, languages and rights.

#### **Article 15: Accurate reflection of indigenous cultures in education**

Indigenous peoples have the right to their cultures and traditions being correctly reflected in education and public information. Governments will work with indigenous peoples to educate non-indigenous peoples in ways that respect indigenous peoples' rights and promote a harmonious society.

#### **Article 16: Media**

Indigenous peoples have the right to create their own media (i.e., radio, TV and newspapers) in their own language and to access non-indigenous media. Government-owned media has a duty to reflect indigenous cultural diversity. Governments will also encourage privately owned media to reflect indigenous cultural diversity.

#### **Article 17: Employment**

Indigenous individuals and peoples have the right to be treated fairly and not be discriminated against in all matters relating to work and employment. Indigenous children should be especially protected from work that harms them, and that is bad for their health and education. Governments will work together with indigenous peoples to protect children from this kind of mistreatment.



## PART 5: PARTICIPATION AND DEVELOPMENT

### Article 18: Participation in decision-making

Indigenous peoples have the right to take part in decision-making in all matters affecting them. This includes the rights of indigenous peoples to select who represents them and to have indigenous decision-making processes respected.

### Article 19: Free, prior and informed consent for laws and policies

Governments must seek indigenous peoples' views and opinions and work together with them through their chosen representatives in order to gain their free, prior and informed consent before laws are passed or policies or programs are put in place that will affect indigenous peoples.

### Article 20: Subsistence and development

Indigenous peoples have the right to their own political, economic and social systems, and to follow their own traditional ways of growing food and other activities that help them in their daily living. They have the right to seek justice where this right is taken away.

### Article 21: Economic and social well-being

Indigenous peoples have the right to improve their economic and social well-being, and governments will take action to help indigenous peoples do so, with particular attention to the rights of indigenous elders, women, youth, children and persons with disabilities.

### Article 22: Indigenous elders, women, youth, children and persons with disabilities

Governments, with proper consultation with indigenous peoples, will ensure indigenous elders, women, youth, children and persons with disabilities have their rights respected. Governments will ensure that indigenous women and children are free from all forms of violence and discrimination.

### Article 23: Priorities and strategies for development

Indigenous peoples have the right to set their own priorities and directions for development of their communities. Governments will support indigenous peoples to run their own organizations and services, and in deciding for themselves issues affecting their health, housing and other matters.

### Article 24: Right to health

Indigenous peoples have the right to use traditional medicines and health practices that they find suitable. They have the right to access health care and social services (i.e., get prenatal care, go to the doctor or social worker or get help with food and housing) without discrimination. Indigenous individuals have the same right to health as everyone else, and governments will take the necessary steps to realize this right.



## PART 6: LAND AND RESOURCES

### **Article 25: Spiritual relationship with traditional land and resources**

Indigenous peoples have the right to their special and important spiritual relationship with their lands, waters and resources and to pass these rights to future generations.

### **Article 26: Right to own, use, develop and control traditional land and resources**

Indigenous peoples have the right to own and develop their land and resources. Governments will legally recognize and protect these lands and resources, and will take action to respect indigenous peoples' laws and traditions in non-indigenous legal systems.

### **Article 27: Indigenous laws and traditions on land and resources**

Governments will respect and recognize indigenous peoples' laws and traditions about land and resources and take action to have these respected in non-indigenous legal systems. Indigenous peoples have the right to get help from governments to protect their lands.

### **Article 28: Rights when lands and resources are wrongly taken away**

Indigenous peoples have the right to get back or to be compensated when their lands, territories or resources have been wrongly taken away, occupied, used or damaged without their free, prior and informed consent.

### **Article 29: Conservation and protection of the environment, lands and resources**

Indigenous peoples have the right to their environment being protected. Governments will respect and protect the right of indigenous peoples to develop and protect their lands, water bodies and other natural resources. No dangerous materials should be placed on indigenous peoples' lands without their free, prior and informed consent. Governments will protect the health of indigenous peoples who are affected by dangerous materials placed on their land.

### **Article 30: Military activities**

Military activities will not take place on indigenous lands without indigenous peoples' free, prior and informed consent, unless it is necessary for the well-being of all of society and it takes place through consultations with indigenous peoples' representatives.

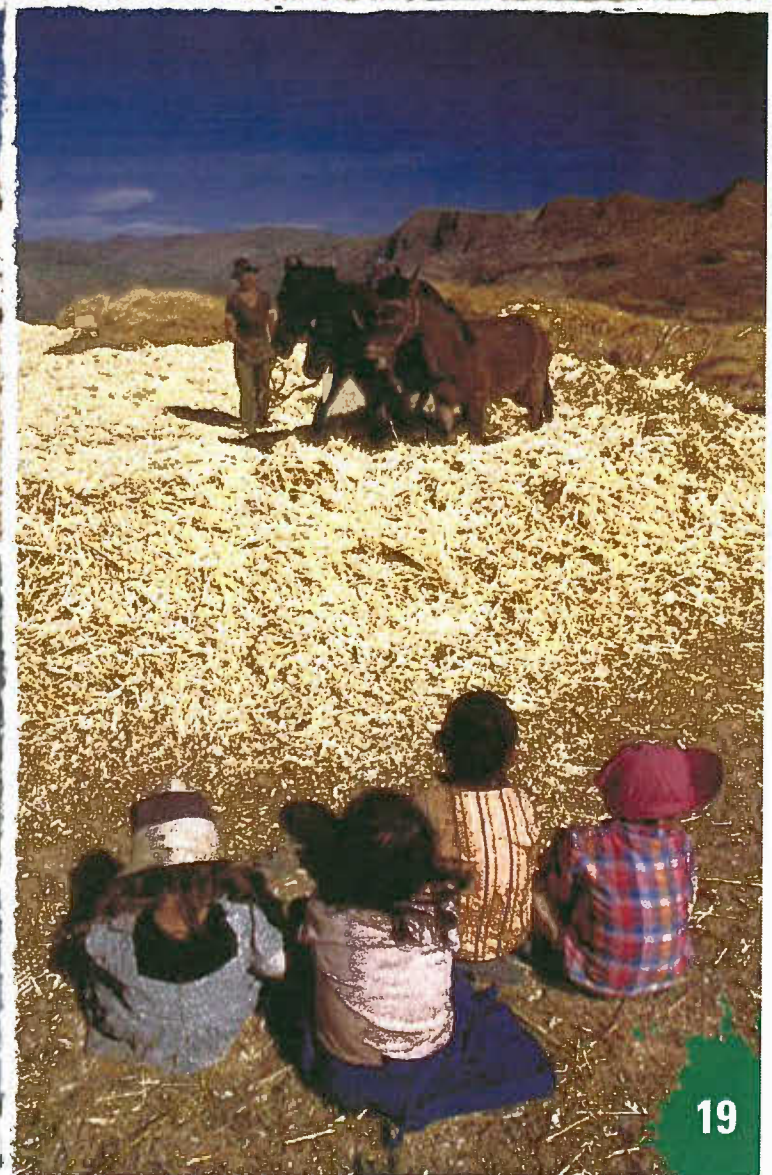
### **Article 31: Cultural and intellectual property**

Indigenous peoples have the right to their cultural and intellectual property, and governments will recognize and protect this right. Examples of cultural and intellectual property are stories, songs, dance, designs, art, ceremonies, sacred sites and remains of ancestors. Intellectual property includes things like indigenous peoples' knowledge of their laws, spiritual, social, health, education, economic, and environmental beliefs, systems and practices.

### **Article 32: Land and resource development**

Indigenous peoples have the right to decide how they wish to develop their lands and resources. Governments must respect and protect these rights. Indigenous peoples' free, prior and informed consent must be obtained when any decisions are made that may affect the rights to their lands, resources or waters.









## PART 7: SELF-GOVERNMENT AND INDIGENOUS LAWS

### ARTICLES 33-37

#### **Article 33: Identity, membership and citizenship**

Indigenous peoples have the right to decide what their identity or membership is. They also have the right to decide who their members are according to their own customs and traditions. Indigenous peoples have a right to be citizens of the country in which they live.

#### **Article 34: Distinctive institutional structures and customs**

Indigenous peoples have the right to their own structures, traditions and laws in ways that ensure that indigenous peoples enjoy the highest standards of human rights.

#### **Article 35: Individual responsibilities**

Indigenous peoples have the right to decide what responsibilities individuals in their community have towards the community as a whole.

#### **Article 36: Right to maintain and develop contacts, relations and cooperation**

Indigenous peoples living in different countries have the right to be in contact and carry out activities with each other. Governments, in consultation with indigenous peoples, will support indigenous peoples in exercising this right.

#### **Article 37: Recognition, observance and enforcement of treaties and agreements**

Governments will respect all the agreements they have made with indigenous peoples. The Declaration in no way reduces the rights of indigenous peoples in other agreements previously made by indigenous peoples with governments.





## PART 8: IMPLEMENTATION

### ARTICLES 38-42

These articles explain how governments and the United Nations should work together – in consultation with indigenous peoples – to make sure the rights of all indigenous peoples are protected. Together with indigenous peoples, governments should create laws, shape policies and provide funds to implement the Declaration.

Indigenous peoples have the right to have access to support from the international community in carrying out activities that will lead to this reality. Where their rights are violated, indigenous peoples have the right to compensation.

Indigenous peoples also have a right to access fair conflict resolution with governments or other parties when their individual and collective rights are not being honoured. These conflict resolution processes should respect indigenous rights, customs, and legal systems and promote the highest standards of human rights.

Governments and the United Nations, including the United Nations Permanent Forum on Indigenous Issues, should work with indigenous peoples to make sure the rights of all indigenous peoples as provided by the Declaration are realized and protected.

## PART 9: UNDERSTANDING THE DECLARATION

### ARTICLES 43-46

These articles explain how to understand the Declaration. Governments can do more but not less than what is written in the Declaration. The Declaration also applies to both males and females.

The Declaration contains both rights and responsibilities of indigenous peoples. Care must be taken to ensure that the rights are not used to deliberately disturb the unity, peace and security of a country.

# Indigenous Peoples and the United Nations

Indigenous peoples have been working for decades with the United Nations for the recognition of their rights. Now that you have learned about UNDRIP, it is important that you also know about the various mechanisms within the United Nations that help promote and protect the rights of indigenous peoples.

## United Nations Permanent Forum on Indigenous Issues



The United Nations Permanent Forum on Indigenous Issues (UNPFII) is the main office dealing with indigenous peoples' issues at the United Nations. The Forum was established in 2000

and held its first session in 2002. It has 16 members, half selected by indigenous organizations and half by governments. The members selected by indigenous organizations come from seven regions: Asia; Africa; Eastern, Central Europe and the Caucasus; the Arctic; Latin America and the Caribbean; North America; and the Pacific.

More than 1,000 indigenous participants take part in the Forum's yearly two-week session in May, in New York. The Forum pays particular attention to children and youth, and has had discussions and called for action on:

- culturally-appropriate education, including in indigenous languages
- proper health services
- education on HIV and AIDS
- discrimination by the law
- over-policing of indigenous youth.

The Forum has called attention to youth suicides, poverty and malnutrition, sexual exploitation, child labour, trafficking, children in armed conflicts, unemployment and education opportunities. In 2003, 'children and youth' was the special theme of its session.

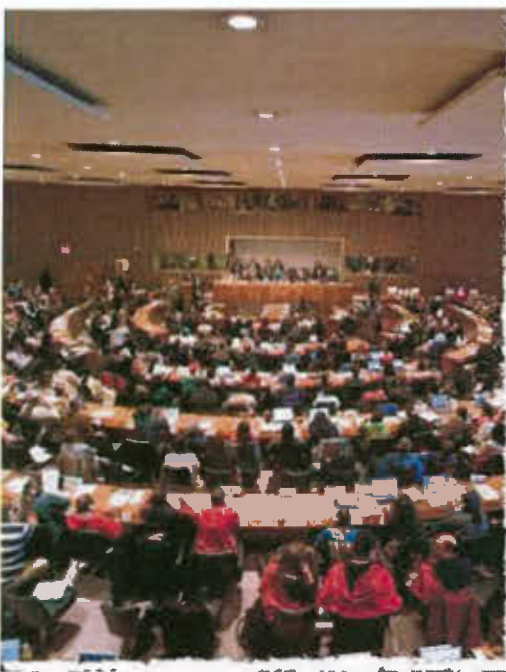
## Global Indigenous Youth Caucus



Indigenous youth have participated in the Permanent Forum on Indigenous Issues ever since its first session. Formally established in 2006, and recognized by the

Forum as a working caucus (or group) in 2008, the Global Indigenous Youth Caucus consists of a number of indigenous youth from across the globe with various backgrounds. During sessions of the Forum, the Caucus meets daily to discuss issues and to draft statements and recommendations to the Forum.





## Special Rapporteur on the Rights of Indigenous Peoples

The Special Rapporteur is a senior expert on indigenous issues who promotes indigenous peoples' rights, reports on their situation worldwide, and addresses specific cases where their rights may have been violated. The Special Rapporteur can also pay visits to countries to report on progress governments are making in supporting and respecting indigenous peoples' rights.

## International Day of the World's Indigenous Peoples

Did you know that every year, on 9 August, the world celebrates the international day of the world's indigenous peoples? This day was created to raise awareness of the rights of indigenous peoples worldwide, and honours the first meeting of the United Nations Working Group on Indigenous Populations held in Geneva on 9 August 1982, that drafted UNDRIP.

## Expert Mechanism on the Rights of Indigenous Peoples

The Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) is a group of five experts that meets once a year to provide the UN system with advice on the rights of indigenous peoples. The group carries out studies and research, and has focussed on a number of issues, such as education, the right to participate in decision-making and more.

## Did you know?

Any person, group or organization can send information on specific cases where the rights of indigenous peoples may have been violated to the Special Rapporteur on the Rights of Indigenous Peoples.



# International Indigenous Rights Movement

**1923**

Chief Deskaheh of the Cayuga Nation approaches the League of Nations (a world organization that preceded today's United Nations) to make the voice of indigenous peoples heard. This was one of the first attempts by indigenous leaders to engage the international community. Although he was not allowed to speak, his attempt encouraged indigenous peoples to follow their vision.

**1957**

Convention Concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (ILO Convention 107): the first international legal agreement on the obligations of governments to indigenous and tribal peoples is adopted.

**1970s  
and early  
1980s**

The groundbreaking study of United Nations Special Rapporteur José Martínez Cobo provides crucial information on the state of the world's indigenous peoples.

**1989**

ILO Convention 107, which was criticized as assimilationist, is updated by the Convention Concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169).

**1982**

The Working Group on Indigenous Populations is formed. Its work is to develop international standards on indigenous peoples' rights. Thus begins the development of UNDRIP in 1985.





**1993**

Is declared by the United Nations as the "International Year of the World's Indigenous People".

Indigenous peoples demand the formation of a United Nations permanent forum that addresses indigenous peoples' concerns. The Working Group on Indigenous Populations completed a Draft Declaration on the Rights of Indigenous Peoples.

**1994**

The United Nations launches the First International Decade of the World's Indigenous People (1995–2004).

**2002**

The inaugural session of UNPFII takes place in May 2002. For the first time indigenous peoples, as indigenous-nominated or government-nominated experts, speak for themselves as full-fledged members of a United Nations body.



**2004**

The Second International Decade of the World's Indigenous People (2005–2015) is announced by the United Nations.

**13 September  
2007**

UNDRIP is adopted by the United Nations General Assembly. The adoption of the Declaration shows that the international community has committed itself to the protection of indigenous peoples' rights as individuals and as a group.





# Learning More

As mentioned earlier in this publication, UNDRIP is also an important guide for the proper implementation (or fulfilment) of other human rights agreements or conventions affecting indigenous peoples, such as the Convention on the Rights of the Child (CRC), ILO Convention 169 and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

## Convention on the Rights of the Child

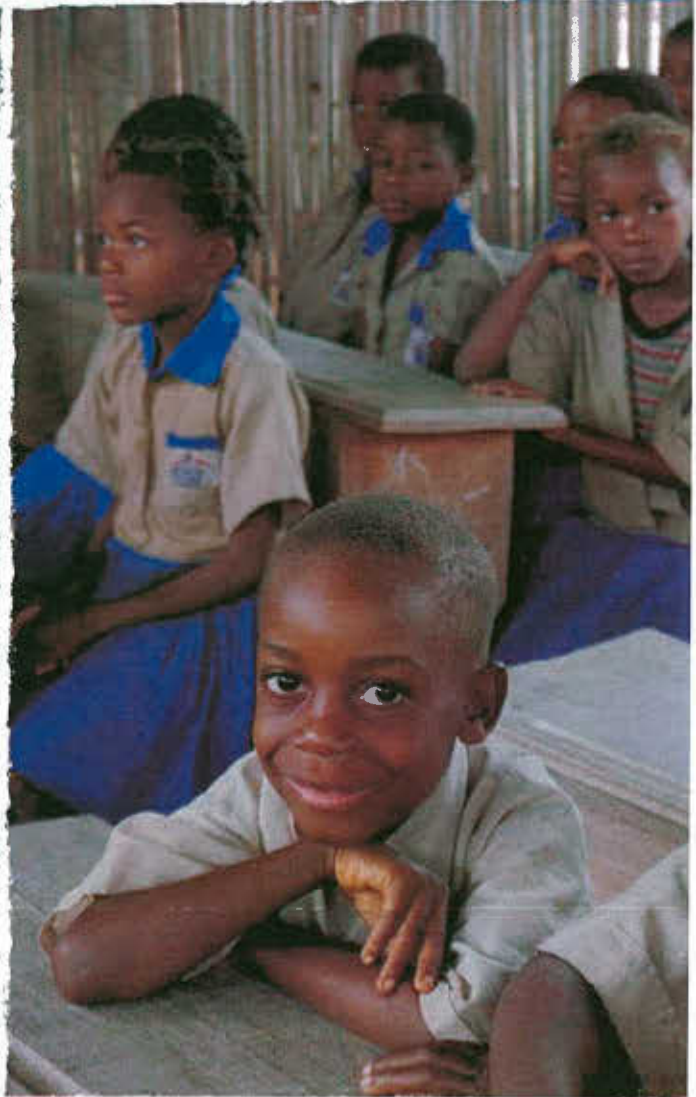
The rights of all children in the world, girls and boys, are set out in the Convention on the Rights of the Child (CRC). The Convention was adopted on 20 November 1989 and is the most widely accepted UN human rights convention. According to the Convention, governments are to ensure that all children are given equal opportunities with other children to survive, develop and be protected and that the best interests and opinions of the children are taken into account in decision-making affecting them.

The Convention is the first international human rights treaty – or agreement – to clearly address the rights of indigenous children. As with all children, indigenous children have the general right to education, health, to be registered at birth and to be protected from violence, abuse and exploitation.

Due to indigenous peoples' unique cultures and histories, indigenous children have the right to learn, use and practice their own language, customs and religions together with other members of their community. The Convention also says that governments should ensure that indigenous children have access to information that is relevant and important to their well-being. The media – such as TV, radio stations and newspapers – should be encouraged to provide this information in indigenous languages. The Convention further states that education should help all children learn to respect the cultural identities of others. This means that indigenous and non-indigenous children should have opportunities to learn, appreciate and respect each other's culture.











## The Committee on the Rights of the Child

To make the Convention on the Rights of the Child an effective document, the United Nations General Assembly appoints a group of men and women who are experts in the rights of the child to check whether or not governments are keeping their promises to children.

The experts are together known as the **Committee on the Rights of the Child** and governments are required to submit regular reports to this Committee on what they are doing for children. Each country has a face-to-face meeting with the Committee where it presents a report on its efforts and answers questions. The Committee afterwards provides written advice ('Concluding Observations') to the government on what it can do to improve the situation of children in its country.

The Committee also prepares advice on specific issues. This written advice is known as 'General Comments' and at present cover over 10 different issues, including the rights of indigenous children under the Convention. This General Comment is the 11th General Comment of the Committee and is therefore sometimes referred to as 'General Comment 11'.

It is important for you to know about this General Comment because the Committee used both CRC and UNDRIP to outline important advice to governments on how to protect the rights of indigenous children.



## **ILO Convention 169**

**ILO Convention 169** is a legally binding international instrument dealing specifically with the rights of indigenous and tribal peoples. To date, it has been ratified by 20 countries. The Convention specifies that governments have the responsibility for coordinating and organizing action to protect the rights of indigenous and tribal peoples and ensure that the right mechanisms and resources are available. The content of ILO Convention 169 corresponds to that of the UNDRIP.

## **Convention on the Elimination of All Forms of Discrimination against Women**

The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** is an international document that lists the rights of all girls and women. CEDAW says all discrimination against girls and women must end.

It is important to remember that all people, everywhere in the world, women, men, boys and girls all have the same and equal rights. However in some parts of the world, girls and women are treated differently or unfairly even though they have the same rights as boys and men. As a result of this discrimination, girls and women may not get a proper education and health care. Women may not be able to get jobs, vote or run for elections. Girls and women may also face various kinds of violence.

Indigenous girls tend to have lower school enrolment rates than non-indigenous children and also indigenous boys. They often miss out on an education as they have to help their mothers with household chores, take care of their siblings or work outside the home – in many cases as domestic workers. Some are married off as children or get pregnant, forcing them to drop out of school. For others, school may be a long distance away, and parents do not feel safe having their daughters travel long distances or stay in boarding schools. In some communities, indigenous girls are also at high risk of becoming victims of sexual exploitation and trafficking.



# Test Your Knowledge

**1** Indigenous peoples' rights are special rights.

**T** True    **F** False

**2** What does UNDRIP stand for?

- A** UN Convention on the Rights of Indigenous Peoples
- B** UN Declaration on the Responsibilities of Indigenous Peoples
- C** UN Declaration on the Rights of Indigenous Peoples

**3** UNDRIP says:

- A** Indigenous peoples have the right to live in distinct structures.
- B** Indigenous peoples' environment and cultural and intellectual property must be protected.
- C** Indigenous peoples have the right to decide who their members are according to their own customs and traditions.
- D** All of the above.

**4** What is the internationally agreed definition of indigenous peoples?

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**5** What is the role of the Special Rapporteur on the Rights of Indigenous Peoples?

- A** To promote indigenous peoples' rights.
- B** To report on indigenous peoples' situation worldwide.
- C** To address specific cases where indigenous peoples' rights may have been violated.
- D** To pay visits to countries to report on progress governments are making in supporting and respecting indigenous peoples' rights.
- E** All of the above.

**6** What is free, prior and informed consent?

Indigenous peoples have the right to make \_\_\_\_\_

on any matter that may affect their \_\_\_\_\_ freely,

without \_\_\_\_\_, having all the information

and before anything \_\_\_\_\_.

**7** On what date was UNDRIP adopted by the United Nations General Assembly?

- A** 13 September 2007
- B** 13 September 2011
- C** 13 September 1989

For answers, see inside back cover.

# Word Bank

**Adopt:** To formally accept (for example, a declaration or a convention).

**Articles:** A paragraph or a section in a legal document that is numbered; these numbers make it easy to find information, and to write and talk about it.

**Concluding Observations:** Written advice provided by UN committees overseeing human rights conventions. For example, the Committee on the Rights of the Child makes Concluding Observations to a government upon having reviewed the government's regular report to the Committee.

**Convention:** A convention (or treaty) is an agreement between countries to behave in a certain way and can be about several issues, as for example human rights. Governments have to do two things with conventions: firstly, they have to sign on to it to show that they really agree to what the convention is saying. Secondly, the parliament of that country needs to approve it. The second step is called ratification.

**Convention on the Rights of the Child (CRC):**

An international agreement to ensure that all children enjoy their rights and have special care and protection they need as children (aged 0–18 years). The Member States of the United Nations (or countries that form part of the UN) adopted the Convention on the Rights of the Child in 1989. Almost every country has agreed to these rights.

**Culture:** Involves the language, customs, ideas and art of a particular group of people. It also includes religion, dress, means of livelihood and lifestyle. Indigenous peoples have a right to their distinct culture and traditions.



**(Indigenous) Customs:** A practice followed by people belonging to a particular indigenous group. Customs include spiritual ceremonies, drawings, stories, books, songs, dances, art, dress and designs.

**Declaration:** An agreement among countries about a specific issue that requires urgent action. It tells us what governments must do or not do around such an issue.

**Disabilities:** Persons with disabilities may have difficulty seeing, hearing, walking, or learning and understanding things. These difficulties, when combined with obstacles imposed by society (including negative attitudes and inaccessible environment), prevent persons with disabilities from participating equally in society.



**Discrimination:** Unfair treatment of a person or group for any reason, such as ethnicity, sex, culture, religion/spirituality, or disability.

**Economic:** Everything to do with earning a living, the money system and financial matters.

**Exploitation:** Taking advantage of someone, treating them unfairly.

**Free, prior and informed consent:** Indigenous peoples have the right to be consulted and make decisions on any matter that may affect their rights freely, without pressure, having all the information and before anything happens.

**General Assembly:** The main decision-making body of the United Nations to date composed of 193 countries.

**General Comments:** Documents developed by UN committees overseeing human rights conventions to guide the interpretation of the convention on particular issues. For example, the Committee on the Rights of the Child adopted General Comment 11 on indigenous children and their rights under the Convention on the Rights of the Child.

**Identity:** All of those factors by which a person is known to be himself or herself. Belonging to a certain culture, a religion, or a country is part of your identity. Whether you are a boy or a girl can also be part of your identity. There are many factors that make an identity and each of us unique.

**Indigenous Peoples:** Indigenous peoples are descendants of the original people or occupants of lands before these lands were taken over or conquered by others. Many indigenous peoples have maintained their traditional cultures and identities (e.g., way of dressing, language and the cultivation of land) and therefore have a strong and deep connection with their ancestral territories, cultures and identities. The 370 million indigenous peoples around the world contribute to enriching the world's cultural and linguistic diversity.

**Law:** A set of rules to protect society and dealing with people who hurt others.



**Media:** Those people or groups who provide information to the public through television, radio, newspapers, magazines or the internet. The media reports on what happens in their communities and in the rest of the world.

**Member States:** Countries that form part of the United Nations.

# Word Bank

**Minorities:** An ethnic, religious or linguistic (speaking a certain language) group, fewer in number than the rest of the population, whose members share a common identity. Under international law, most indigenous peoples can also claim minority rights.



**(Child and Youth) Participation:** Participation involves children and young people being able to think for themselves, express their own views and interact in positive ways with other people. Article 12 of the Convention on the Rights of the Child mentions that all children have the right to participate in matters that affect them based on their age and capacity.

**Rapporteur:** An international expert appointed by the United Nations to research a particular human rights issue or situation.

**Ratify:** When a country's parliament has seen a convention or treaty and thinks it is alright for the government to accept it.

**Self-Determination:** Self-determination generally means that indigenous peoples have the right to decide what is best for them and their communities.

**Self-Identification:** The process of indigenous peoples deciding whether they consider themselves to be indigenous.

**Signing (an international agreement):** This is where a country approves the content of a treaty or convention.

**State:** A State has a defined territory over which it exercises ultimate authority. The government executes the state's programmes, policies and laws and acts on behalf of its citizens. States have the capacity to enter into relations with other States – this is particularly important with regards to trade and international relations.

**States Parties:** States that have signed and ratified a treaty, meaning that they promise to uphold it and be held accountable for doing so.

**Traditions:** Handing down of a culture from one generation to another over many years. Indigenous peoples have the right to pass on their traditions to their children.



**Trafficking:** Trafficking in people means recruiting (misinforming or tricking a person by promising a well-paid job) or transporting (moving a person from one place to another) or transferring (changing hands – handing over a person to another trafficker) or harbouring (keeping a person under watch for a certain period of time) or receiving of people from one place to another for the purpose of exploitation. In other words, trafficking occurs when someone is taken from the place where she or he lives (or is from) to another place for the purpose of being exploited.

**Treaty:** An agreement between countries to behave a certain way (can also be called convention or covenant, or be referred to as an international agreement or legal instrument).

**UNICEF:** United Nations Children's Fund. It is the agency of the United Nations that works for children's rights, survival, development and protection.

**Violence:** Violence takes place when someone uses their strength or their position of power to hurt someone else on purpose, not by accident. Violence includes threats of violence, and acts which could possibly cause harm, as well as those that actually do. The harm involved can be to a person's mind and their general health and well-being, as well as to their body. Violence also includes deliberate harm people do to themselves, including, in extreme cases, committing suicide.





# Links



- **UNDRIP** is available in Arabic, English, French, Mandarin, Russian, Spanish, and several indigenous languages at: [social.un.org/index/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx](http://social.un.org/index/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx)
- **United Nations Permanent Forum on Indigenous Issues:** [www.un.org/esa/socdev/unpfii](http://www.un.org/esa/socdev/unpfii)
- **Special Rapporteur on the Rights of Indigenous Peoples:** [www.ohchr.org/EN/Issues/IPeoples/SRIIndigenousPeoples/Pages/SRIPeoplesIndex.aspx](http://www.ohchr.org/EN/Issues/IPeoples/SRIIndigenousPeoples/Pages/SRIPeoplesIndex.aspx)
- **Expert Mechanism on the Rights of Indigenous Peoples:** [www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx](http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx)
- **International Day of the World's Indigenous Peoples:** [www.un.org/en/events/indigenousday/](http://www.un.org/en/events/indigenousday/)
- **Convention on the Rights of the Child:** [www2.ohchr.org/english/law/crc.htm](http://www2.ohchr.org/english/law/crc.htm) and child-friendly versions at: [www.unicef.org/rightsite/484\\_540.htm](http://www.unicef.org/rightsite/484_540.htm)
- **General Comment 11** of the Committee on the Rights of the Child on indigenous children and their rights under the Convention on the Rights of the Child: [www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.pdf](http://www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.pdf)
- **ILO Convention 169:** [www.ilo.org/indigenous/Conventions/no169/lang-en/index.htm](http://www.ilo.org/indigenous/Conventions/no169/lang-en/index.htm)
- **CEDAW In Brief for Adolescents:** [www.unicef.org/gender/files/CEDAW\\_In\\_Brief\\_For\\_Adolescent-Web\\_Version.pdf](http://www.unicef.org/gender/files/CEDAW_In_Brief_For_Adolescent-Web_Version.pdf)
- **All Different, All Unique: Young People and the UNESCO Universal Declaration on Cultural Diversity:** [unesdoc.unesco.org/images/0013/001345/134556e.pdf](http://unesdoc.unesco.org/images/0013/001345/134556e.pdf)
- Children's version of the **UN Study on Violence against Children:** [srg.violenceagainstchildren.org/children-corner](http://srg.violenceagainstchildren.org/children-corner) or [www.unicef.org/violencestudy/pdf/Study%20on%20Violence\\_Child-friendly.pdf](http://www.unicef.org/violencestudy/pdf/Study%20on%20Violence_Child-friendly.pdf); accompanying educational booklet: [www.unicef.org/violencestudy/pdf/Our%20Right%20to%20be%20Protected%20from%20Violence.pdf](http://www.unicef.org/violencestudy/pdf/Our%20Right%20to%20be%20Protected%20from%20Violence.pdf)
- **It's About Ability – An Explanation of the Convention on the Rights of Persons with Disabilities:** [www.unicef.org/publications/index\\_43893.html](http://www.unicef.org/publications/index_43893.html)
- **United Nations Programme on Youth:** [social.un.org/index/Youth.aspx](http://social.un.org/index/Youth.aspx)

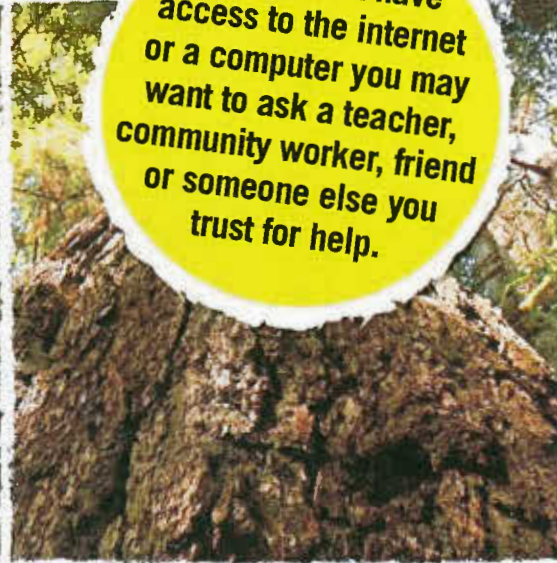
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with other young people to discuss and take action on human rights issues through UNICEF's Voices of Youth: [voicesofyouth.org](http://voicesofyouth.org)

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- UNICEF: [twitter.com/UNICEF](https://twitter.com/UNICEF)
- UNICEF's Voices of Youth: [twitter.com/voicesofyouth](https://twitter.com/voicesofyouth)
- UN Office of the High Commissioner for Human Rights: [twitter.com/UNrightswire](https://twitter.com/UNrightswire)





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## Answers:

1) False.

Indigenous peoples' rights are not a matter of 'special rights'. Indigenous peoples' rights are human rights that are universal and based on equality and non-discrimination. Because indigenous peoples tend to be among the poorest, it is often necessary to develop specific measures to improve their situation. This is not the same as 'special rights', but is a way of providing opportunities to succeed and eliminate existing discrimination and inequality.

2) c

3) d

4) There is no international agreement on the definition of indigenous peoples. Indigenous peoples decide whether they consider themselves to be indigenous. This is known as self-identification.

5) e

6) decisions, rights, pressure, happens

7) a



## Human Rights Unit, Programme Division, New York, 2013

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For more information:  
Website: [www.unicef.org](http://www.unicef.org)  
Email: [rights@unicef.org](mailto:rights@unicef.org)

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Secretariat of the Permanent  
Forum on Indigenous Issues

unicef 



# NA'LA'LA'

## Independent Guåhan

Na'la'la' means to give life. Independence is not just a political status option, it is a way of life. It means making our own decisions and shaping our own future — giving life to the dreams we have for our island and our children. Na'la'la' can also mean to make grow. We hope that as you read and learn more about the possibilities of an Independent Guåhan, your commitment to decolonizing our island will grow. In this booklet, we provide answers to some of the most commonly asked questions about decolonization and independence. We hope this will be the beginning of many conversations you will have with us and others about independence.

## I Mas Takhilo' Na Finaisen Siha

### Håfa hit på'go?

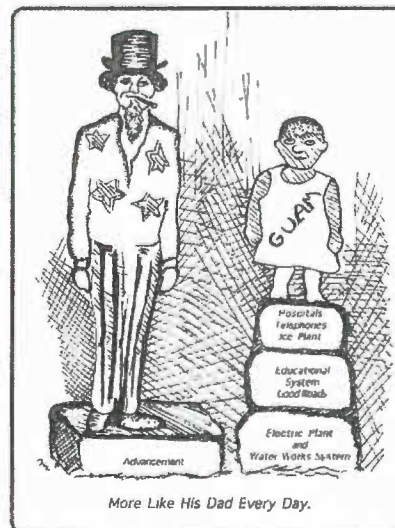
#### *What is Guam's current political status?*

Guam is currently an organized, unincorporated territory of the United States. This means that Guam is not a part of, but rather belongs to the United States as articulated in the Insular Cases. Living in an unincorporated territory, we are not given voting representation in either Congress or the Electoral College, and the United States Congress has control over the affairs of our island via the Territorial Clause of the United States Constitution: "Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States ..." (U.S. Constitution, Article IV, Section III, Clause II). The status quo is something we do not have any control over, and any comforts it may provide us can disappear with an act of Congress or a decision from a U.S. federal agency.

### Taimanu mafã'tinas este na estao pulitikãt "unincorporated territory?"

#### *How was the unincorporated territory status created?*

In 1898, Guam, the Philippines, and Puerto Rico were given to the United States as spoils of war after Spain lost the Spanish-American War. Prior to this, territories acquired by



the U.S. were considered "incorporated territories" meaning they would eventually be admitted into the nation as a state. However, the U.S. was hesitant to incorporate these newly acquired possessions from Spain as new states into the union. This struggle culminated in the Insular Cases, which are still in effect today. Beginning in 1900, the Insular Cases are a series of legal cases that

developed and legitimized the idea of the unincorporated territory status "in order to enable the United States to acquire and govern its new 'possessions' without promising them either statehood or independence." The Insular Cases also led to the development of the "doctrine of incorporation" which holds that "the inhabitants of territory acquired by the United States are not entitled to the benefits, privileges and immunities of the Constitution until Congress sees fit to extend these rights."



## **Håfa este na dinetetminan maisa yan decolonization?**

***What are self-determination and decolonization?***

In its most basic sense, self-determination is a basic human right to choose how one will be governed. In 1960, United Nations Resolution 1514 outlined, "All peoples have the right of self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." This right then became binding through both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, (the 1966 Human Rights Covenants), ensuring self-determination as a right of all peoples. According to international law, decolonization is a remedy for colonization which occurs when people exercise their right to self-determination.

## **Kao taigradesimento este na kinalåmten?**

***Is pushing for independence being ungrateful?***

Åhe'! One of the most common attacks on those advocating for independence is that we are being ungrateful to the United States who "liberated" us during World War II from the Japanese. This could not be further from the truth. While we appreciate the defeat of the Japanese during the war, we want to continue the work of liberation. There are still many economic, political, and social problems in Guam that affect us every day. Independence is the best chance we have to further liberate our people from these problems. We do not need to be a colony of the U.S. in order to be grateful for what they did. As an independent country, we can stand beside them, as an ally in gratitude and equal partnership.

## **Håfa para u masusedi anggen ta ayek independensia para Guåhan?**

***What does choosing independence for Guam mean?***

Independence will allow the people of Guam to exercise full self-governance or sovereignty. We will determine what happens in our lands, our air, our waters, and to our people. This means we will not only make decisions for ourselves locally but also on the world stage. We will represent our nation in regional and global forums as equal partners with close to 90 other independent nations. This will expand our economic possibilities, particularly in terms of the shipping and tourism industries. The world's economy relies on the Asia-Pacific region, and as an independent nation, we would be able to build economic relationships with our neighbors that we currently do not have as a colony of the United States. We will have the power to regulate and manage all of our internal and external affairs without foreign dictation.

Ultimately, independence means having democratic control over our political system, and our social, cultural, and economic lives. As an independent country, we will be responsible for our successes and our failures, and we will have the ability to grow from both and grow into a better nation.

## **Kao kumekeilekña na kulan hita ha' na maisa?**

***Does this mean that Guam will be on its own?***

Independence does not mean isolation. Independence in fact allows Guam to enter a network of global interdependence as a nation equal to other nations in the international system. As mentioned above, there are over 190 independent countries in the world today. As a sovereign nation, Guam will be responsible for its own foreign affairs and will represent itself internationally. We will no longer be obligated to follow the international agenda of the United States. In fact, Guam will be able to negotiate a more harmonious and balanced relationship with the





U.S. as well as the rest of the world, as these relationships will be based on mutual respect and mutually agreed-upon sovereign ties. A common fear is that if we were to achieve independence, Guam would almost instantly be taken over by another nation like China. If Guam were sovereign and able to ally itself with other independent nations in Oceania and throughout the world, another country would not be allowed to simply conquer Guam. As a sovereign state, Guam would become a member state of the United Nations and would be able to appeal to the International Court of Justice. The essence of independence is captured best in the Chamoru phrase, "Hita La'mon," which means, "it is up to us." We, and nobody else, will decide the type of nation Guam will become.

### **Kao para u hãnao ha' si Uncle Sam?** ***Will America just pack up and leave?***

Independence does not mean we are kicking the U.S. out of Guam or that they will simply pack up and leave. A transitional/implementation period will take place whereby the United States will provide funds to help Guam transition to independence. This transition period could last anywhere from 10-30 years and will be a gradual and continuous process. The United States could not disappear from Guam overnight. U.S. interests in Guam, which are primarily strategic, would ensure that the U.S. would not simply leave the island or abandon it, as it can still have a beneficial relationship with an independent Guam. People commonly assume that independence would mean giving up American citizenship, but this may not necessarily be the case. Citizenship will be negotiated during the transitional phase, and we can choose to obtain dual citizenship as Guam and American citizens during this phase, similar to Israel. We could also be granted the status of "habitual resident" like the FSM, the Marshall Islands, and Palau. Eventually, as our economy grows and we achieve full autonomy, we will be able to build the strength of our own citizenship and passport. People from independent nations all over the world successfully travel and study in other countries, including the U.S. with their own unique passports and citizenship. A U.S. passport is not the only way for us to have these opportunities.

### **Dikike' i isla-ta, taimanu ta** **cho'gue este?** ***Aren't we too small to govern ourselves?***

Independent countries today represent a wide spectrum of possibilities. Being large, small, having natural resources or being colonized does not determine whether or not a country will be prosperous. Size is not necessarily an impediment to development. There are many smaller countries today whose economies are diversifying through production, foreign trade, and sources of investment. There is no correlation between the size (in terms of land mass or population) and the prosperity of an independent country.

Singapore and Luxembourg, two countries that are regularly ranked as being among the top-ten richest nations in the world, are similar to Guam in terms of size. Singapore, whose land mass is only slightly larger than Guam's (278 sq. miles) is considered to be the third richest country in the world. Luxembourg, which has a population of less than 500,000, is considered to be the fourth richest country in the world. These nations are successful because of the abilities that independence provides them in terms of taking advantage of and best utilizing their natural and human resources, as well as their location.

### **Taimanu para ta difenden maisa hit?** ***How will we defend ourselves?***

As an independent nation, we would be able to negotiate a formal defense agreement with the U.S. or any other country we choose. Most countries in the world do not have massive, expensive standing armies. They only have self-defense or national guard forces. They form agreements with other nations for their defense. Guam could also enter into a Status of Forces Agreement or SOFA with the U.S. negotiating the terms of their military presence here. A SOFA defines the legal status of the U.S. Department of Defense (DoD), and property in the territory of another nation and sets forth rights and responsibilities between the United States and the host government. Our strategic importance is what makes



us valuable to the U.S. As an independent country, that value would remain and it would give us a form of leverage in terms of negotiating the terms of any defense agreement, and ultimately our relationship with the U.S. into the future. Another option is that Guam could have its own small military force to guard our coast and maintain civil order. Given our historical relationship to the U.S. military, we would most definitely have the skills needed to form a local defense force. Along with this, we can also choose to be a neutral or a non-aligned country such as Switzerland, Vanuatu, and Fiji.

### **Taimanu para ta sustienen maisa hit?** *How will we sustain ourselves?*



An independent Guam would mean that we can decide where our money goes and who benefits from that money. Guam has many ways of developing its economy. Becoming independent and no longer a possession of the U.S. does not mean that these possibilities go away. Rather, it opens new avenues for us to pursue new models of development. We will also have the opportunity to choose how we invest our money and which industries we create and support. Once independent, Guam will have the opportunity to boost our tourist base by negotiating our relationships with more nations than ever before, especially within Asia and the Pacific. Enhanced transportation and trade links to Asia and throughout the Pacific would also open new markets for Guam products and services, and vice versa. This increase in air and marine transport will provide for the

expansion of Guam's revenue base, as we will be in full control of our port and our airport. All fees collected through air and sea travel to Guam will go directly to our government. As an independent nation, Guam would also be able to negotiate terms for the U.S. to lease land for its military bases. We will also have the power to establish relationships with nations we feel will be economically beneficial for our island.

### **Håfa siña ta cho'gue pã'go?** *What to do now?*

We know that this document did not answer every single question one may have about independence and what it could mean for our island. However, we hope that it has at least cleared up some important issues and most importantly has opened the door for you to talk about independence with your family and friends. If you have any other questions you feel should be addressed and/or added to this document, please email us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com).

Independence may seem scary at first, lao fanmanho gge Guåhan sa'gof magåhet na esta guaha håfa ta nisisita! Ni ta usa i higam yan ta lakse i tiempón mo'na para hita.

Guåhan means "we have" — we have to believe in ourselves and know that we have all we need for an Independent Guåhan. Let us take out our adze and carve our future.



[www.independentguahan.com](http://www.independentguahan.com)

[independentguahan@gmail.com](mailto:independentguahan@gmail.com)



# Mita La'mon

IT IS UP TO US

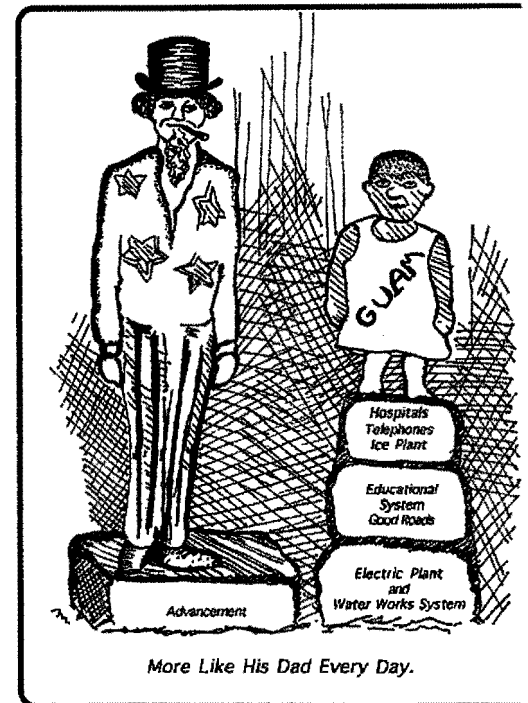
Independent Guåhan  
General Assembly Topics  
August 2016 - June 2017



# Hita La'mon: Hasso Independence

## What does it mean to be an unincorporated territory?

- "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress."  
- Article IX, Treaty of Paris 1898
- "[t]he Congress shall have power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."  
- U.S. Const. art. IV, § 3, cl. 2.
- "the United States could acquire territory without incorporating it into the Nation, and that unincorporated territory was not subject to the provisions of the Constitution."  
-Torres v. Puerto Rico, 442 U.S. 465, 469 (1979).
- An unincorporated territory, simply "belongs to the United States, and is subject to the disposition of Congress."  
-DeLima v. Bidwell, 182 U.S. 1, 197 (1901).
- Residents of Guam are denied the right to vote in U.S. presidential elections.  
-Att'y Gen. of Guam v. United States, 738 F.2d 1017, 1019 (9th Cir. 1984)
- Residents of Guam are denied effective voting representation in the U.S. Congress.  
-48 U.S.C. § 1711.
- All laws made in Guam can be invalidated by Congress.



## How has being an unincorporated territory a.k.a. "status quo" impacted our quality of life?

- Almost half of the federal funds Guam receives goes to food stamps and Medicaid. Chamorus make up the largest percentage of people receiving public assistance for housing, food and health care.  
-Pacific Daily News
- In Guam's 2015 homeless count, Chamorus were the highest percentage of people living without homes – 536 Chamorus made up 42 percent of the total 1,280 homeless people that were counted.  
-Guam's 2015 Homeless Count
- Guam's suicide rates are 50 percent higher than in the United States. People under 30 made up 60 percent of suicide deaths.  
-KUAM News, March 2015
- Of the 9th-12th-grade "Native Pacific Islander" students surveyed in GDOE: 41.4 percent felt sad or hopeless; 19.3 percent attempted suicide; 31.3 percent considered attempting suicide; 39.3 percent had been in a physical fight; 11.4 percent had been physically forced to have sex; 14.5 percent had experienced physical dating violence; 16.5 percent had experienced sexual dating violence.  
-2013 Guam Youth Risk Behavior Survey
- Guam's per capita rate of reported forcible rape is more than twice the national average. In the majority of these rape cases, the perpetrator is identified as a family member or acquaintance. The largest percentage of victims have been Chamoru minors.  
-Pacific Daily News & Healing Hearts Rape Crisis Center
- Less than 17% of Chamoru households report using their native language at home  
-2010 Census



# Hita La'mon: Hasso Independence

## How does Guåhan's territorial relationship with the U.S. affect our security?



**"The story of militarization on Guam is inseparable from the story of colonization."**

- Attorney Julian Aguon

"As an unincorporated territorial possession (colony) in the western Pacific, Guam is not part of that motherland but is an integral part of the strategy of its military complex. As the commander in chief of the U.S. armed forces, who will the president listen to first — the people of Guam or the brass from the Pentagon? Is there any doubt that the legal eagles roosting in the Pentagon will exert their collective legal acumen to justify, and rationalize, the military's hegemony over this territorial possession and its strategic location, and on which so many military hardware is strategically deployed?"

-Joaquin Perez

"...the Pacific is going through a time of increasing instability and tensions. I think bringing the men and women of our B-1s to the area...will provide a visible assurance to our allies and partners."

-Lieutenant Colonel Seth Spanier, commander of the 34th Expeditionary Bomber Squadron, on U.S. "bomber assurance and deterrence deployment" efforts, August 2016

"It's a very unique opportunity for all of our country's bombers to train together ... that's really tough to do back in the states ... Wider open air space out over the ocean, that will allow us to flex our muscles if you will."

-Lt. Col. Keith Butler on training of 3 U.S. Air Force bombers on Guam in August 2016

"The United States is going to be increasingly dependent on Guam as China's anti-access capabilities force the U.S. military to prepare to operate from greater distances from the Chinese mainland."

-Zack Cooper, Center for Strategic and International Studies

## How do U.S. Opponents view Guam?

"The introduction of the nuclear strategic bombers to Guam by the U.S. . . . proves that the U.S. plan for a preemptive nuclear strike at the DPRK has entered a reckless phase of implementation. . . If the U.S. is reckless, misjudging the trend of the times and the strategic position of the DPRK, all the U.S. military base in the operational theatre in the Pacific including Guam will face ruin in the face of all-out and substantial attack to be mounted by the army of the DPRK."

-Statement from the Democratic People's Republic of Korea Foreign Ministry August 16, 201

"The U.S. should not forget that the Andersen Air Force Base on Guam where the B-52s take off and naval bases in Japan proper and Okinawa where nuclear-powered submarines are launched are within the striking range of the DPRK's precision strike means."

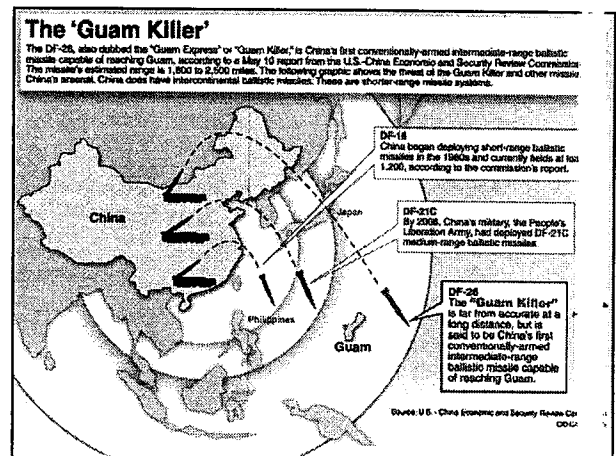
- A North Korean Foreign Ministry Spokesperson qtd. in *Politik Insights: How Offenses Escalate Conflict*, 201

China believes that the deployment of B-2 bombers to the Pacific has given the U.S. the ability to carry out a nuclear strike or a high-precision strike against any Chinese target. The bombers in Guam could be used to cripple China's anti-access, area denial strategy.

-Chinese Military Expert, Yin Zhuo, interview, August 201

"China's leaders could be more willing to resort to military force in such a crisis if they believed they could successfully neutralize Guam. If the DF-26 can get through U.S. missile defenses on Guam — or simply overwhelm them — then it could damage runways, parked aircraft, and the harbor on Guam, which would substantially complicate the difficulty of projecting power in the region."

- Annual report of the U.S.-China Economic and Security Review Commission

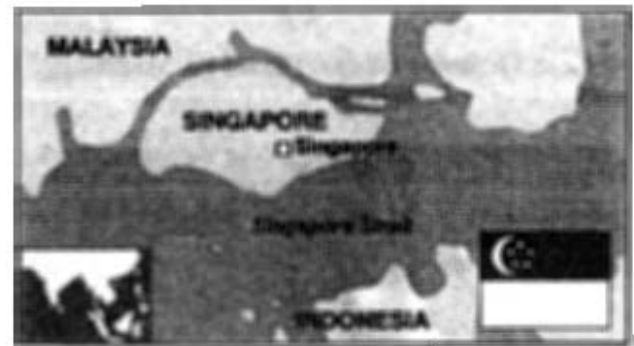


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# Learning from An Independent Model Nation: The Republic of Singapore

- Official Name: Republic of Singapore
- Capital: Singapore
- Area: ~ 277.6 sq. miles (similar in size to Guam)
- Population (2015): 5.5M
- Major Languages: English, Malay, Mandarin, Tamil
- GDP (2016): \$292.74B
- Unemployment (2016): 2.1%
- Currency: Singapore Dollars (SGD)



## Singapore is out

**SINGAPORE** today separated from Malaysia, following an amendment to the Constitution approved unanimously by both Houses of Parliament under a certificate of urgency.

Immediately with the passing of the amendment, Singapore was to leave Malaysia and become an independent and sovereign State — a process which in this effect was completed.

At a three-minute time interval, the two Houses of Parliament adjourned — the first time since the separation of the two countries.

**Secret signing**  
The two Houses of Parliament met in secret to sign the amendment to the Constitution of Singapore, which would give the island the status of a sovereign State.

**Tengku:  
It was  
my  
idea...**

**KEKONG LAM**, then an assistant secretary, said he was the first to suggest the separation of Singapore from Malaysia. He said he had been thinking about it for some time and had discussed it with his colleagues.



TEN TENG: He says the move to leave Malaysia was his idea.

**STOP PRESS**  
The two Houses of Parliament have just passed the amendment to the Constitution of Singapore, which would give the island the status of a sovereign State. The amendment was passed by a majority of 121 to 1.

### Timeline to Independence:

- 1819 - Sir Thomas Stamford Raffles establishes Singapore as a trading post for the British East India Company.
- 1942 - Singapore falls to Japan during Second World War. The island is renamed Syonan-to or "Light of the South Island" in Japanese.
- 1945-46 - Japanese forces surrender. Singapore becomes a British colony.
- 1959 - Singapore holds first general election.
- 1963 - Singapore joins the Federation of Malaya, Sabah (North Borneo) and Sarawak in the Federation of Malaysia.
- 1965 - Declares independence from the Federation of Malaysia.
- 1990 - Singapore's founding father Prime Minister Lee Kuan Yew stands down after 31 years.
- 1993 - Singapore holds its first presidential election.

### A Prosperous and Powerful Independent Nation:

"Singapore is a wealthy city-state in south-east Asia. Once a British colonial trading post, today it is a thriving global financial hub and described as one of Asia's economic 'tigers'. It is also renowned for its conservatism and strict local laws and the country prides itself on its stability and security."

-BBC News, February 2016

"The Gross Domestic Product (GDP) in Singapore was worth 292.74 billion US dollars in 2015. The GDP value of Singapore represents 0.47 percent of the world economy."

-World Bank Group, report updated September 2016

The Singaporean military is arguably the most technologically advanced in Southeast Asia.

-See Moss, Trefor (18 January 2010). "Buying an advantage". *Jane's Defence Review*. London.

"From the Singapore with slums that I grew up in [before independence], we now have the highest home ownership of any country in the world, with 90 percent of residents living in homes they own. Even amongst households in the lowest 20 percent of incomes, over 80 percent own their own homes."

-Kishore Mahbubani, Dean of the Lee Kuan Yew School of Public Policy, August 14, 2016

"I don't think any other economy ... even the other Asian tigers, have that a good a statistical record of rapid growth, full employment, with very good social indicators — life expectancy, education, housing, etc. — in the first 20 years."

- Linda Lim, an economist at the University of Michigan



# Hita La'mon: Hasso Independence

"Today, in a time full of cynicism, political sound bites and press releases, we must remember who we are as a people. We once mastered the navigation of the seas; surely we can determine our political future. We survived a world at war; surely we can build an economy which leaves no hardworking families behind. We are the inheritors of an ancient land; surely we can leave this place better than when we found it."

-Vicente "ben" C. Pangelinan  
from "ben's pen", MV, March 13, 2013

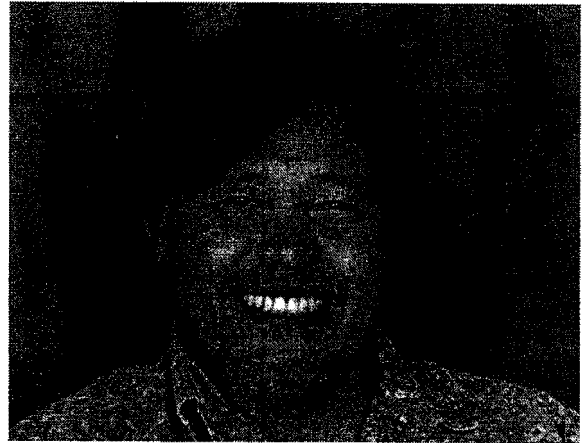


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## Transitioning to Independence

If we choose independence, will the United States just pack up and leave?

- NO, there will be a transition period which could last between 10-30 years.
- We will negotiate the terms of our current and future relationship with the United States.
- The U.S. has a "sacred trust" to ensure the "political, economic, social, and educational advancement" of our people even as we transition to independence (United Nations Charter, Article 73)

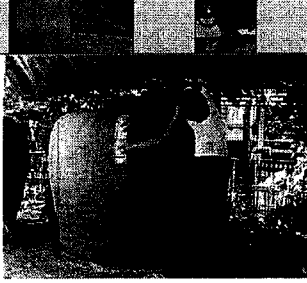
Has a transitional period ever been done before?

- YES! The Philippines had a commonwealth status for 10 years in order to prepare them to be independent. During this time they:
  - Negotiated taxes and fees
  - Negotiated future policies
  - Negotiated military and defense agreements
  - Negotiated educational policy
  - Wrote a constitution for the Philippine Government

## Learning from An Independent Model Nation: Thailand

### Thailand

- 1979, the Royal Govt declared a policy of water resources dev't and jars and tank construction of drinking water started.
- Today, most households have 1 household tank and a membership in a community tank.



•After 10 years, 8 million tanks have been constructed. Private sector competition brought prices down but education lagged behind and incidence of diarrhea increased.

-Thailand falls in the tropical belt of the world. It has abundant rainfall; the wet seasons are from May-October, when the country experiences southwest monsoon. The annual rainfall ranges from 102 cm in the northeast to over 380 cm in the peninsula.

- The construction of over 10 million 1-2 cubic meter ferrocement jars for rainwater storage has demonstrated the potential of catchment systems as a primary rural water supply technology. The rainwater harvesting jars are used by almost all the individual houses, and thus people have year-round access to clean water.

- Storing rainwater from rooftop run-off in jars is an appropriate and inexpensive means of obtaining high quality drinking water in Thailand. Prior to the introduction of jars for rainwater storage, many communities had no means of protecting drinking water from waste and mosquito infestation.

-Initially implemented by the Population and Community Development Association (PDA) in Thailand, the demonstrated success of the rainwater jar project has encouraged the Thai government to embark on an extensive national program for rainwater harvesting.

-United Nations Environment Programme

## If an Independent Guåhan controlled our hånóm:



1. We could actively prevent the contamination of our water by eliminating threats to this precious resource.

2. We could control the rates of use, and the rates charged to our people for water, keeping it clean and accessible.

3. We could better sustain this resource by implementing traditional methods for harvesting water through catchment systems. If Guam used only 10 percent of its land space to catch rainwater for consumption, we would be able to catch more than enough water to supply our island, saving millions of dollars and potentially boosting our economy through the sale of bottled water to the region.



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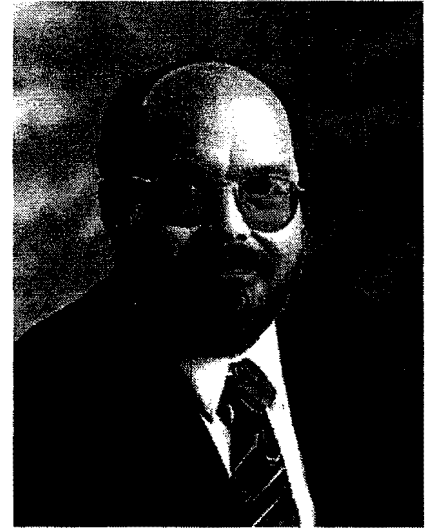
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# Hita La'mon: Hasso Independence

"...if we are to develop our economy, we will have to do it ourselves. The colonizers not only do not help in economic development, they discourage it, either through direct actions or by setting up systems that make us dependent on their continuing activities."

-Anthony A. Leon Guerrero, Former President and Chairman of the Board of Bank of Guam



## The Jones Act



• "Merchant Marine Act of 1920 (Section 27)"

• Restricts shipping between U.S. ports to vessels that are U.S. flagged, U.S. crewed, U.S. owned (75%) and U.S. built, and essentially cuts Guam off from 90% of the world's shipping.

• Foreign vessels that drop off their cargo at an American port cannot then pick up cargo there and deliver it to another U.S. port.

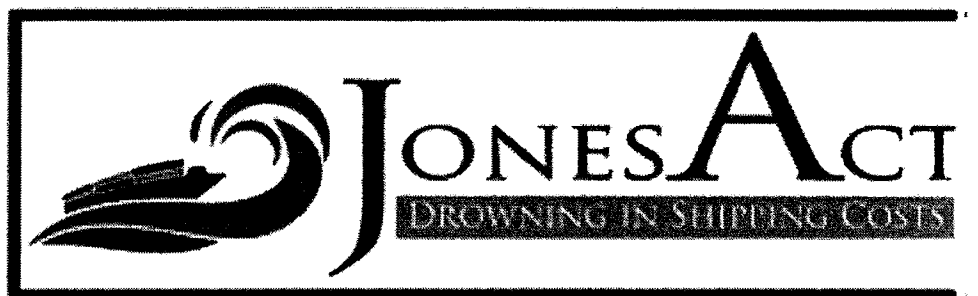
• Only 7 U.S. shipyards are capable of building these large commercial vessels and 4 of these build exclusively for the Department of Defense, leaving only 3 for commercial building.

• This lack of competition results in high costs in

building new ships — up to five times more costly than comparable ships built in Asia.

- U.S. trade barriers have real costs for U.S. consumers ... there is no doubt that the Jones Act adds costs to U.S. shippers, especially in areas where water transportation is the only economical shipping option, such as Hawaii, Guam, and Puerto Rico." - U.S. Senator John McCain, 1998
- To make up for the extra cost, shipping companies increase the cost of imports. These increased fees are passed on to the consumer in Guam, Alaska, Hawai'i, and Puerto Rico.
- "While Guam already has exemptions from the Jones Act, it has very little effect on our shipping costs because other non-contiguous U.S. ports that shippers would need to connect through to make a shipping route sustainable are subject to all the restrictions." -Senator Frank Blas Jr.
- "... a significant economic benefit to Guam from independence would result from the termination of the applicability of the Jones Act in U.S. trade with the island. Because of the corresponding reduction in shipping costs, the prices of goods from the U.S. arriving in Guam would be significantly lower than they are under the status quo." -Joseph Bradley, Economist, Bank of Guam

## Comparative Case: **Hawai'i**



- "We could be certainly as rich and prosperous as Singapore or Hong Kong if we were allowed to have the access to the world."- Ken Schoolland, Professor of Economics at Hawai'i State University
- "It is now known that the Hawaiian cost of living, primarily because of our additional shipping cost and because of the Jones Act, are now 49 percent higher than the U.S. mainland. And this is becoming unbearable. It's difficult for individuals. It's difficult for families. It's difficult for small businesses as well."  
-Hawai'i State Senator Sam Slom



•If Hawai'i was exempt from the "domestic build" provision of the Jones Act, "It is estimated this could save every household in Hawaii \$3,000 a year."- Leroy Laney, Professor of Finance and Economics, Hawaii Pacific University

•"Due to the restrictions placed upon our state by the Jones Act, Hawaii merchants cannot hope to compete in the world marketplace. For example, liquefied natural gas cannot economically be imported despite the state's critical and growing energy crisis."- Grassroot Institute of Hawai'i

•"What would an enemy want to do to the people of Hawaii during war time?" asks Schoolland. "They

would want to cut us off from international shipping. Well, this is what the law does to us all the time."

### **Nihi Ta Hassuyi Este (Questions To Consider):**

1. What is your household budget -- how much do you spend on food, goods, gas, and other products that arrive on a ship?
2. What would an economy designed to "improve the economic well-being of the people within the economy" look like for Guåhan? Consider economic alternatives that an Independent Guåhan can pursue.

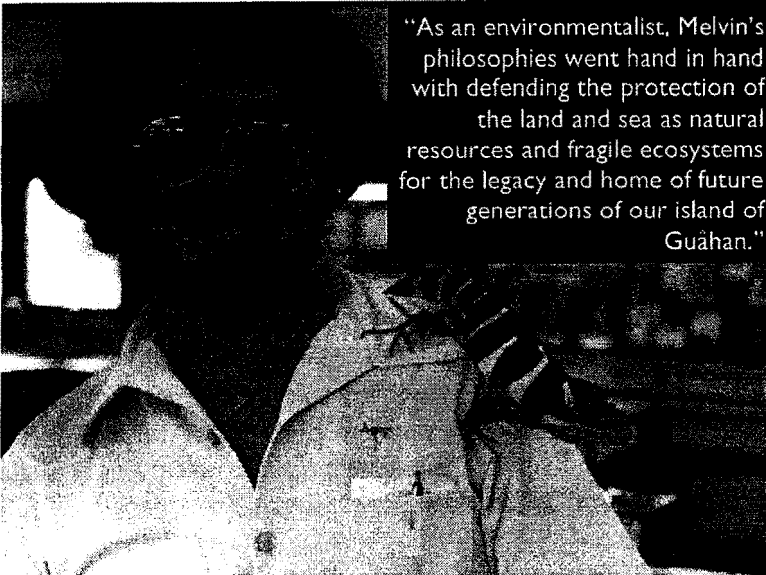


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# Hita La'mon: Hasso Independence



"As an environmentalist, Melvin's philosophies went hand in hand with defending the protection of the land and sea as natural resources and fragile ecosystems for the legacy and home of future generations of our island of Guåhan."

Maga'taotao Melvin B. Borja, microbiologist and former Guam Environmental Protection Agency spokesperson

## Hu Guaiya iya Guåhan: Why we should prioritize and protect our environment & natural resources

"If you deliberately dump toxic waste in someone's community or disproportionately exploit their natural resources without adequate consultation and compensation, clearly you are abusing their rights. Over the past 60 years, as our recognition of environmental degradation has grown, so has our understanding that changes in the environment can have a significant impact on our ability to enjoy our human rights...because damaging the environment can damage the rights of people, near and far, to a secure a healthy life."

- Universal Declaration of Human Rights in 6 Cross-cutting Themes

"If we husband our lands and waters, they will feed and care for us ... We are stewards of the earth, our mother, and we offer an ancient, umbilical wisdom about how to protect and ensure her life...No one knows how better to care for ... our island home than those of us who have lived here for thousands of years."

- Haunani-Kay Trask, Native Hawai'ian Educator, Political Scientist, and Writer

## Native Lands Belong in Native Hands

"The root cause of many of the environmental issues facing Aboriginal communities lies in the process of colonization and subsequent colonial policies that continue to grip our Nations in contemporary times. Aboriginal Nations still do not have control over their Traditional Territories. We are still not able to make decisions about how our land will be used, or not used, how we will govern, and to a large extent, how our children will be educated."

- Leanne Simpson in *Indigenous Environmental Education for Cultural Survival*,

"This land, tiny as it is, belongs to us just as surely, just as inseparably, as we belong to it. No tragedy of history or declaration of conquest, no legalistic double-talk can change that fact. Guam is our legacy."

- Governor Ricardo J. Bordallo

## How does Guåhan's Unincorporated Territory Status Impact our Environment?

As an unincorporated territory, we are not able to negotiate mutually beneficial terms and conditions with other countries. Nor can we control the types of contamination and destruction from U.S. military testing and training activities that occur in our air, our waters, and in nearly a third (30%) of our land that is occupied by the U.S. Thus, Independence would allow us the freedom to create and implement policies that are environmentally and culturally conscious of our values as *i Taotao Tano'*.

"I believe in Independence for Guåhan, because the newest U.S. administration has made its position on climate change very clear. They don't believe in it. We, as a Pacific, need to be united now more than ever. And if Guåhan was able to become Independent ... they would be able to contribute to the movements on climate change...we need to be united together as a Pacific. Biba Independent Guåhan!"

-Kathy Jetni-Kijiner, Marshallese Poet, Author, Climate Change Activist, and Educator

## Learning from An Independent Model Nation: Samoa



School children planting mangroves in Samoa as a natural solution to climate change.

The Independent State of Samoa, formerly known as Western Samoa, is a group of islands in Oceania. It consists of two main islands, Upolu and Savai'i, and seven smaller islets. Upolu is home to the capital city Apia, where nearly three quarters of the country's population resides. Samoa became the first Pacific Island nation to achieve political independence in 1962.

**Domestically, the government has implemented conservation programs in an integrated manner through economic and governance reforms.**

-Samoa actively participates in regional and international collective efforts to address environmental and sustainable development issues and to pursue cooperative arrangements between the government, private sector and non-governmental organizations to **advance environmental integrity** and achieve sustainable development for the benefit of future generations.

### **Samoa incorporates environmental values into decision-making and development**

- In 1993, the Government developed its National Environmental Management Strategies (NEMS) setting out the procedures and structure for environmental management and sustainable development. In recognition of existing laws that proved inadequate in preserving and protecting the environment, Samoa revised those laws and implemented new ones.

-Samoa has benefited from becoming a signatory to international and regional conventions, and receives resources from the international community for capacity building, training of professional staff for ongoing projects, and to invest in human resource development as the framework for meeting the challenges of social and economic development in the years ahead.

-The "Strategy for the Development of Samoa" recognizes that **the Fa'a – Samoa or Samoan culture – is a key factor in achieving and maintaining social harmony** within Samoan society. It is a valuable social security system that provides cohesion in the community.

– *World Summit on Sustainable Development Assessment Report*

### **Nihi Ta Hassuyi Este (Questions To Consider):**

1. Do you own or lease the land you live on? How does this affect your ability to care for your land according to your values?
2. How can an Independent Guåhan use Chamoru values to protect and sustain our environment for future generations? Describe specific laws, programs, and partnerships with other nations that we should explore when we become independent.

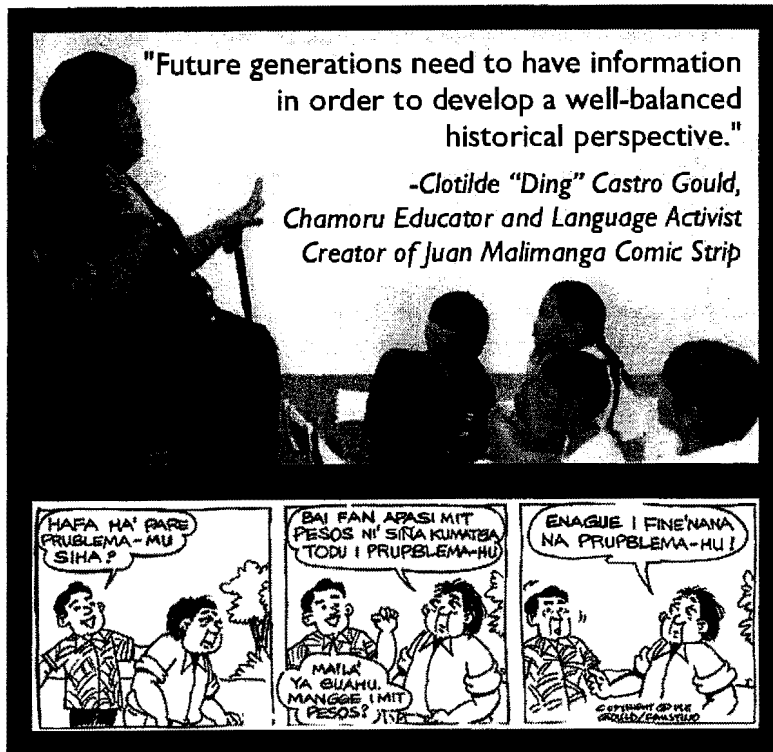


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# Hita La'mon: Hasso Independence



## Historical Perspective on Davis v. Guam

"They are using the Constitution to destroy the institutions that protect our culture, but at the same time, that Constitution does not fully apply to us."

—Joe Garrido, *Pacific Daily News*, 2004

Decolonization is not a right that applies to all, it is a remedy to restore a right that was taken away. This cure is meant for a particular harm that was inflicted on a particular group of people. U.S. Congress itself defines this group as those who were made citizens by the enactment of the 1950 Organic Act of Guam and their descendants.

—Attorney Julian Aguon, Davis v. Guam Hearing, 2016

**Davis v. Guam:** Arnold "Dave" Davis, a white American settler on Guam, was denied the ability to register for the self-determination plebiscite because he is not a "native inhabitant" of Guam as defined in Public Law 25-106. He filed the claim that his 5<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> Amendment rights, the Organic Act of Guam and the Voting Rights Act were being violated by this denial in 2011.

Davis is being represented by the Center for Individual Rights (CIR), a conservative legal organization who once encouraged college students to sue their universities to oppose all affirmative action policies in admissions. CIR's mission is to, "look for cases with strong facts that can move a public agenda through years of litigation. This approach allows CIR to set the terms of public debate regardless of whether we win or lose in court."

The case was heard in the District Court of Guam by Chief Judge Frances Tydingco-Gatewood on September 1, 2016.

Attorney Julian Aguon, representing the Government of Guam, argued that Guam's decolonization registry law (P.L. 25-106) was NOT explicitly race-based as it contains a political definition of Guam's native inhabitants, and other ethnic groups, not just Chamoru, can be considered "native inhabitants" if they or their ancestors became US citizens by way of the Organic Act of 1950. Attorney Aguon argued that this is not an issue of civil rights but of human rights pertaining to Guam's status as an unincorporated territory and the guiding principles of our right to self-determination as set forth by the United Nations.

On March 8, 2017, Judge Tydingco-Gatewood ruled in favor of Davis and that P.L. 25-106 as unconstitutional in violation of the 14<sup>th</sup> and 15<sup>th</sup> Amendments. The "native inhabitant"-only qualification for participation in the self-determination plebiscite was deemed race-based discrimination.

This ruling, while claiming to uphold equality as defined in the U.S. Constitution, actually perpetuates institutional racism. It maintains U.S. power over Guam.



*Decolonization will liberate us from a system that uses the language of equality to maintain inequality, and that denies us our human right to sovereignty in our homeland.*

*Through independence, we can envision and create a truly equal and just Guåhan, shaped in part by the lessons we've learned from our experiences of inequality.*

## **Racist Vote?**

**Racial Discrimination:** To treat differently a person or group of people based on their race. *Power is a necessary precondition*, because racism depends on the ability to give or withhold rights, social benefits, facilities, services, opportunities, etc. solely on the basis of race, color or national origin. ("Defining Race, Racism and Racial Discrimination," Vernellia R. Randall, racism.org)

The 14th and 15th Amendments were created after the Civil War to enfranchise former African slaves and give/ensure voting rights (for African American men). However, Jim Crow laws were enacted to make it difficult for African Americans to actually vote - poll taxes, literacy tests, and "grandfather" laws made it so that whites who couldn't pay a poll tax or pass a literacy test could still vote if their grandfather did, but black Americans could not.

Race was created by law. Laws continue to enforce ideas about race and deny rights to people based on their race. In this way, the law is often used to assert political power, and laws that claim to achieve racial "equality" are used to maintain power, as seen in the Davis v. Guam case.

In the case of Guam's political self-determination, race is not what defines who shall determine Guam's future political status. Historical injustice and the need for restorative justice define this process. Thus, decolonization should be reserved for those who share the common historical connection of having been colonized and denied the ability to choose their political status outside of the legal boundaries and supremacy of American governance. It is an issue of representation, not race.

In the Davis case, the law is being used to silence a group of people and circumvent their rights to self-determine by utilizing the narrative of racial equality and ignoring all historical context.

## **Colonization is Racism**

*Guam was first colonized by the United States in 1898. Decisions made during this first decade of American colonialism in Guam continue to shape the rights of the people of Guam today.*

In the 1901 Insular Case *Downes v. Bidwell*, Justice Henry Brown—famous as the author of *Plessy v. Ferguson*, which legalized race-based segregation ("separate and unequal"), describes the native peoples of America's unincorporated territories as "savage" and "alien" races. "[Justice] Brown contended that Congress would treat the territories well because it was guided by 'certain principles of natural justice inherent in the Anglo-Saxon character.'"

-Pema Levy, *Mother Jones*

"The people are poor, ignorant, very dirty in their habits, but gentle and very religious. They are like children, easily controlled and readily influenced by example, good and bad."  
-Naval Commander and Governor of Guam George Leland Dyer, 1904

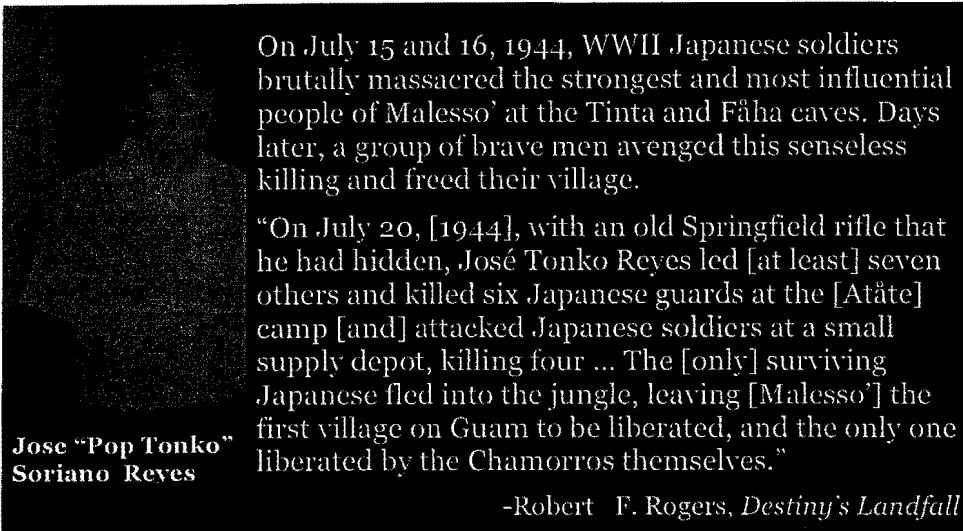


## **Nihi Ta Hassuyi Este (Questions To Consider):**

1. What separates human rights from civil rights in this particular case, and why should they be distinguished?
2. What can we do as residents of Guam to support the quest for indigenous rights and self-determination?



# Hita La'mon: Hasso Independence Leadership



On July 15 and 16, 1944, WWII Japanese soldiers brutally massacred the strongest and most influential people of Malesso' at the Tinta and Fåha caves. Days later, a group of brave men avenged this senseless killing and freed their village.

"On July 20, [1944], with an old Springfield rifle that he had hidden, José Tonko Reyes led [at least] seven others and killed six Japanese guards at the [Atåte] camp [and] attacked Japanese soldiers at a small supply depot, killing four ... The [only] surviving Japanese fled into the jungle, leaving [Malesso'] the first village on Guam to be liberated, and the only one liberated by the Chamorros themselves."

-Robert F. Rogers, *Destiny's Landfall*

## Matatnga

**"strong personality/fearless"**

"*Matatnga* is a specific form of courage. Someone with *matatnga* stands up for himself or herself with a certain fierce determination ... Across the turbulent course of three centuries of antagonistic interaction with Western powers, Chamorros have never lost a characteristic fundamental to them, that of being *matatnga*."

-Vincent P. Diego, PhD, *Guampedia*

**"Tåya' pinekkat sin fegi."**

*"There are no footsteps without footprints."*

## Chamoru Leadership

"In ancient Guam, Chamorro leaders were usually the oldest members of clans and were looked up to for their guidance and wisdom. The male leader of a clan is referred to as the *maga'låhi* and the female as *maga'håga*. These leaders were held in high regard as they governed the clan for the benefit of the whole rather than the individual. People who provided leadership and guidance; were understanding; and had integrity were recognized as *ma'gas* as well. The *manma'gas* title was not voted on, but given by the people out of respect for leadership qualities."

-Lina Taitingfong, *Guampedia*

## Successful Global Leadership Models

The small, isolated, Nordic countries of Finland, Denmark, and Sweden, as well as small independent countries in our region like New Zealand and Singapore are the world's best governed nations. Globally, these countries consistently rank high in all indicators of a healthy and thriving society, "from indicators like productivity and innovation to social ones like inequality and crime". There are many reasons for this, but *the Economist* suggests that much of the Nordics' success comes from their:

"...important qualities to transparency: pragmatism and tough-mindedness. On discovering that the old social democratic consensus was no longer working, they let it go with remarkably little fuss and introduced new ideas from across the political spectrum. They also proved utterly determined in pushing through reforms" (*The Economist*).

Singapore, which is an independent country very similar in size to Guåhan, now ranks as the world's 7<sup>th</sup> least corrupt country according to the "Transparency International's (TI) Corruption Perceptions Index" in 2015. Singapore's rank is a testament to its "continued vigilance, commitment and zero tolerance in the fight against corruption". Although the country sits atop the index as being one of the world's least corrupt countries, it hasn't always been that way. In the country's earlier years, it faced corruption and crime, but is now known as "one of the cleanest countries in the region and the world."

In a corruption-free government, a government the people trust, citizens pay their taxes and play by the rules. These model nations can be used to inform an Independent Guåhan, which would have the political sovereignty to implement transparency measures and invest more in our people's educational, professional and leadership development.

## Pura Vida! Costa Rica

**“No puede haber libertad sin justicia social, ni justicia social sin libertad.”**

*"There can be no freedom without social justice, no social justice without freedom."*

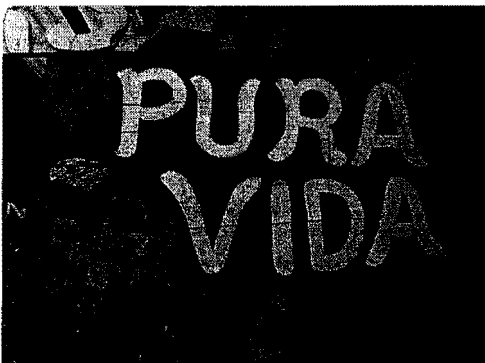
-José Maria Figueres Ferrer  
Former Costa Rican President

In December of 1948, following 20 years of civil war and what is known as Costa Rica's bloodiest era, then-president Jose Figueres Ferrer declared the end of military force in his country. "Article 12" of the *Costa Rican Constitution*, which addresses the sovereign nation's military abolition, was made official in 1949.



As an independent island nation, today the country neither commands any military units, nor do they house any weapons of war. They do; however, maintain a military alliance with the U.S. in the case of war within the independent state of Costa Rica. The country does operate under what is known as the Public Force established by the Ministry of Public Security in 1996, to enforce laws, patrol borders and fight drug-trafficking.

In an article published in the *Harvard International Review* titled "The curious case of Costa Rica", Maria José Sada (2015) wrote: "...without a military to fund, Costa Rica's government has found itself with a surplus of funds to finance social programs, from high-quality health care services to universal education, all of which helped strengthen Costa Rica's workforce and laid the foundation of substantial economic growth. A combination of human capital and innovative economic policies, in particular economic openness, has also helped push Costa Rica forward."



Pura Vida, which is Spanish for "pure life", is the motto for Costa Ricans' way of life and holds many resemblances to the Chamoru value of *Inafa'maolek* ("to make good"). Many argue that Pura Vida is the value that inspired President Ferrer to shape a Costa Rica that promotes peace and protects all life, whether it be humankind or nature.

While Guåhan will have its own unique defense needs, like Costa Rica, through independence, we can determine our island's defense and other policies with full consideration of our history of war and the quality of life we would want for our future generations.

### Nihi Ta Hassuyi Este (Questions To Consider):

1. What are some lessons you've learned about leadership from your family and village that could help shape an Independent Guåhan?
2. What can Malesso' teach the rest of the island about self-sufficiency and independence today?



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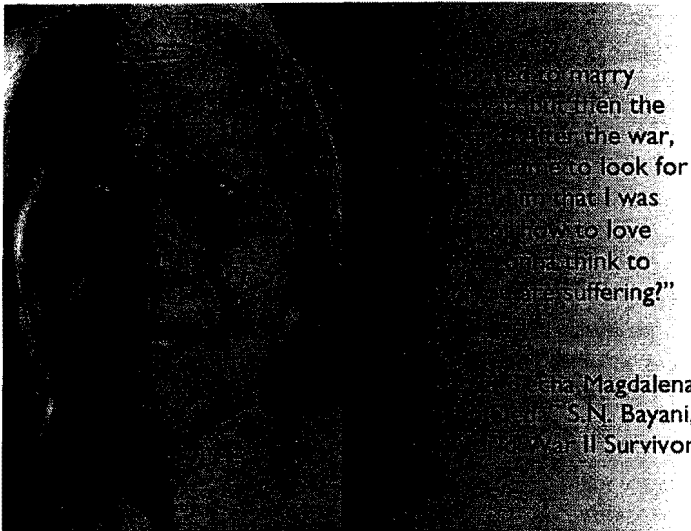
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*Independent Guåhan empowers the Chamoru people to reclaim our sovereignty as a nation. Inspired by the strength of our ancestors and with love for future generations, we educate and unify all who call our island home to build a sustainable and prosperous independent future.*



# Hita La'mon: Hasso Independence

## The Legacies of War



"I wanted to marry  
but then the war  
after the war,  
I came to look for  
him that I was  
in love with  
I think to  
be suffering?"

Ena Magdalena  
S.N. Bayani,  
War II Survivor

"As the world's most extensive industrial enterprise, the military generates huge quantities of hazardous wastes--used oils and solvents, paint sludges, plating residues, heavy metals, asbestos, cyanide, PCBs, battery acid, pesticides, herbicides and virtually every other toxic substance known to man."

- Los Angeles Times

### To'to Contamination

The Ibanez, Guerrero, and Montecalvo Properties (10 acres) were used as a World War II military landfill called the 5<sup>th</sup> Marine Supply Depot (Fifth Field),

"Sections of the top-soil, primarily on the Ibanez property, were found to be contaminated with hazardous levels of mercury, lead, arsenic, pesticides and polychlorinated biphenyls commonly known as PCBs."

-from the Army Corp of Engineers Proposed Remediation Plan

"When I was a kid all you have to do is pick it up and throw it and it sparks and there's an odor coming out of it; we don't know also if that's a potential hazard for us or our children among this compound."

- Vicente Ibanez regarding calcium hypochlorite glass ampules found on his property

"A 1986 interview with Mr. Jose Guerrero indicated that the Guerrero property was the site of 6 military supply warehouses, a military vehicle baseyard, and a shooting range. When American forces left the area to mobilize for the Korean conflict, a large pit was excavated and excess military equipment and supplies were dumped into the pit. The land was then backfilled."

- Pacific News Center

Since these properties were designated as part of a Formerly Used Defense Site (FUD), the responsibility the Army Corps of Engineers was responsible for cleanup. Based on the severity of contamination, in 2011 they recommended "Excavation and Off-site Disposal". While they began this process on the Ibanez property, they ran out of funding and never completed the project.

### Seeping Into i Tano' Yan i Tasi

"The Superfund program is responsible for cleaning up **some of the nation's most contaminated land** and responding to environmental emergencies, oil spills and natural disasters."

- Environmental Protection Agency

The Ordot Landfill and Andersen Air Force Base are listed as Superfund sites.

#### Ordot Landfill (Superfund Site)

- In 1988, the U.S. Environmental Protection Agency determined the Navy is a responsible party for the contamination found in Ordot dump. The Navy owned and operated the dump before and after World War II.
- An EPA study identified 17 Toxic Chemicals in the Ordot Dump. All of them belong to the EPA's 2002 list of "Priority Toxic Pollutants", including: Arsenic, Lead; Aluminum; Barium, Antimony, Cadmium, Chromium, Manganese, Pesticides, PCBs, Toluene, Ethylbenzene, Xylenes, Zinc, and Cyanide.

#### Andersen Air Force Base (Superfund Site):

- Contaminants Found: Arsenic, Asbestos, Lead, DDT, DDE, Thallium, Chlorinated Dioxins and Furans, Antimony, PCBs and TCE in Marbo Annex groundwater
- The sites on Andersen AFB consist of chemical weapons storage areas, landfills, firefighting training areas and other items that can affect the environment through releases or mishaps.

#### Cocos Island:

- Formerly used for a long-range navigation station from 1944-1963
- Elevated level of PCBs found
- "The U.S. military used PCBs in the past in electrical equipment such as transformers and capacitors. It is thought that contamination in the Cocos Lagoon is the result of PCB-contaminated equipment being discarded on the land and in the water, along with the transport of PCBs in runoff from the island."

-Pacific Daily News

**As an independent nation, we would have the opportunity to completely reorient the way that we treat the land. We could create land-use policies rooted in Chamorro stewardship practices; practices that will not treat our land as expendable dumpsites. In healing the land, we can heal ourselves.**

## Comparative Model: Ho'oula 'Āina

“‘O Ka Hā O Ka 'Āina Ke Ola O Ka Po'e”

“The Breath of the Land is the Life of the People”

-Hawaiian Proverb



Originally started in 1972, the non-profit organization of Kokua Kahili Valley was established as a way to decrease the growing health disparities that existed amongst the valley's low-income immigrant population, comprised mostly of Asian and Pacific Islander groups, approximately 98%. Of the residents in the valley, about 38% are originally from places outside of the Hawaiian Islands. To encompass all of these diverse cultural differences, the organization's founders envisioned programs that would create an “inclusive community in which neighbors help to heal neighbors, and people see themselves as part of a larger whole, connected to each other, to their culture, and to their shared land.” Today at KKV, the community-run organization works to make comprehensive and holistic health services available to the residents of Kalihi Valley: medical, nutrition, and chronic disease self-management, to name a few.

One set of programs that have been particularly successful in the community have been their environmental restoration and food cultivation workshops at Ho'oula 'Āina. Ho'oula 'Āina is a phrase meant to encompass the love for one's land and how that land is meant to care for the people living on it. Literally translated to mean, “to grow the land” and “to grow because of the land”, thousands of people throughout the Hawaiian Islands gather to volunteer at the Kokua Kalihi Valley (KKV) as a way to embody the Hawaiian-based value system of Ho'oula 'Āina.

Since 2004, members of KKV have developed and cultivated over 100 acres of land in the Kalihi Valley, which they named Ho'oula 'Āina. Through programs and workshops at KKV, these volunteers work tirelessly to bring life to Ho'oula 'Āina by restoring its forestry and surrounding fauna. As restoration efforts have given life to the land, the community has been successful in sustainably developing thriving gardens that all can partake in.



*Rooted in Hawaiian worldviews and shared respect for the land their lives are lived, the folks of Kokua Kalihi Valley, consisting of multiple ethnic groups, have created a tight-knit community of mutual aid, deep holistic connections to health, and a sense of taking things into their own hands. In Guåhan, we can learn from examples like these and begin to think of the ways that bringing community together rooted in respect and responsibility to the land can help us collectively solve our problems and provide opportunities. One of the ways we say Independence in Chamorro is “Hita La'mon” which can be translated to “it is up to us.” Examples like these demonstrate the living breath of this spirit of independence to help prepare us for our future nation.*

### Nihi Ta Hassuyi Este (Questions To Consider):

1. What are some land use/stewardship policies you would want to see in an Independent Guåhan?
2. How can village residents work together to implement independent practices today?

  
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# Hita La'mon

*It is up to us*



**Independent Guåhan**  
General Assembly Educational Topics  
August 2017-June 2018



# Hita La'mon: Hasso Independence

"As with all things that require faith to achieve, let us jump start the process once more and throw ourselves into the hard work ahead!"

- Paul J. Bordallo,  
Former Senator and Businessman

## Guahñ's Current Retirement Landscape

"The DC plan was created in 1995 to replace the government's Defined Benefit plan, which was too costly. When the Benefit plan closed, it left behind the unfunded liability, which is currently around \$1.3 billion. "

- Pacific Daily News, May 2017

"For more than a decade, the Retirement Fund and certain lawmakers worked to overhaul the system after recognizing that roughly 8,000 DC plan members had an average of \$40,000 saved for retirement."

- Pacific Daily News, May 2017

**"...retirement takes much planning, consistency, and time to make it a reality...to rely on anyone else to secure their own future is a big risk."**

- Jon C. Ulloa, financial advisor at Asia Pacific  
Financial Management Group (PDN, 2016)

## What does political status have to do with retirement?

"American public pension funds have no such minimum requirement, and even if they did, there is no regulator to enforce it. Company pensions are bound by federal funding rules, but Congress has a tendency to soften them."

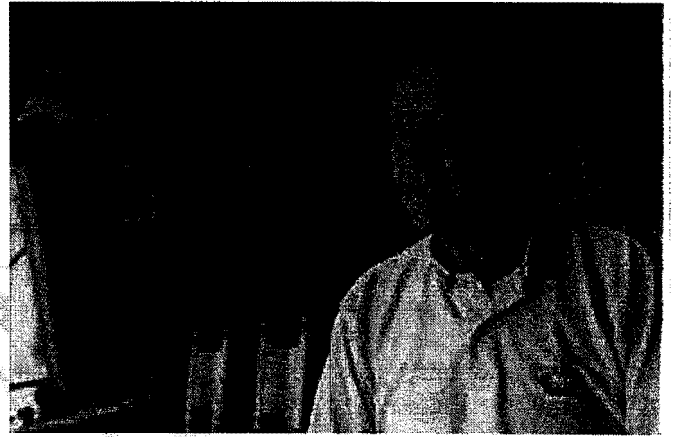
- New York Times, 2014

"This is one of the essential responsibilities of nationhood: to establish a ratio between resources and population that will yield to all individuals a good quality of life."

- Paul J. Bordallo, February 1974

"(Outside of status quo) [Retirement] plans will require that all or a substantial portion of the **funds be invested for economic development purposes in Guam**, rather than in U.S. stocks, bonds, and other securities."

- Joe Bradley, 2000





## Learning from an Independent Model Nation: The Netherlands



The Netherlands is known for having one of the best pension systems in the world. The country's retirement structure underwent a massive restructuring after the global financial crisis of 2008. Responding to the catastrophe, the Dutch today rely on a three-pillar system of retirement: (1) Public Pension, (2) Collective/Occupational Pension, and (3) Individual Pension. All three pillars work collectively to create different safety nets that people can pull their retirement income from.

Funding for each pillar is invested into different funds in a way that accounts for fluctuations in the market or other such financial changes. In addition to savvy investment strategies, each pillar is managed by strict regulations that are regularly enforced by the nation's bank, the Dutch Central Bank.

"The (Dutch) central bank in 2002 began to require pension funds to keep at least \$1.05 on hand for every dollar they would have to pay in future benefits. If a fund fell below the line, it had just three years to recover."

- *New York Times*, 2011

"The Dutch approach bears little resemblance to the American practice of shielding the current generation of workers, retirees and taxpayers while pushing costs and risks into the future, where they can metastasize unseen."

- *New York Times*, 2011

## Respetu Para I Mañaina



Planning for retirement is best understood when thinking about the latte. Long ago, Chamorus used the latte as a means of supporting their homes, educational spaces, and meeting areas. Though each pillar was strong on its own, four or more latte were positioned parallel to one another to serve as the foundation for our homes. Retirement in Guahān today resembles a lone latte. We are pouring our money into one fund, and as such, we are building only one latte. However, even if that latte were as large as the ones Tāga built, if we were to place a home on top of it, surely it would topple over. As an independent nation, we can look to models like the Dutch retirement

system and build multiple latte to provide us with a foundation for retirement. Considering the Dutch system uses only three pillars, you may be wondering what final latte will be used to balance the foundation? That fourth and final latte will represent our respect and love for i mañaina-ta (our elders). Retirement should mean living one's life without worry or stress. And we can do much more to ensure that our mañaina-ta are living stress-free, peaceful lives.

## Nihi Ta Hassuyi Este (Questions to Consider):

1. How can we better prioritize the needs of i mañaina-ta (our elders)?
2. What pillars of support can we start building today?



# Hita La'mon: Health Care

"Cultural and language barriers ... have made the aged of my people reluctant to, and often fearful of, seeking badly needed medical help from "foreign" doctors. Being a native I feel that I will do a great service by becoming a doctor and helping to alleviate the health problems on my island."

-W. Chris Perez, 1972

## Traditional Views on Health Care:

- Chamorus have traditionally prioritized the health and wellbeing of every member of society. Through a system of inafa'maolek, or doing good for all, Chamorus have a strong sense of interconnectedness with each other and their environment.

- "The Chamoru people have lived in the Mariana Islands for over four thousand years. Prior to contact with Europeans, they maintained healthy diets and lifestyles and revered their healers, who were called makana and kakana. The makana and kakana were believed to possess the power of causing and curing illness by invoking the aniti (spirits of the ancestors)." -Tricia A. Lizama

- Historically, Chamorus lived very healthy lives. However, colonization has tremendously changed how Chamorus view health and how they access health care. For many on Guam today, health care has become inaccessible and expensive.

## American Health Care at a Glance:

"The United States spends a higher proportion of its resources on healthcare than other countries; at the same time, a significant portion of the population is denied services, a situation almost unheard of in other countries."

-Mary-Jane Schneider, *Introduction to Public Health*, 2017

- The Census Bureau reports that 11.2 million Americans live in poverty due to out-of-pocket medical expenses.

- "Americans are not forgoing healthcare in order to buy new designer jeans and handbags, they are skipping pills and missing checkups so that they can put food on the table and put their children through college." -Farzon A Nhavi, M.D.

- "Ultimately, the United States remains one of the only advanced industrialized nations without a comprehensive national health insurance system and with little prospect for one developing under President Trump or even subsequent presidents..." -*The Conversation*, May 15, 2017

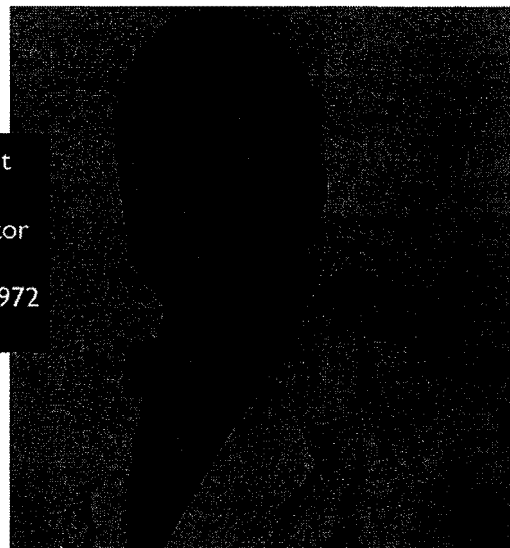
## Guam Inherited the Expensive American Health Care Model:

- "The government of Guam's health insurance cost for the financial year that begins in October 2018 is projected to hit \$101 million." -Christine Baleto, director of Guam Department of Administration

- "According to the 2013 Guam Statistical Yearbook, approximately 32,465 residents — 21 percent of Guam's population — lack health insurance. With such a large segment of the population uninsured, [Senator Dennis] Rodriguez said, Guam's medical centers suffer an outsized financial burden." - *Pacific Daily News*, March 23, 2017

## American Territories Share Health Care Struggles:

- "Hospitals in the US territories demonstrated significantly worse performance compared with the US states on all core process measures ... Furthermore, the higher mortality rates observed in the US territories are not the result of a few outlier institutions; virtually all of the territorial hospitals performed below the US national averages. Notably, the US territories have lower federal insurance reimbursement rates compared with all of the US states." -Nunez-Smith, M., et al. *Quality of Care in the US Territories*





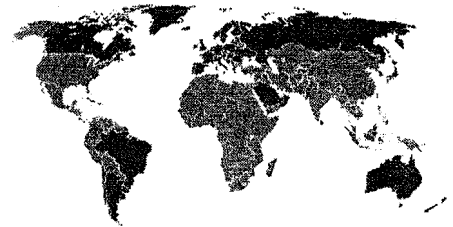
# Universal Health Coverage

•All United Nations' Member States have agreed to try to achieve universal health coverage (UHC) by 2030, "Reaffirming the right of every human being to the enjoyment of the highest attainable standard of physical and mental health ... and the right of everyone to a standard of living adequate for the health and well-being of oneself and one's family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond one's control..."  
-United Nations' Resolution on Global Health and Foreign Policy, 2012

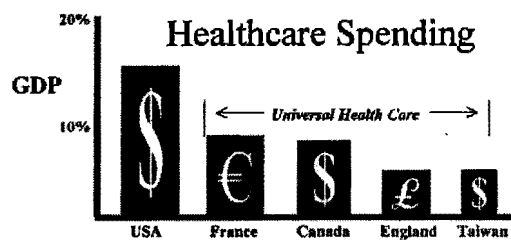
• According to the World Health Organization, "Every year 100 million people are pushed into poverty and 150 million people suffer financial catastrophe because of out-of-pocket expenditure on health services."

•"UHC means that all individuals and communities receive the health services they need without suffering financial hardship. It includes the full spectrum of essential, quality health services, from health promotion to prevention, treatment, rehabilitation, and palliative care." -World Health Organization

•As this map of countries who provide UHC reveals, "The U.S. stands almost entirely alone among developed nations that lack universal health care." -The Atlantic



## Comparative Model: Taiwan



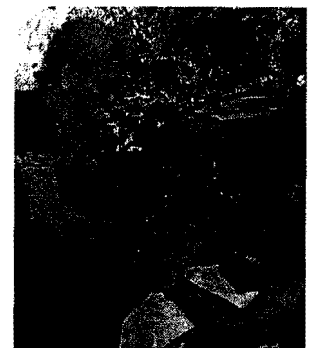
• Taiwan adopted its government-administered National Health Insurance (NHI) system in 1995.

•"Before the introduction of the NHI, there were a range of separate insurance schemes covering around 57% of the population. These included labour insurance, governmental employee insurance, farmers' health insurance and fishermen's health insurance. However, most of the general practitioners (GPs) practiced independently, and there was a high-level of out-of-pocket payments from patients. The NHI system consolidated all these small insurance schemes into a single national insurance system. Every Taiwanese citizen has a NHI IC card (integrated circuit card, a smart card), which is used to identify the person, store a brief medical history and to bill the national insurer. The patient has to bring his NHI IC card each time he/she utilizes medical services. The hospitals will then claim the related charges from the government. The claims process for healthcare providers is very rapid, in contrast to the rather lengthy processes for payment seen in the USA and UK." -London Journal of Primary Care

•Waiting lines for visits and procedures, if any, are short, and patients have free choice of providers, as there is no gate-keeper system such as that in the UK's National Health Service or in American HMOs. A main reason for NHI's high performance is the ability of the government, as the single payer, to set and regulate fees, and impose a global budget system that caps total NHI expenditure. -Tsung-Mei Cheng, *Brookings* 2015

## Nihi ta Hassuyi Este (Questions to Consider)

1. What kinds of comprehensive health policies and reforms can an Independent Guåhan implement to shape a healthier community?
2. What are three ways you can personally work to improve your health and/or health care options today?



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Ronald Flores Rivera



- The US could maintain US presence

- Guam's most recent bill of sovereignty, signed by President George W. Bush, included a provision that would allow the exclusion of certain military personnel and their families from the island.

Having the people of Guam vote on a constitution

experienced in the  
who were colo-



## Genuine sovereignty is imperative

While it has been proposed that Guáhan consider drafting a constitution and becoming a Congressionally recognized Native American Tribe, it is important to consider how Federal Indian laws have facilitated the continuation of colonialism. On the basis of non-sovereign "tribal sovereignty," the United States has built an entire apparatus for dispossessing indigenous peoples of their lands, their social organizations, and their original powers of self-determination. The concept of "American Indian sovereignty" is useful to the United States because it denies indigenous power in the name of indigenous sovereignty." "In the words of Chief Justice John Marshall in *Cherokee Nation v. Georgia* (1831), American Indian societies, though they are 'nations' in the general sense of the word, are not fully sovereign, but are 'domestic, dependent nations.'" (Source: University of Massachusetts Amherst Professor Emeritus of Legal Studies Peter d'Errico, "American Indian Sovereignty: Now You See It, Now You Don't", <http://www.umass.edu/legal/derrico/nowyouseeit.html>)

## Learning from an Independent Model Nation: : South Africa

South Africa is the prime example of a nation that has decolonized and used its history and diverse peoples to create a constitution that is inclusive, healing, and focused on moving forward together. The struggles of South Africa's indigenous peoples under colonization and apartheid and the lasting effects it had on them guided the country's constitutional convention. The drafters of the South Africa Constitution were determined to never repeat the racism and oppression of the Apartheid era again. Their Constitution sought to reconcile the nation and heal the wounds of the past, as exemplified in its Preamble:

*"We, the people of South Africa, recognise the injustices of our past; honour those who suffered for justice and freedom in our land; respect those who have worked to build and develop our country; and believe that South Africa belongs to all who live in it, united in our diversity. We therefore, through our freely elected representatives, adopt this Constitution as the supreme law of the Republic so as to heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights; lay the foundations for a democratic and open society in which government is based on the will of the people and every citizen is equally protected by law; improve the quality of life of all citizens and free the potential of each person; and build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations."*



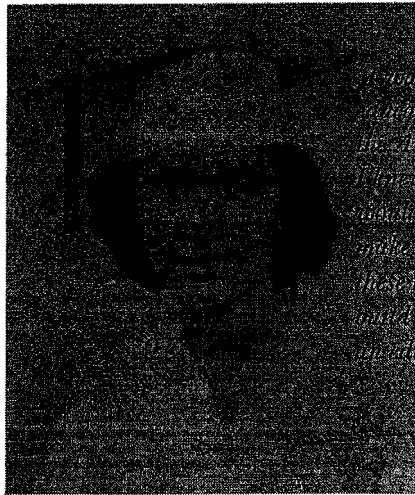
The South Africa Constitution has greater protections for individual rights and the distinct rights of the indigenous peoples of South Africa than the US Constitution. The protection of cultural groups and the recognition of their languages is written into the document. Opposition to racism and sexism is also explicitly expressed in the Constitution.

South Africa is one of many great model constitutions that have been written by independent nations that can be used to inspire Guáhan in the drafting of our own constitution. We have a world to learn from as we move forward.

## Nihi Ta Hassuyi Este (Questions to Consider):

1. What would you include in the Preamble to an Independent Guáhan's Constitution?
2. What specific rights should be constitutionally protected in an Independent Guáhan?

# Hita La'mon: Hasso Independence



"I was not meant to get an education, but I took education everywhere I could get it. I took it from the Americans; and I even took it from the Japanese. I knew that whatever was happening around me, I should become educated. I knew that was how I would make things better for myself. Even today, with all of these things happening around you young people, the mess that's going on, the wars...what is really going to help you is education."

-Gloria "Lola" Borja Nelson

## Education in an Unincorporated Territory

"Education in Guam prior to the Second World War was more about learning how not to be a native, a savage, an uncivilized man—a Chamoru—and less about learning how to be an educated, civilized American."

—Mary T. F. Cruz, *(Re)searching Identity*, 2012

"The broader agenda of education fostered a situation in which the focus of public instruction largely shifted away from the academic training of students toward attempts to mold young pupils in ways that served the interests of assimilation."

—James Perez Viernes, *Negotiating Manhood*, 2015

"Despite these countervailing trends and the cultural nationalism of the past decade, institutions operating on Guam remain basically impervious to fundamental change. It could be argued that these institutions, such as schools, remain resistant to change because they originate from and operate on assumptions external to Guam. In short, they are colonial and colonizing."

—Robert A. Underwood, *Education and Chamoru Identity*, 1989

"We have seen and experienced how the colonial educational policies of the last 200 years have suppressed Chamoru language and culture. We have seen and experienced how the American school curriculum has been embraced with complete and unquestioned acceptance. The colonial policies entrenched in our system have, and will continue to negate the implementation of an effective and genuine Chamoru language and culture agenda."

—Pilar Lujan, *The Role of Education*, 1996

## Not Adding Up

In 2015, the Program for International Student Assessment (PISA) compared academic achievement in 73 countries. The United States ranked 40th in math (below the average score), 24th in reading (only 4 points above average) and 25th in science (just 3 points above average). Singapore, a small, independent nation similar in size to Guam, ranked first in all three categories according to *The Washington Post* (2016).

The American education system is not the best in the world and it is not working for our students on Guam, as revealed in historically low test scores. Our high schoolers consistently and alarmingly score well below the national average on the federal ACT Aspire assessment test. Students meeting the minimum acceptable standards for English range near 20% and average less than 10% for Math and Reading, according to the 2015-2017 *Annual ACT Aspire Report*. This does not mean our students are failing, but rather our schools are failing to reach them.

## Thieves

Anna Perez Hattori

Thieves, they called us.  
Religious converts, they made us.  
Said we were sinful,  
naked, savage, primitive  
Playmates of Satan,  
native souls blackened and corrupted  
by immoral appetites.

Exterminated they called us.  
Half-castes, they branded us.  
Said we were impure,  
racially-culturally-spiritually  
Casualties of inauthenticity,  
native blood contaminated and polluted  
by casual miscegenation

Infantile, they called us.  
Wards of the state, they made us.  
Said we were immature,  
UNeducated, UNdeveloped, UNCivilized  
Victims of illiteracy,  
native intelligence retarded and muted  
by indifferent laziness

Now they tell us  
we are simply, sadly, contemptibly  
OVER-developed  
OVER-modernized  
OVER-theologized  
OVER-Americanized.  
UNDER-Chamoricized

From *Storyboard 5*, 1998

## Decolonizing Education

"Under colonialism indigenous peoples have struggled against a Western view of history and yet have been complicit with that view. We have often allowed our 'histories' to be told and have then become outsiders as we heard them being retold. Schooling is directly implicated in this process. Through the curriculum and its underlying theory of knowledge, early schools redefined the world and where indigenous people were positioned within the world ... Decolonization, however, does not mean and has not meant a total rejection of all theory or research or Western knowledge. Rather, it is about centering our concerns and world views and then coming to know and understand theory and research from our own perspectives and for our own purposes."

—Linda Tuhiwai Smith.

*Decolonizing Methodologies 2nd ed.*, 2012



## Learning from an Independent Model Nation: Aotearoa (New Zealand)



"New Zealand's education system has been ranked top of the world in 'educating for the future'...New Zealand is marked highly for focusing on 'future skills' and project-based learning in its school curriculum and teacher training."

-NZ Herald, 2017

"Curriculum content strives to connect traditional Māori practices and knowledge with the skills and capabilities students need to confidently live in the digital world. It does this while reinforcing the critical importance of understanding the past to inform future practice that benefits people and the environment."

-New Zealand Ministry of Education, 2017

"Students with high academic achievement and literacy in their native language have a tendency towards higher academic achievement and literacy development in English."

-Pacific Policy Research Center, 2010

"International research shows definite benefits of speaking more than one language. These benefits include the ability to think more creatively and laterally, an appreciation of differing world views, a stronger sense of self and cultural identity and an enhanced ability to participate in more than one culture."

- Ministry of Education, 2015

"A curriculum designed to provide a blueprint for the expression of Māori values and beliefs in Māori medium schools has been officially launched after more than three decades in the making ... The philosophy embraced different aspects of the child's development, which included, wairua (spirituality), hinengaro (mental wellbeing), whatumanawa (emotions) and tinana (physical wellbeing)."

- Townend, 2015



### Nihi ta Hassuyi Este (Questions to Consider)

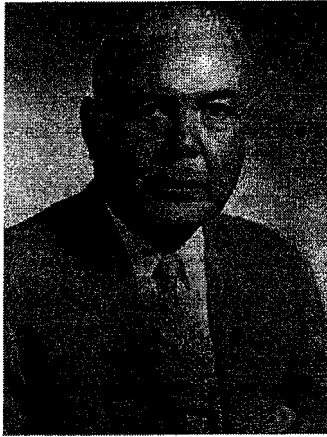
1. If you could design an independent educational system in a decolonized Guåhan, what would it look like? What would you want to teach our children to prepare them for life? How would you teach them (describe the setting, resources, information, activities, teachers, etc.)?
2. What are tangible ways we can begin to decolonize our educational system and schools in Guåhan today?



*Independent Guåhan empowers the Chamoru people to reclaim our sovereignty as a nation. Inspired by the strength of our ancestors and with love for future generations, we educate and unify all who call our island home to build a sustainable and prosperous independent future. Contact us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com).*

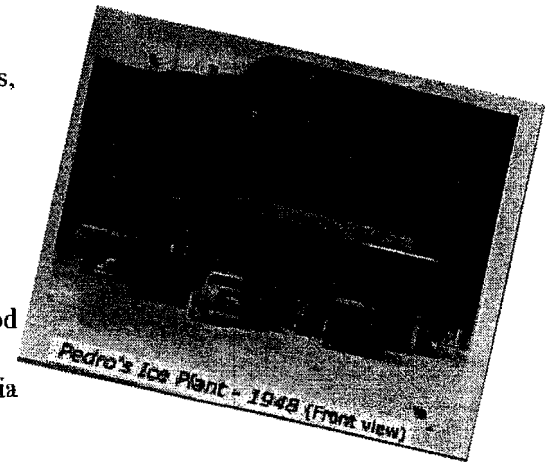
# Hita La'mon: Hasso Independence

## Maga'taotao



"Pedro Pangelinan Martinez (1892-1967), also known as "Don Pedro," was the founder of Pedro's, a company that at one time included an ice plant, a cold storage, a mini-supermarket, a wholesale and retail business, a construction company, an automobile agency, and two large farms that provided beef and vegetables to the island. He was one of the island's wealthiest and most respected businessmen on Guam during the U.S. Naval period on Guam (1898-1941)."

-Guampedia



## Water as a Natural Economic Resource

- Over the past 15 years, Guam has received an average of 100 inches of rain annually, which creates a potential water harvest of 63 gallons per square foot. According to a report from the Water and Environmental Research Institute of the Western Pacific, our aquifer receives 103 billion gallons of water a year, while another 195 billion gallons are either evaporated from heat, taken up by plants, or lost through river runoff. In total, our island receives up to 298-316 billion gallons of water from rainfall. Only 35% is used for local running water, while 65% is lost.

- If Guåhan were to harvest this water through water catchment systems, we could create an ecologically sustainable bottled-water industry that benefits the people of Guam. By catching and harvesting even just 1% of the annual rainfall that isn't used to recharge our aquifer, Guåhan could make \$14.6 billion! In 2015, Guam's entire economy only made \$5.7 billion. This industry could more than double that.

- Guam spent approximately \$3.3 million for imported bottled water in 2015, approximately \$5.6 million in 2017, and the number continues to rise. Imagine if the island were able to supply this water locally. There is clearly a need for this industry. [Estimates based on data provided by the Guam Bureau of Statistics and Plans: [http://bsp.guam.gov/business-and-economics-statistics-program/#tabs\\_desc\\_5718\\_31](http://bsp.guam.gov/business-and-economics-statistics-program/#tabs_desc_5718_31)]

- Through policies that prioritize the local production of goods like bottled water and that provide incentives to local businesses for purchasing and selling locally bottled water, an independent Guåhan would ensure that local goods are maximized and sold instead of heavily relying on imports. This would be especially effective in the case of bottled water, because it is such an abundant natural resource here.

- Guåhan would also be able to export water, which would be incredibly profitable. The fact that we have about 1.5 million international visitors a year means we have opportunities for international exposure to our bottled water.

- In 2012, the world consumed 76 billion gallons of water, which likely rose to about 103.3 billion gallons by 2017. According to a *Business Insider* article about US bottled water consumption, buying small bottles of water equates in cost to about \$7.50 per gallon. Small bottled water consumption amounts to 2/3 of total bottled water consumption. This means that the world bought over 50 billion gallons of water in small bottles for a total of \$380 billion in 2012, and this amount continues to rise. If Guåhan entered this market and sold 2 billion gallons of water in small containers at \$7.50/ gallon, it could generate \$15 billion annually for our water bottle company and retail partners. This industry alone has the potential to make more than our entire economy by simply catching less than 1% of our annual rainfall, bottling it safely in ecofriendly small bamboo bottles, and selling it to the world. [Sources: Statista, <https://www.statista.com/statistics/387255/global-bottled-water-consumption/> AND *Business Insider*, <http://www.businessinsider.com/bottled-water-costs-2000x-more-than-tap-2013-7>]

- The most feasible way of creating this industry as soon as possible would be by collectively using the current roof area of our homes and businesses to catch water. With that, our infrastructure is already halfway there for harvesting rainwater. We would just have to plan and strategically build water reservoirs to hold the water, which will be picked up and delivered to the water bottle factory throughout the year. Residents who participate could receive additional tax refunds dependent on how much water the industry sells each year. This can be done similarly to the Alaska Permanent Fund, through which all eligible residents of Alaska receive an annual refund check from 25% of the revenue made from Alaskan oil.

- There is new technology that is on the cusp of making "paper" or "bamboo" water bottles a global norm. This can become a secondary benefit to Guam. In working with the innovators who have come up with this technology, we could create a factory here in the Marianas. We could build an ecofriendly bottle-making factory while also building a bamboo farming industry to create a secondary source of income within our water industry endeavor. Not only would we have the capability to make bottles for our company, but for other companies that are interested in bamboo bottles as well.



# Learning from an Independent Model Nation: Fiji

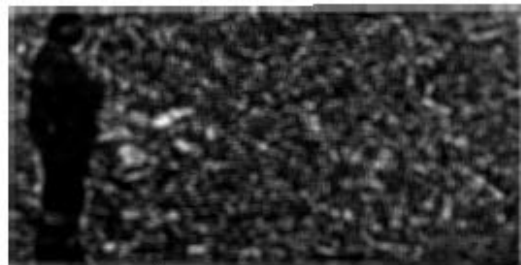


## Positives:

- FIJI water is the 3<sup>rd</sup> largest economic resource in Fiji after tourism and sugar.
- It provides a large amount of jobs for locals.
- The company donates about \$100,000 a year for local projects.
- It has an annual revenue of \$100-\$500 million.

## Negatives:

- Conservation projects they tout have not started.
- The profits of owners and stakeholders are of utmost importance.
- Local philanthropic projects are just .02-0.1% of total revenue.
- Locals basically do not have any access to the water pulled from the aquifer that makes FIJI water.
- Their PET plastic bottles leach of antimony, phthalates, and acetaldehyde, which all have their own damaging effects on the body from consumption. This is especially true when bottled water is stored at higher temperatures, which can certainly be true for tropical islands.



"Fiji Water, one of the world's most well-promoted brands of bottled water, is also one of the most secretive and private. Owned by Lynda and Stewart Resnick, the increasingly controversial Southern California billionaires, Fiji Water is a symbol of both the bad and the good in the world of bottled water. 'Bad' because of the massive energy cost and plastic waste produced by shipping bottled water thousands of miles from the island of Fiji to markets in the United States and around the world ... 'Good' because of the benefits the company claims to offer in the way of jobs and other economic returns to local communities in Fiji, and because of their much publicized claims to be 'carbon negative' - a claim, by the way, that cannot be independently verified with information provided publicly by the company ... Fiji Water has enjoyed a huge corporate tax holiday for over a decade, paying less than a million dollars in total corporate tax over ... two years, despite earning hundreds of millions in revenue from sales of product. The government of Fiji also accuses the company of manipulating the way the value of water exports is computed to minimize their tax payments."

-Peter H. Gleick, Chief Scientist, President-Emeritus, Pacific Institute

In developing a bottled water industry, an independent Guåhan would learn from Fiji's experiences and turn the negatives into positives. We would ensure that the industry is locally owned and that the primary beneficiaries of the industry would be the people of Guam. We would also work to ensure genuine sustainable practices that do not harm our environment or lead to more waste.

## Nihi ta Hassuyi Este (Questions to Consider)

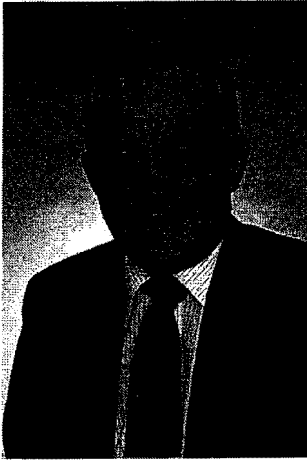
1. How will independence allow us to better protect our natural resources, especially our precious water?
2. What industries can an independent Guåhan explore to enhance our economic growth?



Independent Guåhan empowers the Chamoru people to reclaim our sovereignty as a nation. Inspired by the strength of our ancestors and with love for future generations, we educate and unify all who call our island home to build a sustainable and prosperous independent future. Contact us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com).

# Hita La'mon: Hasso Independence

## Maga'taotao - Antonio "Tony" M. Palomo



"Are we content with our present political status of that of a territory (with a small 't') of the United States?"

-Antonio "Tony" M. Palmo, inaugural issue of Pacific Profile, 1963

"If I had the chance to speak to the American people, and tell them one thing on behalf of the Chamorro people, I would take a long pause to think about that. Not about what I would say, but if I would want to tell them anything at all. Guam History shows us that the more the U.S. knows about us, the more they act to take what they feel is valuable, we lose things and Chamorros don't always get treated with respect. Sometimes, the less Uncle Sam knows about us the better. Like I said, we don't need them to tell us who we are anyway."

-Antonio "Tony" M. Palmo in War for Guam, 2015

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## How Colonization has Impacted our Health and Wellbeing

"Chamorros (28% of the cases) and Micronesians (28% of the cases) are still among the most affected by gonorrhea. The same pattern is seen when looking at chlamydia rates, Chamorros make up 36% of cases while Micronesians make up 28% of the cases."

-Guam Department of Public Health and Social Services, 2012

"Suicide remains a major mental and public health problem on Guåhan. Of the leading causes of death on Guåhan, suicide is the fifth highest. From 2000-2010, trends indicate an increase in suicide, with an average of 26.4 suicide deaths per year, amounting to one suicide death every two weeks."

-Drs. LisaLinda Natividad and Tim de La Cruz, 2017

"From 2000-2010, when separated into ethnicity, Chamorros accounted for the most suicides in Guåhan. It was reported that Chamorros made up 38.2% of all suicides."

-Office of the Chief Medical Examiner and DPHSS Vital Statistics

"In 2013, GPD reported 106 cases of reported rape which comes out to a rate of 64.2 reported rapes per 100,000, as compared to the US' rate of 25.2 per 100,000. Given these statistics, Guam has the second highest rape rate when compared to other states and territories."

-Guam Pacific Daily News, 2015

"In 2015, it was reported that 45% of all homeless were under the age of 21. It was also found that approximately 42% identified as Chamorro. These numbers are inclusive of persons who are either unsheltered or who utilize Guåhan's shelters."

-2015 Guam Homeless Point-in-Time Count (GHURA)

## Culutral Knowledge and Pride will Make A Difference

"In order to build a better health evidence base and catalyse better policy-making, a more nuanced understanding of cultural drivers is necessary."

-World Health Organization Europe, 2016

"Efforts to eliminate health disparities must be informed by the influence of culture on the attitudes, beliefs, and practices... There is credible evidence suggesting that cultural norms within Western societies contribute to lifestyles and behaviors associated with risk factors for chronic diseases."

-Thomas, Fine, and Ibrahim, 2004

"Health benefits of arts involvement, include reductions in stress and anxiety and improved quality-of-life for people suffering from pain and depression. These benefits are particularly important in public safety sector, where stress, trauma, and mental health issues are pervasive in high-risk and incarcerated populations."

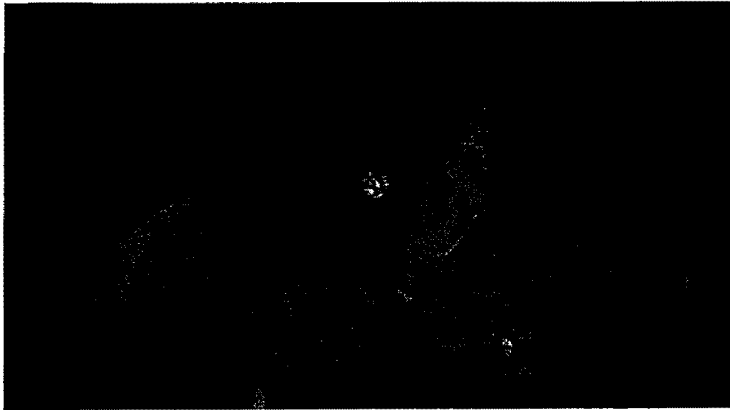
-McCarthy et al., 2004

"Inafa'maolek is a core value deeply rooted in a sense of interconnectedness or harmony. Translated, inafa'maolek means, 'to make things good.'"

-Dr. Anne Perez Hattori, 2004



## Learning from an Independent Model Nation: Canada



“Communities should be able to take control of the healing process with the experience of elders and aboriginal traditions, [expressed] Sen. Murray Sinclair [pictured left]... But Sinclair offers a warning: some elders are themselves likely former abusers. Part of the solution might lie in restorative justice, an approach based on the traditional practices of indigenous cultures, he said. Prison offers only temporary relief; offenders get released and come home, and victims are traumatized all over again.”

-Kristy Kirkup & Sheryl Ubelacker, The Canadian Press

The Community Holistic Circle Healing (CHCH) process was developed by the community of Hollow Water First Nation in Manitoba Canada in the 1980s. CHCH works to revitalize and restore the traditional family unit and to foster healthy communities based upon the idea of reconciliation between offenders and victims of violence and abuse. The program is based on the regional Anishinaabeg cultural value systems and “ways of knowing”. It offers counseling services and provides support groups.

- Canada Department of Justice

“CHCH discovered that intergenerational sexual abuse was the root of the problems youth and other community members experienced. Everyone, including CHCH team members and Tribal Elders, had been affected by acute, secondary and generational violence caused by colonialism. CHCH is composed of tribal elders, policymakers, social workers and volunteer community members dedicated to healing themselves, as well as the harms of abuse suffered by the community. CHCH viewed these harms as issues which could no longer be silenced and discarded as taboo subjects. Instead they organized and confronted their problems. Community participants signed on to healing contracts, which are documents declaring the dedication and commitment to resolving the conflict at hand, caring for victims and healing relationships with the accused. The final phase of the healing circle is a cleansing ceremony celebrating restored relationships between the victim, victimizer, families, and community.”

- “COMMUNITY HOLISTIC CIRCLE HEALING: RESTORATIVE JUSTICE IN INDIGENOUS COMMUNITIES”

by Laura Murphy, November 2016

“Signs of health and wellness include improved holistic health of children, more people completing their education, better parenting skills, the empowerment of community individuals, broadening of community resources, an increase in community responsibility to issues, an increased sense of safety, a return to traditional ceremony and a decrease in overall violence. From these indicators of wellness underlie the community perceptions that “things are getting better”. They also clearly indicate that through prevention, community training and intervention, the CHCH program has caused a decrease in the amount and type of services the community has required from outside sources.”

-A Cost-Benefit Analysis of Hollow Water’s Community Holistic Circle Healing Process (2001)

### **Nihi ta Hassuyi Este (Questions to Consider)**

1. What types of public health programs and policies could an Independent Guåhan implement?
2. How can practicing cultural beliefs and traditions help to heal our community?



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# Hita La'mon: Hasso Independence

## Maga'taotao - Olympia Quintanilla Camacho



As an educator for nearly 50 years in Guåhan's public and private schools and at the Department of Youth Affairs, Olympia Q. Camacho was passionate about teaching children how to read. The longer she taught in Guåhan's classrooms, the more evident it became that the CHamoru language was not being passed on to younger generations of CHamorus. Thus, she dedicated part of her career to ensuring that the CHamoru language and stories would be taught. She wrote curriculum for the Guam Department of Education's CHamoru Language and Culture Program and she gave televised CHamoru language lessons and translated the news into CHamoru on Guåhan's public TV station, KGTF. She also authored a collection of CHamoru legends and several educational children's books in the CHamoru language. Mrs. Camacho not only kept the CHamoru language and culture alive in her classrooms, she made sure her 10 children knew their language and culture at home. Her dedication to teaching the language lasted her whole life. Just before she passed away in 2012, at the age of 87, she was authoring a CHamoru dictionary.

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**"The philosophy, worldview, spirituality, and culture-specific ways of thinking and doing things of a people are built right into the very structure of their language. It is a route to seeing history and an alternative way of reconstructing a more accurate and representative picture of history."**

-Roger Wilson Spielman, *You're So Fat: Exploring Ojibwe Discourse*

## Language Statistics

- Only 16% of the current population in Guåhan reported speaking Fino' CHamoru (2010 U.S. Census)
- 44% of people in Guåhan live in English-only households (2010 U.S. Census)
- In 1990, there were 34,598 CHamoru language speakers. In 2010, there were only 25,827. (1990 and 2010 U.S. Census)

## Language Revitalization is a Political Issue

"Creative people ... know that culture is political. Writing, music, painting, dance, and voyaging are profoundly political, just as land ownership, medical care, universities, hazard-waste siting and cultural hegemony is political."

-Haunani-Kay Trask, *Inside Out: Literature, Cultural Politics, and Identity in the New Pacific*

"The effect of the cultural bomb is to annihilate a people's belief in their names, in their languages, in their environments, in their heritage of struggle, in their unity, in their capacities and ultimately, in themselves."

-Ngugi Wa Thiong'o, *Decolonising The Mind: The Politics of Language in African Literature*

"The loss of language is part of the oppression and disenfranchisement of indigenous peoples, who are losing their land and traditional livelihood involuntarily as the forces of national or world economy impinge upon them. Indigenous efforts toward language maintenance or revitalization are generally part of a larger effort to retain or regain their political autonomy, their land base, or at least their own sense of identity."

-Leanne Hinton and Ken Hale, *The Green Book of Language Revitalization in Practice*

"I must conclude ... that the real saviors of the endangered languages will be the people who speak them, not the linguists who talk about them."

-Donald Topping, *Saviors of Languages: Who Will Be The Real Messiah?*

"You cannot Háfa Adai your way to a Chamorro-speaking community."

-Dr. Robert Underwood, *FESTPAC Indigenous Languages Conference*

"Independence is the best political status to make the Chamorro language not only a symbol, but also a core part of our governance system. It allows this memory bank to be the foundation of our new nation. It can inform our policies, structure our institutions transform our foreign policy, and create new educational models."

-Kenneth Gofigan Kuper, *Pacific Daily News*



## Learning from an Independent Model Nation: Basque Country



*The Basque are a people whose land (called Euskal Herria) is located in the western Pyrenees mountains with four provinces located in Spain and three provinces in France.*

*Their language, Basque (or Euskara), is unique, having no known relation to any other language in the world, and currently has roughly around 750,000 speakers.*

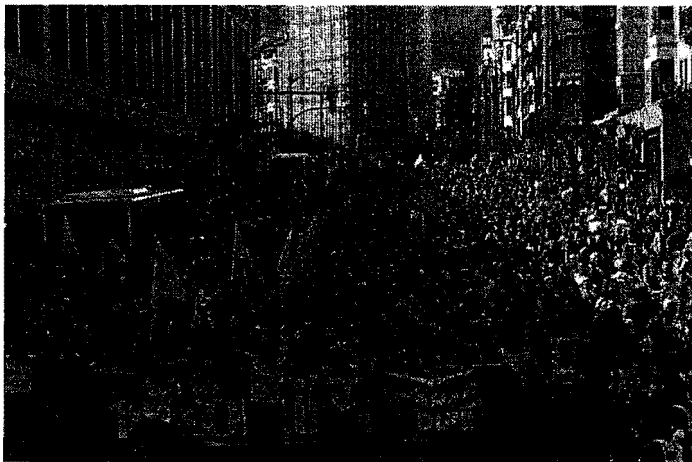
“Learning and speaking Euskara was envisioned as a means of being and becoming Basque. For some Basques, the language they choose to speak has no bearing on their political identity. But for others, being Basque or Basque nationalist and not speaking became increasingly to be seen as an unsettling contradiction.”

- Jacqueline Urla, *Reclaiming Basque*

“Euskara, the Basque language, is our only free territory.”

-Lander Arbeleitz, *Open Democracy*

*The Korrika is a bi-annual race held in Basque Country in which hundreds of thousands of Basque pass a baton representing the Basque language over 11 days and 10 nights. At the end of the exhibition, a secret message contained within the baton is read. Sponsored by the AEK, a community-based organization created to teach the Basque language to adults, the Korrika is one of the largest events celebrating the Basque Euskara language.*



### **Nihi ta Hassuyi Este (Questions to Consider)**

1. What are ways you and your family can engage in “everyday language revitalization” today?
2. How do you think the CHamoru language should be treated in an independent Guåhan?



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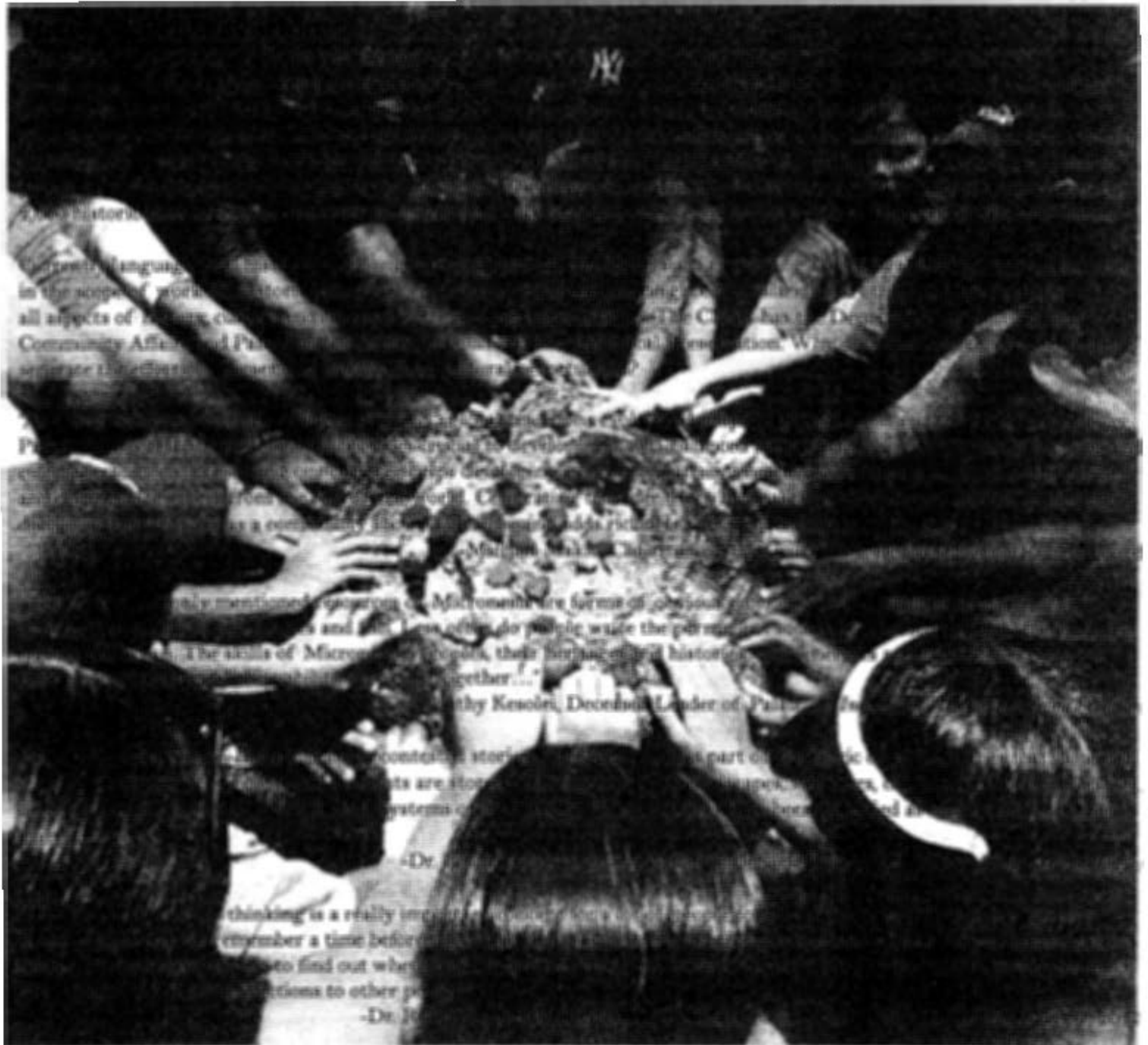
## Hita La'mon: Hasso Independence

### Maga'taotao - Monsignor Oscar "Påle' Skåt" Lujan Calvo



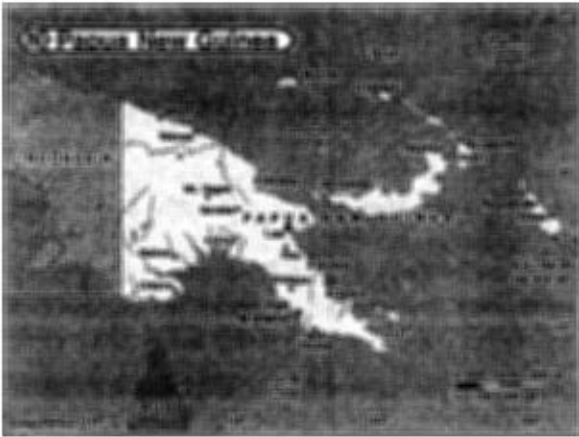
"Påle' Skåt started out as a priest with a reputation for avoiding controversy ... In due course however, time would prove that Påle' Skåt was not afraid of confronting publicly what he thought was unjust. The earliest example is when he lead a protest against the writings of George Tweed, the U.S. Navy radioman who was sheltered by the Chamorros the entire time of the Japanese occupation ... Around 1977 or 1978, Påle' Skåt was at the forefront of another protest, this time against the "English only" language policy of the *Pacific Daily News* .. Protesters sang Chamorro songs and gave speeches in English and Chamorro ... Påle' Skåt .. climbed the raised platform and began his speech, again in both languages. Quite unexpectedly he raised a copy of the PDN and, if memory serves, said into the microphone, 'Here's what we think of your newspaper,' and I suppose someone else (Påle' Skåt was advanced in age and nearly blind) lit a flame to the newspaper and set in on fire. Within a week or so of this protest the PDN changed its policy."

-Påle' Eric Forbes, [paleric.blogspot.com](http://paleric.blogspot.com)





## Learning from an Independent Model Nation: Papua New Guinea



*People first started living in New Guinea about 60,000 years ago, making it one of the first places inhabited in the Pacific. PNG became an independent nation in 1975 after almost 100 years of European and Australian colonization. There are about 8 million people living in PNG from several diverse ethnic groups speaking almost 850 languages. When Papua New Guinea attained political independence in 1975, there was some skepticism about its future survival as a nation; given the very high degree of cultural diversity that existed. Some predicted it would be afflicted by tribal wars and would disintegrate after a short time. However, forty-three years later, Papua New Guinea remains a country. The eastern half of the island known as Papua is administered by the Indonesian government. The indigenous people of West Papua province have been fighting for independence since the 1960s.*

"We the people of Papua New Guinea, united in one nation, pay homage to the memory of our ancestors – the source of our strength and origin of our combined heritage; acknowledge the worthy customs and traditional wisdoms of our people, which have come down to us from generation to generation; pledge ourselves to guard and pass onto those who come after us our noble traditions and Christian principles that are ours now."

-Preamble to the Papua New Guinea Constitution

PNG has a National Cultural Policy with the following principles in mind: Integral Human Development, A Holistic Approach, Cultural Basis/Foundation, Education, Empowerment, Broad Participation, Partnership, Human Rights, and Sustainability. The Cultural Policy recognizes the tangible and intangible aspects of heritage, and they speak of culture in two categories: heritage/traditional and modern/contemporary aspects of the people of their nation. Cultural Heritage focuses on connection of the natural environment to traditional ceremonies/rituals, languages, traditional knowledge, performance arts, and visual arts.

"Youth and children are an important part of cultural life. They are important in the process of imparting our diverse traditional and contemporary cultures to the next generation for preservation, protection, development and promotion in the future. Objective: Encourage youths and children to learn, appreciate and maintain the values of our cultural heritage now and into the future."

- PNG National Cultural Policy



"Women comprise an important part of the social and cultural life of Papua New Guinea. They are carriers as well as custodians of certain aspects of culture and must continue to maintain them. In some societies in Papua New Guinea, women play important roles in the social and economic affairs of their communities. These must be maintained since they give identity and belongingness to social and cultural groups identified with them. Objective: Encourage women to practice and disseminate cultural information available to them. Encourage women to maintain the values of our cultural heritage into the future by imparting these to the next generation."

- PNG National Cultural Policy

### **Nihi ta Hassuyi Este (Questions to Consider)**

1. What are ways an Independent Guahan can better preserve our heritage and cultural continuity? What aspect should be prioritized?
2. What are some ways you can work to preserve our heritage and culture for future generations?

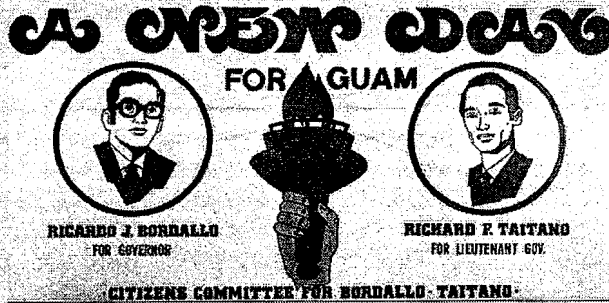


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# Hita La'mon: Hasso Independence

## Maga'taotao - Richard "Dick" Flores Taitano



"We have every reason to believe that you will join us in feeding the flame of the new torch of leadership until every foot of our territory is lit by it; until every home on Guam is warmed and comforted by it; until a bright NEW DAY for the people of Guam has dawned—a NEW DAY which will be the beginning of a new ERA."

- Richard Flores Taitano,  
1970 Gubernatorial Campaign

## Political Systems

### Collective Leadership and Consensus

"*Inafa'maolek* literally means 'making it good for each other' or 'getting along'. *Inafa'maolek* depends on a spirit of cooperation. The ancient Chamorros made decisions by consensus of their village councils, which included high-ranking men and women. They did not vote, but rather discussed matters until each person agreed. Consensus is a decision-making process by general agreement."

- Lawrence J. Cunningham, *Ancient Chamorro Society*

"A leader... is like a shepherd. He stays behind the flock, letting the most nimble go out ahead, whereupon the others follow, not realizing that all along they are being directed from behind."

- Nelson Mandela, *Long Walk to Freedom*

"This image of the shepherd behind his flock is an acknowledgment that leadership is a collective activity in which different people at different times — depending on their strengths, or 'nimbleness' — come forward to move the group in the direction it needs to go... That kind of agility is more likely to be developed by a group when a leader conceives of her role as creating the opportunity for collective leadership, as opposed to merely setting direction."

- Linda Hill, Harvard Business School professor and leadership scholar

"It was sad for the people of Guam when the Organic Act was signed... The Organic Act is not designed to enhance the dignity of the indigenous people. It was designed to enhance the colonial authority of the United States."

- Ricky Bordallo, qtd. in "Civilian Government Was Born From the Organic Act in 1950", Stinson, 1986

### Alternate Political Systems

In a **direct democracy**, people make decisions without an intermediary—like a political representative. Direct democracy is not fully practiced in any nation, but some forms of direct democracy—like a referendum, in which citizens vote on an issue to gauge public opinion—are practiced in representative and other democracies.

**Deliberative democracy** is a form of direct democracy, in which discussion and consensus are at the core of decision making.

In a **parliamentary democracy**, a person is first elected as a member of the parliament, or the lawmaking branch, then elected as Prime Minister. As a member of the parliament, the Prime Minister is more closely involved in daily governance, and works directly with other members of the parliament to write and pass laws. "A parliamentary system of government is preferable to a presidential system... The fact that a prime minister is held accountable to the legislature is a very good thing for governance... it means that the executive and his or her government are of a like mind with the majority of legislators, because prime ministers come from the party with a majority of seats in the parliament..."

- Akhilesh Pillalamarri, National Interest

In a parliamentary democracy, "Parties can be held to their election promises once they are in office, because there is nothing to prevent them from accomplishing in office what they had said they would do... once election results are in, the party or parties that have won control of the parliament have no excuse for not enacting the policies they had promised."

- W. Phillips Shively, *Power & Choice: An Introduction to Political Science*

In a **presidential democracy**, the president is separate from the lawmaking body. The president can sign or veto bills, but does not write laws.



## Learning from an Independent Model Nation: Belau (Republic of Palau)



As a presidential republic, Palau's political system is a blend of Western governance and of indigenous leadership, or ways of practicing decision-making. Interestingly, Palau utilizes a democratic political system, but does not have political parties. Wouter P. Veenendaal, in his study, *How democracy functions without parties: The Republic of Palau*, suggests that Palau's democracy functions successfully without the use of political parties because of the island's small community and Pacific cultural values.

He claims that political parties are rendered unnecessary in part due to the intimate nature of the community, in which direct communication between the political candidate and the community is possible and candidates have less need for a designed system of party values to communicate their strategy. Additionally, Palau's clan system has been maintained in some respect throughout their colonization. Therefore, political candidates and their value systems are more organized along the lines of family and clan histories and loyalties, rather than through a formal political party. Veenendaal writes: "Perhaps surprisingly from a Western point of view, respondents generally emphasized the positive role of non-elected traditional leaders with regard to the functioning of Palauan democracy. Although constant clashes occur between traditional leaders and elected politicians, the interviewees generally had a much more favorable opinion of their chiefs than of their elected representatives, and almost all interviewees asserted that traditional leaders played a crucial role in controlling and monitoring the actions of elected politicians."

Palau also utilizes a Council of Chiefs within the executive branch of government to advise the President on matters related to traditional laws and cultural values.

"The Council of Chiefs is composed of one traditional leader from each of the Republic's states. The council advises the President on matters concerning traditional laws, customs and their relationship to the Constitution and the laws of Palau ... This council is highly respected and works closely with the elected officials on a variety of local and regional issues. This ensures the preservation of traditional ways and the continued success of the democratic government."

- Republic of Palau government website



Koror Chiefs, 1915

"Even elected politicians themselves praised the role of chiefs in Palauan politics, with one of the most prominent politicians in the country stating that: 'The traditional leaders and traditional women leaders are still meeting to make sure that we keep and maintain our traditional way of doing things.'"

- Wouter P Veenendaal, *How democracy functions without parties: The Republic of Palau*

### Nihi ta Hassuyi Este (Questions to Consider)

1. How might a different political system better represent the values and needs of our island?
2. What values would you like an Independent Guåhan to incorporate into the design of a future political system?
3. How do our people still honor and practice Chamoru ways of decision-making outside of the formal leadership/political system?



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# Hita La'mon: Hasso Independence

## Maga'taotao - Governor Ricardo "Ricky" J. Bordallo

"Guam is not just a piece of real estate to be exploited for its money-making potential. Above all else, Guam is the homeland of the Chamorro people. That is a fundamental, undeniable truth. We are very profoundly 'taotao tano' — people of the land. This land, tiny as it is, belongs to us just as surely, just as inseparably, as we belong to it. No tragedy of history or declaration of conquest, no legalistic double-talk can change that fact. Guam is our legacy. Is it for sale? How can one sell a national birthright?"

-Governor Ricardo J. Bordallo



## Does Size Matter? - The geopolitical thinking about islands

*Guåhan Geographical Facts:* 212 Square Miles • 30 miles long, up to 11.5 miles wide in the South • 13 degrees North, 144 degrees East • Population of ~160,000

*Smallest Countries in the World:* Vatican City: 0.2 Square Miles • Liechtenstein: 62 Square Miles • Monaco: 0.7 Square Miles • Malta: 122 Square Miles • Nauru: 8.5 Square Miles • Grenada: 133 Square Miles • Tuvalu: 9 Square Miles • Andorra: 180 Square Miles • San Marino: 24 Square Miles • Singapore: 255 Square Miles

### The Island Perception

- The island "is a place defined by its otherness, thriving on nothing more than its distance and difference from the mainland to which it is opposed." - Adam Nicolson
- "States have long used islands as sites of experimentation, attempts to control or exert influence, and to extract resources or attract profit in other ways." - Alison Mountz, *Political Geography II: Islands and Archipelagos*
- "Islands have been used as strategic naval bases to launch naval expeditions since the advent of mankind. Islands have strategic significance due to their location, proximity to trade routes and being well developed harbours. History has borne the fact that in the past, western maritime power could control Oceans and littoral countries by virtue of possessing islands." -Dr. Nitin Agarwala, *Strategic Importance of Islands for Naval Operations*
- "*No situation in our possession equals Guam for protecting every security interest in the Pacific.*" - Alfred Thayer Mahan
- "The small size of islands like the Azores and Marianas masks their political, economic, legal, and technical weight. The islands have been critical nodes in multiple global networks." -Ruth Oldenziel, *Islands: The United States as a Networked Empire*

### Size Isn't Everything

- "The bottom line is that small countries can prosper as long as they are open to international trade. Conversely, small countries should be especially favorable to maintaining an open world trade regime. -Alberto Alesina, *The size of countries, Does it matter?*
- "The region in which a micro-state is located plays an important role in influencing GDP/GNP GDP/GNP per capita: micro-states in poor regions also tend to be poor." Armstrong et al., *A comparison of the economic performance of different micro-states, and between micro-states and larger countries*
- "Small countries in our sample thus display a substantially better governance performance than large ones ... First, the idea that small nations have better institutions than large ones, which should allow them to implement more efficiently social adjustments, is confirmed." - Eloi Laurent, *Economic Consequences of the Size of Nations, 50 years on*
- "Some small countries are extremely successful because they are well governed (non-corrupt), pro-women (high gender equality) and pro-inclusive growth (high score on Human Development Index). I would add two more factors to account for their success. The first is that they have educated and trained their population well. The second is that they are open economies, with an outward orientation and are highly globalised." - Tommy Koh, "Small and successful nations"

### Shifting the Paradigm - "Smallness is a state of mind."- Epeli Hau'ofa

"The idea that the countries of Polynesia and Micronesia are too small, too poor, and too isolated to develop any meaningful degree of autonomy is an economic and geographic deterministic view of a very narrow kind that overlooks culture history and the contemporary process of what may be called world enlargement that is carried out by tens of thousands of ordinary Pacific Islanders right across the ocean." -Epeli Hau'ofa, *Our Sea of Islands*

**We are a sea of islands!**



## Learning from an Independent Model Nation: Malta



"The Maltese archipelago has a history of colonial control spanning centuries. Located south of the Italian island of Sicily between Europe and North Africa, it has been occupied by Phoenicians, Greeks, Romans, Arabs, the Knights of Malta, and latterly France and Britain. Independence from Britain was achieved in 1964, after the Maltese people were awarded the George Cross for defending the crucial military bases there during the Second World War. Over the centuries, Malta's strategic position has fostered its development as an important trading post, and it remains a leading centre for container and freight transshipment. Malta is a popular holiday destination, and tourism is the nation's main source of income."

-BBC News

"The strategic location of [Malta] and the majestic natural harbors meant that Malta, until independence, was sought by the powers that dominated the region as a center of commerce and a defensive stand. As a result, the islands enjoy today a very rich and varied history. However, by itself, the story does not justify the annual influx of tourists in the summer heat of the sun, the clarity of the sea and welcoming attitude of the Maltese people, also won the hearts of visitors. Just like Tourism, Financial Services became one of the main pillars of the Maltese economy. This activity is currently responsible for a significant part of the success of Malta's economy that continues to reveal a growth above average, in spite of the current European economic context."

-NEWCO

"Malta's market-oriented economy, the smallest in the eurozone, relies heavily on trade with Europe. Malta survived the eurozone crisis because of low debt and sound banking. The judiciary, fairly independent and efficient, provides strong protection of property rights."

-2018 Index of Economic Freedom, The Heritage Foundation

### Success Factors:

- Malta is a parliamentary democracy, with political and social stability
- It is a sovereign member of the European Union and the Commonwealth
- It has a modern and diversified economy based on international business
- It has a stable macroeconomic environment (low unemployment, public deficit and debt control)
- It has a strong and modern legal system based on Roman law, but much of the administrative, financial and tax legislation is based on British law

Malta was the fastest growing economy in 2016 within the European Union growing at 6.7% in nominal terms

### Nihi ta Hassuyi Este (Questions to Consider)

1. What are some advantages of Guam's size in pursuing sovereignty?
2. How can you help to change the negative perceptions about the size of Guam?

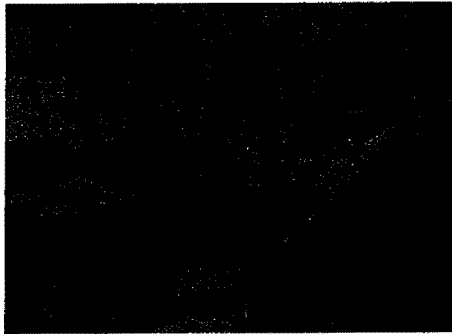


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# Hita La'mon: Culturally Relevant Education

## Maga'taotao - Dr. Pedro "Doc" C. Sanchez

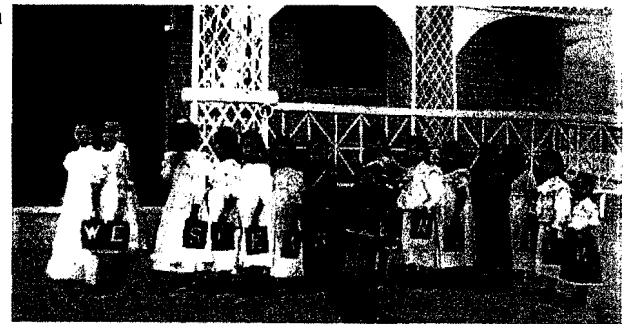


*"Career education is formulated on the proposition that the objective of the school is more than the dissemination of knowledge. Its central focus is the development of human beings who can cope with their life problems and become effective participants in society ... I have in my mind an institutional character that reflects the geography, the culture, the goals, the aspiration, and the priority needs of the society that is Guam and Micronesia. I have in mind a university...where Guamanian and Micronesian history, culture, art, music, economies, government, sociology and all other aspects of Guamanian and Micronesian lives are made meaningful in the programs and in the disciplines which we offer."*

*-Dr. Pedro Cruz Sanchez, from speech to University of Guam faculty, 1971*

Education is an instrument used within a society to convey the community's language, culture, knowledge, and skills deemed important within that society (Botha, 2010; Gallegos et al., 2010; Gatimu, 2009; Norbert-Hodge, 2010; Taufe'ulungaki, 2009). Education can also be used to replace those aspects with one that is imparted through colonization and conquest (Black, 2010; Halagao, 2010; Misco & Lee, 2012; Perez & Wiggan, 2009; Wilson & Kamanā, 2011).

Research suggests that, as in other Indigenous communities, **the imposition of American education and mandated use of the English language throughout the Mariana Islands have and continue to pose a potential threat to the Indigenous language and culture of these islands** (Gallegos, Murray, & Evans, 2010; Yoshioka, 2010). The implementation of an imposed national education, such as American textbooks and programs within Guam's schools, promotes the ideals of another nation's identity, values, language, and superiority, thereby undermining the sense of Indigenous identity and negating the value of the Indigenous language (Botha, 2010; Halagao, 2010; Keskitalo et al., 2010; Lee, 2009; Misco & Lee, 2012; O'Connor, 2009; Spolsky, 2010; Yoshioka, 2010). Furthermore, the imposition of curriculum, materials and languages that are foreign to Indigenous learners poses negative consequences in terms of academic learning (Botha, 2010; Gallegos et al., 2010; Phiri, Kaguda, & Mabheba, 2013; O'Connor, 2009), as well as social and emotional ills such as suicide and substance abuse (Hornberger, 2008; Munroe, Borden, Orr, Toney, & Meader, 2013; Nguyen, 2011). -Dr. Deborah Ellen, for Independent Guåhan, 2019



## Place-based Education Empowers Community Members

"What science tells us about how the brain works is consistent with what we know intuitively and from our own learning experiences. The more relevant the learning process, the more we learn." -Kana'iaupuni & Ledward, *Ho'opilina: The Call for Cultural Relevance in Education*, 2008, par. 1

"If knowledge is not rooted in what children experience ... and breathe and live and is around them, then it's not going to be solidly founded; there's no bearing on it. We're gonna be screwed for life because we're losing generations of learners." - Dr. Laura Souder, from *Education on Guam* interview, 2017

"If you have an island-based curriculum, about society, about culture, about the physical environment, and you say 'This is what I know as a base from which I will engage the world', then you have a healthy school system. But if you say 'That's not important and it's insignificant and that's for other people to know', then you don't have a healthy school system – and you don't have a healthy society." -Dr. Robert Underwood, from *Education on Guam*, 2017

To build a healthy, sustainable island community, we must educate our people in ways that are relevant and connect to their daily lives. The heavily Americanized curriculum used in our schools today has not been effective in doing this. In an Independent Guåhan, a new curriculum, accompanied by textbooks written by Islanders and centered on Islander knowledge and experience, will be necessary to achieving meaningful decolonization. Creating a culturally relevant education system is the foundation for sustaining our island and community. Through Indigenous knowledge and experience, our people have sustained themselves for thousands of years before the introduction of Western systems of living and learning. Indigenous knowledge and experience is what successfully guided this sustainability. In writing our textbooks and developing new curriculum, we must forefront Indigenous knowledge and experience and shape an education system that suits our specific needs and aspirations in our specific place in the world (Ellen, 2019; Hattori, 2018). -Jesse Chargualaf, for Independent Guåhan, 2019

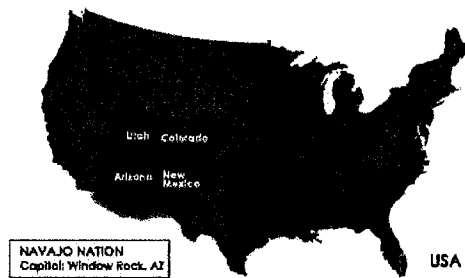
# Learning from a Model Nation: Navajo Nation

## Sharing Indigenous Educational Reform Strategies

Back in the 1960s when colonies started to achieve independence, many emerging nations wanted to reclaim their languages and cultures. The Māori were the first in the Pacific to start up an immersion program known as Language Nests: Māori Kōhanga Reo and Kura Kaupapa Māori. Hawaiians who were concerned about the loss of language in Hawaii looked to the Māori's model and people for support in starting up their own program: Pūnana Leo and Kula Kaiapuni Hawai'i. When the Navajo began reclaiming their rights in setting up the Navajo Nation (mid-1900s), language advocates from Hawaii came and helped them in setting up a literacy program for their schools. The Māori and Hawaiian efforts started with a handful of community members but have grown such that in New Zealand, all students in all schools must become fluent in Māori. Much of the educational efforts are linked to revitalizing their indigenous languages, cultures, and identities, as these are perceived as being one.

## Navajo Nation Schools

The Navajo (Diné) people have been assertive and aggressive in pursuing the management of their language and culture within school and community settings (McCarty, 2002). Their history traces back to the creation of the Navajo Reservation in 1868 which expanded and later evolved into what is now known as the Navajo Nation. The shifting of federal policies, movements such as the Civil Rights reforms and activists for sovereignty and self-determination throughout the early and mid-1900s shook the bedrock of education for Indigenous people including the Navajo Nation (McCarty, 2003).

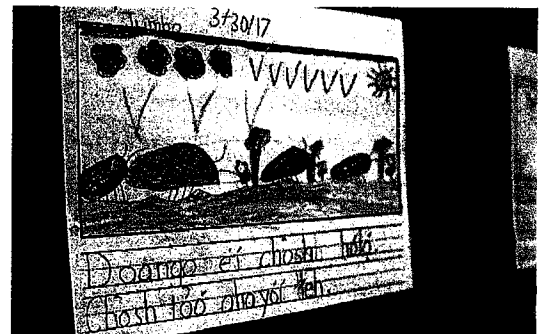


In the early 1960s, Navajo leaders came together to discuss ideas on how to create a more appropriate education for the youth. The Bureau of Indian Affairs (BIA) suggested the creation of a pilot school program using a Bureau school in Lukachukai, Arizona wherein the focus would be on "Indian Education" (Roessel, 1968). The main hurdle faced in this endeavor was the lack of local control and bureaucracy. Nevertheless, this experimentation in Indian education for Indian youth propelled future endeavors such as the creation of the Demonstration in Navaho Education (DINE); the eventual Navajo Nation Department of Diné Education; the establishment of Diné Character Building, Culture, History, and Oral Language Standards; and schools such as Rough Rock Community School and Rock Point Community School (Duval, 2005; McCarty, 2002; Stout, 2012).

"[Rough Rock Community School] came from the community, was embedded in the community..., Navajo culture was a key part of the curriculum" (Stout, 2012, p. 111). In 1987 the school implemented the Kamehameha Early Education Program (KEEP), an English language arts program that was being utilized at the Hawaiian school known as Kamehameha (McCarty, 2011). This partnership lasted for five years wherein program developers of the Hawaiian KEEP program spent time at Rough Rock and helped in the development of materials as well as with training. The focus of this program was on comprehension through the use of culturally relevant themes, materials and activities that revolved around the use of learning centers and group work (McCarty, 2011). Data indicated a doubling of the students' scores in the areas of reading and vocabulary. Perhaps most importantly, this is one of many examples of how Indigenous peoples sought to assist each other in their groundbreaking efforts toward language revitalization.

Students were taught to read initially in Navajo followed a few years later with instruction to read in English; this decision was based on the research which the school community members had engaged in related to other successful bilingual/bicultural programs in schools around the globe (McCarty, 2011).

Navajo-immersion students continue to outperform their peers in English-only classrooms (Johnson & Legatz, 2006; McCarty, 2008a).



## Nihi ta Hassuyi Este (Questions to Consider)

1. What are ways we can incorporate place-based, culturally relevant curriculum in our current school system?
2. What would an education system and/or school look like in an independent Guåhan?



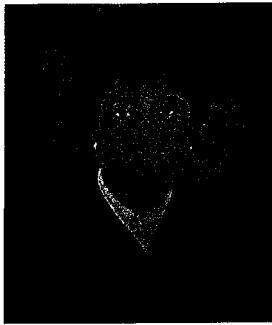
*Independent Guåhan empowers the Chamoru people to reclaim our sovereignty as a nation. Inspired by the strength of our ancestors and with love for future generations, we educate and unify all who call our island home to build a sustainable and prosperous independent future.*

Contact us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com)



# Hita La'mon: Rebuilding Our Community

Maga'taotao - Justice Monessa G. Lujan



**“Mantieni i direcho-ta.”**

*“As a lawyer, [Monessa Lujan] knew the importance of a local court interpreting local laws and as a Justice, her duty in shaping the Judiciary of Guam. She visualized a unified Judiciary, co-equal to the Legislative and Executive branches, free of partisan politics and guided by impartiality and integrity.”*

*-Judiciary of Guam*

## Top Offenses in Guåhan Today & How Our Justice System Responds

TOP FELONIES CHARGED	TOP MISDEMEANORS CHARGED
Possession of Schedule II Controlled Substance	Family Violence
Terrorizing	Driving While Under the Influence of Alcohol
Special Allegation - Commission of a Felony While on Felony Release	Assault - Recklessly Cause / Attempt to Cause Bodily Injury
Special Allegation - Deadly Weapon Use in Felony	Harassment
Possession and Use of a Deadly Weapon in the Commission of a Felony	Reckless Driving - Without Injuries

Former Department of Corrections Director Alberto Lamorena shared with the *Pacific Daily News* last year that the Department was “exploring community-based programs to curb a rising prison population spurred by aggressive government efforts such as the Mandaña Drug Task Force ... ‘What people need in a lot of cases is not incarceration but treatment, especially for those who become slaves to drugs,’ Lamorena said. ‘There especially needs to be a balance between pursuing punishment of those using drugs and rehabilitating them.’ While the Mangilao facility was initially constructed to house about 300 inmates, there are currently about 700 prisoners there, 30 percent of whom committed non-violent crimes ‘typically involving drugs,’ Lamorena said ... ‘At the rate that we’re pumping resources into Customs and GPD in this War on Drugs, eventually we’ll come to a point where our situation is critical,’ Lamorena said. ‘... there will come a time where space availability just won’t be there.’”

Family violence, driving under the influence of alcohol, and drug use continue to be leading offenses charged in our court system. The Judiciary of Guam has responded by creating the Guam Family Recovery Program, Adult Drug Court, Juvenile Drug Court, Family Violence Court, and Mental Health Court to address the distinct needs of those charged with these offenses. However, without adequate resources, government investment, and community involvement, it is difficult to actually provide the services needed or explore more creative approaches that emphasize cultural values and practices. Indigenous approaches to justice and rehabilitation have been effective in other communities and should be prioritized in Guam.

## Justice in Ancient CHamoru Society & Other Indigenous Communities

“While ancient Chamorros did not have written laws or a pronounced legal system, social order was kept by a deep sense of responsibility to the family in which one belonged. Those who disrespected this order, or brought shame to their clan, were severely punished.”

*-Victoria-Lola Leon Guerrero, Guampedia*

“All of a criminal’s relatives were embarrassed by a crime and they all came to demand reparations. If it was a serious crime, women who were related by marriage could air their grievances. The accused had a chance to state his innocence or explain why he should be excused for his actions.”

*-Lawrence J. Cunningham, Ancient Chamorro Society*

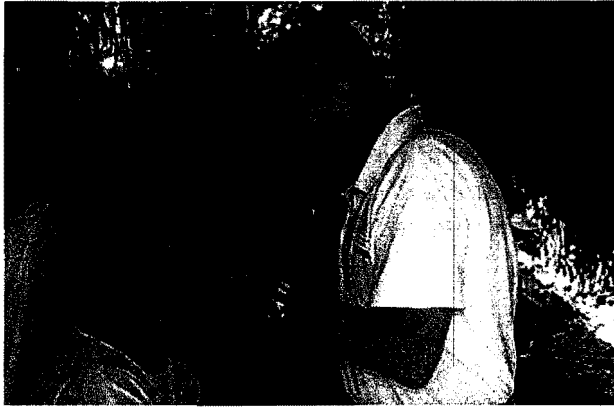
“Indigenous and restorative approaches make more sense than the current punitive system ... consistent with a trauma-informed approach to justice, savvy practitioners will ... build in supports and seek to repair the harm rather than just punish the wrongdoer ... in many indigenous traditions, connection and community life lie at the center of justice, and this connection cannot be cast aside when those in [the] community transgress. The harm must be viewed within a context of relationship, and the repair as well.”

*-Catherine Barga (MA), Just Outcomes*

Positioned within the *Honouring Our Strengths: Culture as Intervention* project, a scoping study was conducted to describe what is known about the characteristics of culture-based programs and to examine the outcomes collected. The evidence identified in this scoping study suggests that culturally-based interventions have been effective at improving functioning in all areas of wellness for Indigenous people in treatment for substance-use problems and addictions.

*-Margo Rowan, et. al., Substance Abuse Treatment, Prevention and Policy*

## Learning from an Independent Model Nation: Peru



### Traditional Healing Used to Treat Addiction

In the South American country of Peru, where the Amazon rain forest has always provided plants used for healing, the community has found that ancient plant medicines can be used to treat addiction.

"Our observations in the Peruvian Amazon yield a supplementary fact: not only do the natural psychoactive substances used by indigenous peoples not generate dependence, they are utilized to treat the modern phenomenon of drug addiction. This changes the way we understand toxicity; the Western obsession with 'substances' (drugs) is replaced, or at least accompanied by, the concepts of the set (the subject, including genetic predispositions, life history, and preparation)

and setting (ritualized or not). Indeed, psychoactive substances may be a treatment for 'drug addicts,' a fact that still seems paradoxical or impossible even to the specialists in question. And yet, the facts speak for themselves."

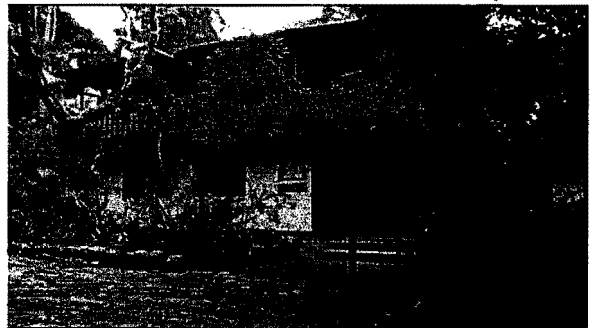
-Jacques Mabit, M.D., *Blending Traditions - Using Indigenous Medicinal Knowledge to Treat Drug Addiction*

### Ayahuasca

Made from a mixture of an Amazonian vine known as Banisteriopsis caapi and usually at least one other plant (in Peru mostly chacruna), Ayahuasca is a plant medicine that has been used in the Amazon for centuries for healing and spiritual purposes. Ayahuasca is not a drug. The mixture of plants is brewed into a tea, which contains dimethyltryptamine (DMT) and harmala alkaloids that can induce a hallucinogenic state when orally ingested. Some users report auditory and visual hallucinations and most report intense emotional and spiritual effects that lead to an overall positive shift in mental state. And the preparation has been studied academically for over a decade. In fact, there is growing scientific evidence to support Ayahuasca's therapeutic value and use as a holistic treatment to addiction, with research suggesting that it can help alleviate a range of mental health issues

"It's about connecting to the natural world," says Romulo Sinuiri Ochavano, a Shipibo curandero [traditional healer] who drinks Ayahuasca to communicate with the spirit world and understand his patients' illnesses. Traditional use involves only the curanderos drinking, according to Luis Eduardo Luna, a Colombian anthropologist and pioneer Ayahuasca researcher. He says it has mostly been used for divination, such as diagnosing psychosomatic or ethno-specific illnesses with no western equivalent, or for making contact with the spirit world. Today, Healing Centers have opened throughout Peru to provide guided use of Ayahuasca and retreats centered on treating drug addiction, like the Takiwasi Center in the High Amazon. The therapy is based on a three-part method which includes the use of the plants, psychotherapy, and community life. The guided experiences of altered consciousness generate psychological material which is subsequently discussed and evaluated in the psychotherapy workshops and then directed towards expression in community life. In reverse, everyday activities supplement the therapeutic sessions (with or without plants).

In order for Ayahuasca to work, people who use this traditional medicine must have a strong intention and desire to heal. Reports of successes are common, particularly with depression, traumas and addictions.



SOURCES: *The Guardian*, *Psychology Today*, and the Takiwasi Center

**Takiwasi Center**

### Nihi ta Hassuyi Este (Questions to Consider)

1. How can we practice justice in a way that emphasizes collective healing and inafa'maolek?
2. How can our community use cultural knowledge to heal from addiction?



Independent Guåhan empowers the Chamoru people to reclaim our sovereignty as a nation. Inspired by the strength of our ancestors and with love for future generations, we educate and unify all who call our island home to build a sustainable and prosperous independent future.

Contact us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com).

# Adverse Impact

If Free Association or Independence will prevail in the coming plebiscite, there will be changes that can adversely impact the people of Guam under a new political order.

For example:

- Guam's status as a U.S. territory will be discontinued since it will no longer be under U.S. sovereignty. The Organic Act of Guam will be repealed by Congress.

- U.S. citizenship could be compromised. U.S. citizens who will seek Guam citizenship could jeopardize their U.S. citizenship. The U.S. Immigration and Nationality Act provides for the revocation of U.S. citizenship or denial of U.S. citizenship for future descendants of U.S. citizens under certain conditions.

- Application of the U.S. Constitution to Guam will be withdrawn since Guam will no longer be under U.S. sovereignty. Protection under the U.S. Constitution of U.S. citizens living on Guam could be comprised or restricted.

- U.S. military presence could be withdrawn or limited in size. This will depend on what could be negotiated with the U.S.

- Federal assistance and funding for social programs, health and welfare, public safety, law and order, education, scholarships, heritage and cultural preservation, highway and infrastructure construction, aids and grants will be discontinued. Any assistance from the U.S. will have to be negotiated under a treaty agreement.

- Military reserve units, including the Guam National Guard, will be dismantled.

- Social Security for future generations will be curtailed.

- Medicare/Medicaid will be discontinued.

- New form of government and political order will replace the present system.

- Continued presence of foreign investments will depend on the stability and protection of law

# Know Well Implications of the 3 political options

**Statehood** will guarantee permanent U.S. citizenship for you, your descendants and Guam's future generations as well as your rights to life, liberty and the pursuit of happiness.

To become a state, Guam must successfully lobby Congress to be fully integrated. U.S. citizenship will be guaranteed under the U.S. Constitution and the people will enjoy increased financial support and other benefits which are available to all the states in a fair and equitable basis.

To attain Independence or Free Association, Guam must also get Congressional approval. It may enter into a treaty with the U.S. and may receive foreign aid, or negotiate a compact to freely associate in some manner.

**Independence** will give complete sovereignty as a nation and decide whatever it wants to do to develop its national growth, trade and commerce, infrastructure, form of government, economy, health and education, foreign relations and national defense.

**Free Association** is also essentially Independence in nature, but has an option to freely associate with another foreign nation through a negotiated compact treaty.

Negotiation is imperative. One party must have something to offer that the other party needs in a give-and-take basis in order to negotiate. There is no guarantee that all demands will be granted in its entirety. Mutual consent is required.

A treaty is entered through mutual agreement that is beneficial to the negotiating parties. It is entered into for a specified period of time between two sovereign nations and can be terminated unilaterally any time by either party.

# U.S. Citizenship

The people of Guam became statutory U.S. citizens when Congress enacted the 1950 Organic of Guam. Since then, they have exercised limited self-government although they now elect their governor, members of the Legislature, a non-voting delegate to Congress and village mayors.

They also have protection under the U.S. Constitution and enjoy federal support that includes funding, programs, grants, aids and entitlement.

The people of Guam are firmly loyal to the U.S. and cherish their citizenship, despite still living in an unincorporated territory. They have consistently expressed their desire for closer union with the U.S., perhaps ultimately achieving statehood.

Status such as Independence or Free Association will end U.S. sovereignty over Guam. This could adversely impact on the U.S. citizenship of Guamanians, more so on future generations.

Under the Territorial Clause of the U.S. Constitution, Congress can enact law to extend certain provisions of the Constitution to an unincorporated territory, as it did for Guam under the Organic Act of 1950. However, a future Congress will not be bound by the statute, and can repeal the law, according to a Congressional report. This raises the question whether Congress has the power on U.S. citizenship conferred under the Organic Act of Guam by repealing that act.

That Congressional report – on H.R. 856 which authorized a political self-determination plebiscite for Puerto Rico in 1998 – pointed out to that the U.S. Supreme Court has ruled “that the 14<sup>th</sup> Amendment (of the U.S. Constitution) does not make citizenship permanent or irrevocable in the case of person born outside the U.S. whose citizenship is conferred by statute, and that Congress can terminate non-Constitutional U.S. citizenship by the same power through which it is granted...”

“Thus, the U.S. Constitution has been judicially interpreted by the high court of last resort to establish that persons born outside the U.S. in a foreign country who acquire statutory U.S. citizenship based on the U.S. citizenship of parents do not have the permanent and Constitutionally-guaranteed citizenship that people acquire upon birth in a State.”

The only way to guarantee that those people made statutory U.S. citizens by the Organic Act of Guam of 1950 and their descendants is for Guam to become a State of the Union. By so doing, their citizenship will be permanent and irrevocable under the 14<sup>th</sup> Amendment and enjoy full protection of their



*We have come a long way since 1898.*

*We have learned well under the U.S. administration and have molded into our character the heritage of our past and promise of a better tomorrow. We have nourished an appetite to live as a free people and enjoy the fruits of labor as we continue to build Guam into a promising Pacific island community at the gateway to Asia.*

*We hold the self-evident truth that we are endowed by our Creator with certain inalienable rights, among these are life, liberty and the pursuit of happiness.*

*For the past 216 years we have nurtured the aspiration to be politically mature and be treated with dignity and equality. We look forward to the day when we will be fully integrated into the American system of government.*

*The time has arrived for us to take the first step to attain*

# Statehood

*for Guam and assume our place as Guamanian-Americans in the 21<sup>st</sup> century.*

*So let us proceed. Make Guam the 51<sup>st</sup> state of the Union "where America's day begins."*

**Guam Statehood Task Force**

[www.statehoodforguam.com](http://www.statehoodforguam.com)



## State sovereignty + Permanent U.S. citizenship + Vote for President + Voting in Congress + State Constitution + National defense + Revenue sharing + More federal \$\$\$\$

Statehood embodies the results of the two previous political status plebiscites on Guam -- one in 1976 when the voters chose closer union with the United States, and the other in 1982 when they overwhelmingly chose Commonwealth and Statehood over Free Association, Independence and status quo.

Statehood has **clearly identifiable political parameters**; it embodies certain **fundamental characteristics** shared by every state on equal footing. These include:

- o **State sovereignty** or full autonomy on state matters. The state has authority to write its own state constitution, set up a state government, establish a state court system, and enact state laws that could not be altered by Congress.

- o **Full application of the U.S. Constitution** and U.S. citizenship conferred with full guarantee and **protection under the U.S. Constitution**. The citizenship conferred on the people of Guam by Congress was part of the **1950 Guam Organic Act** which also established **Guam's civil government**. In a sense, we are a **creature of Congress**. And Congress maintains plenary powers over Guam under the Territorial Clause of the U.S. Constitution.

- o The **U.S. Constitution guarantees the rights** to life, liberty and the pursuit of happiness. More specifically, it guarantees freedom of religion, free speech, free assembly; right to own and bear arms; protection of life and property; protection from unreasonable search and seizure, and from cruel and unusual punishment; right to fair and speedy trial; equitable treatment; right to due process under the law, and protection from double jeopardy and self-incrimination. It **prohibits** any person or group of persons **from abusing the law or governmental powers** to the detriment of another individual citizen or the good of the community.

- o **Active voice in Congress** -- through two voting senators and at least one member in the House of Representatives. Guam will have a voice in shaping laws

and federal policies. This will give Guam leverage in Congress, thus enhancing its prestige and status in this part of the world.

Shortly after Guam was ceded to the U.S. by Spain in 1898, the inhabitants have been **striving for fair and equitable treatment** and to **have a voice** in the island's civilian affairs. For too long, Guam has been occasionally subjected to unfair and arbitrary treatment resulting from federal laws, policies and regulations imposed without having a say on them.

Having two senators and a representative in Congress will enable Guam to have a say in the enactment of laws and in the shaping of federal policies affecting Guam. Presently, Guam has a non-voting delegate who can participate and vote in committees, but not on the floor of Congress where it can make a difference.

- o Guam residents who are U.S. citizens will be **able to vote for the U.S. president and vice president**, whose actions have a profound impact on Guam -- for better or for worse.

- o Guam will be able to **participate equitably in federal revenue sharing, and have greater access to federal programs, grants, aids and entitlements** like all the other states on equal footing. The people will be entitled to receive Social Security Supplemental Income (SSSI) and Earned Income Tax Credit (EITC) and other federal programs, financial assistance and entitlements. This will mean a windfall for Guam.

At present, Guam gets whatever Congress decides to give -- and most of the time, less than what it would receive if Guam were state.

- o Guam will have **authority to set up its state government** -- comprising of executive, legislative and judicial branches -- and create **state courts and state agencies** to provide adequate and efficient services to the people. Guam will be able to set the qualifications and terms of office for the governor and members of its

legislature, and determine the makeup of the court system. Currently, the qualifications and terms for the governor and senators are mandated by the Organic Act. To deviate requires Congressional approval.

- o Guam will be **adequately defended** by the U.S. armed forces from external threat or hostile invasion. The Constitution provides for the common defense of all states. Being located in the Pacific with close proximity to potential Asian threats, it is critical that Guam does not experience what it did during World War II when it was left virtually defenseless and was occupied by the enemy.

- o Guam will **accept responsibilities** to the country as all other states do -- these include services in our armed forces, contributing support to the federal government and complying with federal mandates as sanctioned by the U.S. Constitution. Guam is already assuming many of these responsibilities.

There are many other features of statehood that will benefit the people of Guam. But because of space constraint, they will be enumerated later.

It should be pointed out that if **statehood** is chosen by the voters and is not attained until sometimes in the future, **Guam will remain status quo but will still be able to seek further improvements** in its relationship with the federal government. The ultimate goal is to become a state like its Pacific neighbor -- Hawaii -- attained almost six decades ago.

And if skeptics feel that Guam is not ready to take this giant step and prefer the status quo or other Improved status with the U.S., a **vote for statehood will ensure that there's opportunity to pursue that preference**. If a voter decides not to vote or cast a blank ballot, he or she will be giving Independence or Free Association the opportunity to shape the political future of Guam.

Attaining **statehood** for Guam will require the full support and commitment of Guam's leaders and the people, and **it's not going to be easy nor will it occur immediately**. It will take unwavering determination

and dedicated focus to convince Congress to admit Guam, as a state. No doubt, it will be difficult but **certainly very possible to achieve as Hawaii and Alaska did**.

Optimists would say that statehood for Guam is possible. And **voting for statehood** in the upcoming plebiscite and the people united in an unceasing effort to attain Guam's ultimate status is an **imperative first step**.

The Guam Statehood Task Force appeals to all eligible voters to help in the coming plebiscite and **keep Guam in the American system of government**, protect their U.S. citizenship for themselves and future generations and continue to live in a free and stable society, preserve their inalienable rights to life, liberty and the pursuit of happiness, and **be all they can be** under the protection of the U.S. Constitution and the laws of the land.

It will take total commitment and focus to achieve a bright and promising future for Guam.

\*\*\*\*\*

### A simple man with a vision of tomorrow

Jesus S. Leon Guerrero was one of our foremost leaders, businessman and founder of the first successful Chamorro-owned Bank of Guam. He was a man with a vision, and in his published autobiography "Jesus in Little America," he wrote:

*"Our forefathers were right in hanging on to our U.S. connection. And at times we had to fight tenaciously and even die to protect that connection. U.S. citizenship, coveted by most people throughout the world, has kept us going -- a stroke of genius, indeed, by our forefathers.*

*"We are on the threshold of a permanent relationship with the U.S. Statehood, in my judgment, is the last punch. We will become full-fledged member of the American family -- the strongest, biggest, and the most powerful democratic form of government in the world.*

*"People will ask. What is that 51<sup>st</sup> star on the flag? That's Guam... Where is Guam? Guam is in Asia... "What is Guam? Guam is the Chamorros... "Who is Jesus? Jesus is a Chamorro-American in Little America."*



## COMMITTEE ON FEDERAL AND FOREIGN AFFAIRS, TELECOMMUNICATIONS, TECHNOLOGY AND LABOR

**SENATOR RÉGINE BISCOE LEE, CHAIR**

*I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN*  
35<sup>TH</sup> GUAM LEGISLATURE

### COMMITTEE REPORT DIGEST

#### I. OVERVIEW

The Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self-Determination, and Regional Affairs convened a **Joint Informational Briefing** on Thursday, March 14, 2019 at 9:00 a.m. in *I Liheslaturan Guåhan*'s Public Hearing Room to discuss **Commission on Decolonization Updates**.

##### **Public Notice Requirements**

Public Hearing notices were disseminated via electronic mail to all Senators and all main media broadcasting outlets on March 7, 2019 (Five-day Notice), and again on March 12, 2019 (48-Hour Notice).

##### **Senators Present**

Senator Régine Biscoe Lee, Chairperson (Federal Affairs)  
Senator Kelly G. Marsh (Taitano), Ph.D., Chairperson (Self-Determination)  
Senator Therese M. Terlaje, Committee Member (Self-Determination)  
Senator Jose "Pedro" Terlaje, Committee Member (Self-Determination)  
Senator Amanda Shelton, Committee Member (Federal Affairs; Self-Determination)

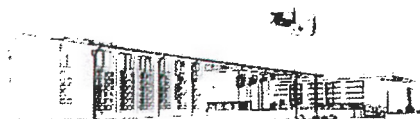
##### **Individuals Present to Testify**

Mr. Melvin Won Pat-Borja, *Executive Director, Commission on Decolonization*  
Senator Edward R. Duenas, *Statehood Task Force*  
Ms. Victoria Lola Leon Guerrero, *Independence Task Force*  
Mr. Peter Constantino, *Free Association Task Force*

#### II. SUMMARY OF TESTIMONY AND DISCUSSION

The public hearing was Called-to-Order at 9:07 a.m.

**Chairperson Régine Biscoe Lee:**



*Buenas yan Håfa adai todos hamyu*, this Joint Informational Briefing by the Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self Determination, and Regional Affairs is hereby called to order the time is now 9:07 a.m. For the record and in accordance with Section 8107 of Chapter 8 GCA, public hearing notices were sent out on Thursday, March 7th adhering to the five-day working notice and a second public notice on Tuesday, March 12, 2019, 48 hours prior to today. In addition, this Informational Briefing was noticed on the Guam Legislature's website at [www.guamlegislature.org](http://www.guamlegislature.org).

It's my honor and privilege to welcome you all here to your Guam Congress Building and joining me this morning is Senator Kelly Marsh (Taitano), the chair of the Committee on Heritage and the Arts, Parks, Guam Products, *Hagåtña* Revitalization, Self Determination, and Regional Affairs and I want to thank her so much for joining me.

On our agenda this morning are updates from the Commission on Decolonization. This Joint Informational Briefing shall serve as a way to inform our people about the efforts of the Commission on Decolonization and its various task forces in educating and reaching out to our people about Guam's quest for self-determination.

So, I'd like to thank the representatives of the Commission and the task forces who have joined us today and really commend them for their hard work and commitment to educating our people about the future of our island status.

I'd also like to recognize and welcome Senator Therese Terlaje who's joined us this morning. And I want to just go over some general ground rules. So, the conduct of this hearing shall be as follows: when speaking, please ensure that the microphone is on and that you're speaking into the mic. The Chair will invite individuals who have signed up to testify and individuals testifying shall first be recognized before speaking and please state your name and any titles that you might have for our recording purposes. The order of questioning will begin with the Chairs and we'll complete our line of questioning and then upon our line of questioning, time will then be yielded to other members who wish to pose questions. Each member will be allowed to pose a question to an individual testifying for one round and then will be provided another round if necessary, just in the interest of time. Questions and testimony shall be confined to the substance or nature of the agenda and personal inferences regarding the character and the motive of any Senator or individual testifying is not permitted. Joining us here this morning is Mr. Melvin Won Pat Borja with the Commission on Decolonization. And as I call your name, please join us here at the table.





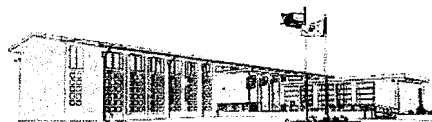
John Reyes, Jr., if you'd like to join us as a member of the Commission. Senator Eddie Duenas, Victoria Lola Leon Guerrero and Mr. Peter Constantino. *Si Yu'os Ma'åse'*, everybody and first I'd like to welcome Mr. Melvin Won Pat-Borja, the Executive Director of the Commission to provide us with some updates on the Commission. Mr. Won Pat-Borja, please begin.

**Mr. Melvin Won Pat-Borja, Executive Director, Commission on Decolonization:**

*Håfa adai* Senators, thank you for having us. We're really excited to be able to give some updates and talk about what's been going on at the Commission level. I want to thank the task forces for all being here to help us with providing updates on the Commission around their task forces. So, I am not a member of the Commission. It includes the Governor as Chair three (3) senatorial representatives, a mayoral representative, the three (3) task forces, two (2) community or two (2) at-large members and one (1) representative from the Youth Congress. The task forces represent the three status options and they're responsible for educating the community on those specific status options. My role as the Executive Director of the Commission is to educate primarily on decolonization and help the task forces to accomplish their work.

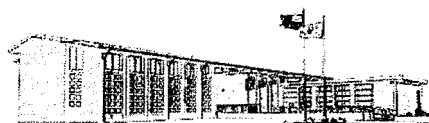
So, just to be blunt, we've inherited a very challenging situation at the commission, but nonetheless, you know, we have a lot of work to do. And so, there are three (3) major projects that were already in motion when we came on board. And so, these have been the three (3) primary focuses for the Commission, particularly because we are dealing with an expiring DOI Grant. We were awarded \$300,000 from the Department of the Interior in, I believe, 2012 and the money has not been spent. There were three (3) projects slated for the use of this money and the clock is ticking. And we have to move quickly. The Governor has been working on an extension, but the December 30th deadline is the extension. And so, we definitely have challenges in terms of the timeline.

The original plan was to utilize the \$300,000 to accomplish three (3) things: one was a self-determination study, also known as a Self-Governance Study; two was a self-determination conference; and three (3) was a media marketing plan. The first and third ones are supposed to operate through an MOA with the University of Guam and the second item, the conference, is organized by a subcommittee comprised of members of the Commission. So, the self-determination study—I will kind of just briefly explain what these things are and then I'll go into how we're going to execute. The self-determination study is probably the most important piece of the three. It's meant to be an educational tool that analyzes our current situation as a Territory, our relationship with the United States. It's basically supposed to be a political portrait of the island under the status



quo. It will address an array of social, political, economic issues and how those issues are impacted by our current status. In addition to that, it's meant to be an analysis that will create models for the three statuses and attempt to predict what these models would look like if they were chosen by our people, if we were to pursue it as an island. So, the self-determination conference is meant to be a gathering of dignitaries from around the world really. We were trying to target folks—officials—from DOI, officials from the UN, and then other dignitaries from other parts of other nations who have either gone through the decolonization process or are currently going through the decolonization process. The concept with the Self-Determination Conference is for us to have a better understanding of the Department of Interior's stance on decolonization, the federal side of it. And you know, what steps we need to take in or how we can prepare in order to deal in that arena and the international arena, obviously was the UN. Now, the expertise coming from experience from other countries who are either going through or have gone through the process is also important and these three areas are meant to be an opportunity for us to strategically plan around our movement. And so, what can we expect how this is going to work and what are some steps that we can do to move it forward. The last item, the media marketing plan is really a way for us to disseminate educational material. The media marketing plan is meant to be a vehicle to deliver our content to the people through traditional media, social media and outreach.

So, the entire award of the DOI grant was \$300,000. The self-determination study—we are currently entering into an MOA with UOG under the Regional Center for Public Policy. And what is meant to happen is that we're basically giving them a sub-award of a \$120,000 to conduct the study. What they will do is that they will manage the compiling the experts, the scholars who will contribute to the writing of the study, put it together, present it to us, and then when it's ready, then we would turn around and use that study as our primary education tool. So, I just want to stress that the self-determination study in my opinion is possibly our most powerful tool in this fight. It helps us to answer a lot of questions that are often asked by our people. Now, obviously there's no way to predict with a 100% accuracy in terms of the models for the three task forces, but these are things that a lot of people want to know. In addition, it helps to frame the context of the decolonization conversation both historically and moving into the future, but it's meant to be an academic document that has teeth. You know, that means something. And so, the hold up with the MOA was really just about language and getting it agreed upon. And so, this has been in progress for quite some time. But when we came on board, that was really one of our focus is to try to push it forward and



make it happen. So, we were able to get the MOA up to speed. It was agreed upon by both parties. It's now on the Governor's possession. She has intention to sign it and then it'll be routed to the respective parties.

The self-determination conference is slated for \$55,000 and that is being managed by a subcommittee with members of the Commission. Dr. Bevacqua—Oh, John is on the subcommittee so he can talk more about the conference. (Do you want to do it now or later? We've got to do it now.) But basically, the conference is one of the items that we're able to move on quickly, which helps our case and the expiring DOI fund. The last piece of media marketing plan is also intended to be operated through an MOA with UOG and we're still in the process of working out the scope of work. And so, UOG will be proposing more detailed budget plan at the next Commission meeting and at that time the Commission will need to decide on a scope of work. And so, you know, what we're trying to do right now for that is just to anticipate the timeline on that MOA so that we can get this this award moving. The basic idea, in communication with DOI—what they want to see is activity. They want the award spent and that has been their biggest reservation. And these conversations about an extension is that we've had all this time to spend all this money and we haven't spent any of it. And so, what we're what we are attempting to do is to be aggressive and to push forward as best as we can, as diligently as we can, and as responsibly as we can, but we really need to move because if there is no extension, then it definitely creates a problem for us.

Okay, do you have questions? Do you want me to proceed?

**Chairperson Biscoe Lee:**

I just have a brief question. So, you mentioned a December 30th extension—has that been granted?

**Mr. Won Pat-Borja:**

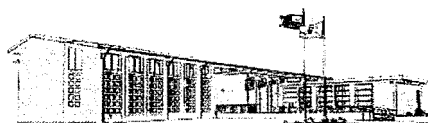
So, there is conversation between the Administration and DOI about the possibility of an extension.

**Chairperson Biscoe Lee:**

So, the current deadline is September 30th of this year, correct?

**Mr. Won Pat-Borja:**

The current deadline is September 30th of this year, correct. And so, we feel confident that given the amount of work that we've been doing and the activity that we've been putting forward, we are optimistic that we will get an extension. Now, how long that extension will be, whether that extension will come at no cost or if they're going to take back some of this





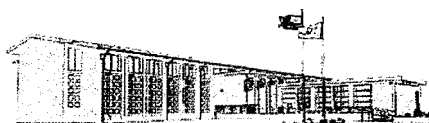
award, we don't know. But I think that in conversation with DOI about the plan for these three items and our plan to spend this DOI award, they seem very pleased with the course of action. And so, I think that it bodes well for the possibility of an extension. Obviously, there's no guarantee, but the way that I'm trying to look at this is that if I'm trying to assume that there is no extension and if there is no extension, this course of action presents us with an opportunity to be as aggressive as possible in spending this money and still net us a turnaround that is beneficial to us and our people, in our attempt to educate and inform them before they make this decision. I think it's important to note that where we are right now with decolonization is a very—we're in a very precarious situation because as a lot of you know, we are in litigation right now. And so, the Davis case presents a very challenging situation for us because it imposes certain things on us, right, like there's a moratorium right now on registering voters. We can't even register eligible voters. We cannot set a date; there can't even be a conversation about a date until the litigation goes through its course. And so, these two impacts alone present us with a very huge challenge in the sense that we are tasked with educating our people but without a date set, it's very difficult for us to motivate our people to be invested in this process. And so, our challenge now is that—the Governor stance is that regardless of what is happening with the Davis case, it should not impede our efforts to educate our people. And so, we are still pushing to accomplish this goal with whatever means we have and in the best way that we can. And so, we have to strategize around ways to get around these challenges. We have to find other ways to motivate the people to invest in the issue, to care about the issue, to seek out the information. We have to be better at getting the information out there, making the information accessible. Do you have any other questions before I move on?

**Chairperson Biscoe Lee:**

I would just like to give Senator Kelly the opportunity to ask questions and my colleagues as well. I'd like to just acknowledge the presence of Senator Pedro Terlaje, who has joined us this morning. Thank you very much. Senator.

**Senator Kelly Marsh (Taitano):**

*Manana si Yu'os and Si Yu'os Ma'åse'* for everybody being here. It's so important that our community is hearing more about the important tasks that are at hand. And so, I want to also create an opportunity to explain the three task forces, why we are looking at those three statuses, and in particular, but I also just want to mention on your focus on education, that education is so key. As a fellow instructor, I have seen it firsthand and I know other members here have seen it firsthand as well. It should not be

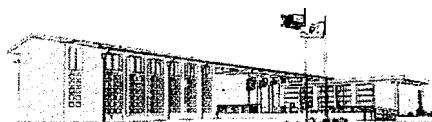


impeded by the case. It should be a goal that we continue to pursue. It's very good to hear that is a main focus of the task forces and of the Chair and the members of the Commission. As an instructor, I've seen the difference firsthand from the earlier educational series by the Political Status Education Committee and they created the *Haleta* series that changed the understanding that students came into my class with or left with. But the reality is that that series I believe the last of the publication's was written 15 to 20 years ago, if not longer ago. And the landscape has really changed, the political landscape, the rights out there for native peoples and indigenous peoples—that landscape has changed. I mean, there's so much that's changed and it's been generations when we're talking 15, 20 years. We're talking to a completely different set of generation that are now coming up towards being of age to participate in the plebiscite when it happens. And so again, it is so key that they're given the tools to understand what the issue is all about. And so, your educational focus is not only so important, but I think all of us in our various roles are here to support it. So, if you could please just explain why the three task forces that are in place are indeed in place and the reasoning behind that.

**Mr. Won Pat-Borja:**

Okay. Actually, there's a brochure—if the AV guys can pull up the PDF on the UN Decolonization Brochure. There's some information here. Basically, what this is, is Resolution 1514 is the declaration of indigenous people's right to self-determination. So, it asserts it as a right and not as an understanding, as a principle. And I think that this is big for all of us, who are from non-self-governing territories because this is what creates the pathway for us to achieve, to pursue even, self-determination. The next page, maybe the one after. One more. There you go. All right. These are the two Resolutions: 1514 is recognizing it as a right; [Resolution] 1541 essentially is how we are going to do it. And so, the reason why the three status options are what they are is because this is following the UN Resolutions. So, the UN Resolution says that we should pursue one of three status options: free association with another country—in our case, our ballot will read "Free Association with the United States"; full integration also known as Statehood; and Independence.

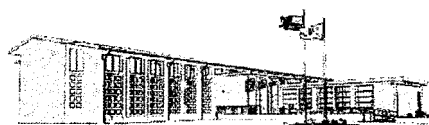
And so, some people ask: "Why is Commonwealth not on the ballot?" Commonwealth is a form of Free Association. And so essentially, it is on the ballot. One of the other questions that we get a lot is: "Why is status quo not an option?" and I think this is probably the most alarming question because I think that when we hear this question in our community, it's a very clear sign of where we are at. If our purpose is to decolonize and status quo is on the option, then that means that we have



a choice to not decolonize. And I think that that's something that is fundamental for this fight, that we have to understand what this is, what our situation really is. Some people still get uncomfortable when we say that Guam is a colony, but Guam is a colony. It's pretty black and white, but our situation here has a lot of historical context that makes it a difficult and very nuanced conversation. But yes, to answer your question, that's the explanation for why these are the three options.

Now, in terms of education, and I'm glad that you brought it up. One of our challenges is that we have to develop all new educational materials. Our educational materials are very dated. With that said, one of the things that we're attempting to do is to resurrect from our archive some of this great material that has been produced in the past. The thing that a lot of people don't realize is that this is a very old fight and this is a very long-standing issue and there have been many people who have come before us, before me, who have done a lot of amazing work. And so, we don't want to discredit that; we're not saying that we don't have anything that we can use. It's just that there hasn't been anything produced from the Commission in quite a while. And so, part of our task is that we need to make information more available, but in order to do that, we must create the information as well. And so, it's definitely a big challenge for us, but we understand that it's a part of it. It's a very integral part of it. In addition to that, our ability or inability to come through with that ultimately affects the work of our task forces. I mean all of the task force members can attest that when they go out into the community and they start talking task force and options, people still need to know the basic Decolonization 101 and a lot of times that's what ends up happening, a lot of the time is spent on just educating on the process. And I think that that's a sign that our Commission has not put forward a good enough effort to get our people to that basic level where they understand decolonization as a principle, as a right and understand why we're here, why we're having this conversation to begin with. If we are talking task if we're talking status before we talk decolonization, we're really putting the cart before the carabao. And it's very difficult to have that conversation in that way. And so, you know, we recognize that we must be stronger as a Commission. We must put out more information. We must be more accessible. We must be more actively engaging. That's part of what we intend to do.

You mentioned something about youth becoming eligible voters. Part of what we what we intend to do is to create a comprehensive high school education plan that targets freshmen. And I think that that's really important because the law says that we're going to vote; when we vote, it'll happen on an election year. Just demographically speaking, gubernatorial elections net more voters than other general elections without the gubernatorial ticket. And so, I would imagine that if we

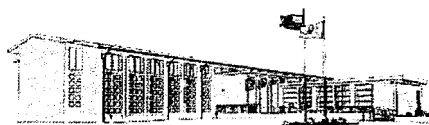




decide on a date that we may end up choosing a date that falls on a gubernatorial election because the law says it has to happen on a general election date. If that was the case, in four years every freshman, or almost every freshman, will be 18 years of age. It makes sense to target these young people. I would even argue that it's absolutely necessary. A lot of us may be gone by the time this thing fully plays out, but they won't; they'll be raising their kids. And so, I think that it's important to have them involved and that's absolutely part of it.

So, the plan is that what we would like to do and we've were still fleshing out this plan and trying to figure out the logistics of it, but the general idea is that we need to collaborate with the Superintendent of Education to get access to the classes. I think that that an important piece is that our kids are in school right now every day, for the majority of the day and in a lot of cases, decolonization is not present in their classrooms. But we have to do more than say: "Hey, DOE, here's all of this information. Hey, teachers, here's the pamphlets and whatever and go and do your thing." I can tell you from experience as an educator that this is probably one of the most frustrating things to deal with when you're just handed a bunch of info and told you need to teach this. I think it's important that we prepare our educators. I think that that's absolutely an important collaboration for us; we must have a good working relationship with the Department of Education to hit the kids where they are at, but we also must support our educators so that when the information is coming to them, it's of high quality and it's of value. It's not just something that's going to be glazed over.

I have a friend who was a colleague, who was a social studies teacher and he had mentioned that during one of the annual professional development sessions, the task forces were each given time to address the group, the cohort rate. They gathered all the content area teachers together. So, social studies was all in one room, all the high school social studies teachers, and each task force gave a presentation, which I thought was fantastic. I mean, this is great to provide that opportunity. What I thought was sad is that that was the end of it. They were given that one opportunity to deliver all of this information, probably very valuable information, knowing our task forces, I'm sure that they provided a wealth of knowledge, but it's so difficult to just take one hour of learning and then say, "Okay, now I'm an expert and I'm going to teach all of my kids." And that's essentially what we did and said, "Hey, social studies teachers, here's all this information; go do your thing." And that's just not good enough, but at the same time, we have to also recognize that our task force members are volunteers and we can't expect them to go the distance. But I'm not a volunteer and so, I can and that's what we intend to do. And so, even though we do have limited resources and limited

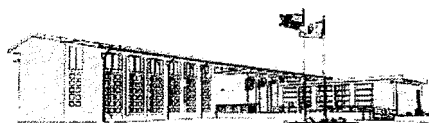


manpower, we're educators and we're creative and we'll find a way. And so, the high schools represent a very unique opportunity to hit a whole lot of people without needing a whole lot to make it happen. And so, that's absolutely an avenue that we're going to pursue, but it can't it can't just stop there.

One of the other things that is exciting for us that we're aiming for is a collaboration with PBS. PBS is under new leadership. They have a lot of really creative minds over there and we're excited at the possibility of working with them. What we would like to do is to collaborate with them to create high quality video PSAs. I think that in the traditional way of thinking about this is to say, "Let's just produce a bunch of informational videos and pump them out." What we are proposing to do differently is to produce high quality videos in the sense that the videos need to have have an emotional anchor.

In addition to information and high-quality educational content, relevant information, we need to find a way to make it stick. The way I look at this is that our demographic is small; it's very doable. We have less than 200 thousand people we can get into every TV set, every smartphone, every newspaper; it's not that difficult. But the question is what do we do when we get there, right? And so the idea is that we want to produce content that has an emotional anchor because right now missing the date, that traditionally would be our anchor. We have a date set and that's the thing that everybody holds onto. Okay, we gotta get serious. It's coming up, so everybody wants to know. You know how it is, right? You folks are experienced with elections; people care more about you and your campaign as you get closer to the election. And so, it's the same concept but we don't have that.

And so, part of our strategy is that we gotta create a different anchor and how do we do that? I think our solution is to create this emotional anchor, to create content that is relevant to people's everyday lives that addresses the challenges that they face and helps them to connect the dots and draw it back to decolonization. Decolonization, in theory, should be at the heart of everything that we do, I mean, it's literally the answer to all of our problems: you talk about economy, you talk about, the military buildup, you talk about any issue that faces us, violence in our community, decolonization has a solution for all of it because decolonization breaks and shifts the paradigm and it changes the way that we do things; it changes the possibility of how we can do things. That's our task is to really communicate that idea clearly but to create a real connection a tangible connection. If this goes as planned, what we will create a whole slate of educational video that can be disseminated through traditional media on television. We will possibly use the legislative



TV, the Guamanian Network and then PBS obviously has their own channel. We can source the audio from these videos to be used on radio. We can use still images from these videos for print ads and then we can also disseminate through social media and via the Internet. I mean YouTube has the capability for us to just create a library where it can maintain an ability to access it and that even if we don't have budget to pump it through KUAM or wherever, it can still be accessed by our public. It's also something that can be used in classrooms and outreaches. The reason why we would like to invest in this strategy is because we believe it has a long shelf-life and it's something that can continue to be leveraged even after our resources are depleted.

**Senator Marsh (Taitano):**

*Si Yu'os Ma'åse'* for that answer and it gave us a lot more detail about the educational plans, which is, as I was saying earlier, is very good to hear. I just wanted to add a little bit of context to what you were saying about the status options and how one of the challenges is having people understand that we are a colony. And just to emphasize some of the points that you were bringing that it is not just a few people that are thinking this on *Guåhan* or on Guam that we are a colony, but it is the United Nations itself. Now up to over 193 members that have and continue to, on an annual basis, recognize that we are a colony, that we are non-fully-self-governing.

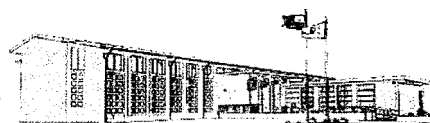
And just to remind or let people understand the context of the fact that it was the United States itself that recognized this and placed Guam on the list to decolonize. So again, thank you for providing more detail on your educational plans.

**Chairperson Biscoe Lee:**

Thank you, Senator. Senator Therese Terlaje, do you have any questions? Okay. Thank you. Senator Pedro?

**Senator Jose "Pedro" Terlaje:**

I just want to go back years ago when I ran for the Constitutional Convention and we brought this thing up. And you did present the two components that are necessary to go through, but if all these educational process and things like that, sending this out to our people for a vote, is this thing going to go—how long would it take? Are we going to do a referendum for this and have an election process for this? Because we did that years ago, and I wonder what happened to that during the Constitutional Convention and we kind of stressed out over the things that we wanted to happen on decolonization. So, if all this educational





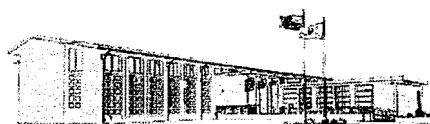
process and the presentation of our documents are put out and people, for example, choose whatever political status that we want to go because even right now you did mention the Free Association which you said, it's almost equal to, what do you call that the other one, a Commonwealth?

My thinking is that Commonwealth and Free Association are two different things, if you will. And you did mention that it's almost equal to that, but I think Free Association is a separate thing with that of Commonwealth and I think there's different issues that come in as far as getting the will of the people on what political status that we're going to go through. I think the majority is probably like Independence and the other one is Free Association and there's some that wanted to stay at statehood and things like that or status quo, whatever, but if we do all this and the people are educated on the political status that they desire to get into, are we going to go into the election process and putting it on the referendum and then we send this to the United Kingdom, whatever, and even to Congress? Are we going to do that? Because you know, I'm just trying to get a feeling of what would be the real desire for people in as far as our political status because we talk about decolonization and if we do materialize their wishes for the decolonization, are we going to include our choice of political status? Is that going to be part of this? And I guess yes, right?

**Mr. Won Pat-Borja:**

Yes, I thank you for the question, Senator. Before I answer, I wanted to just clarify that Commonwealth is not necessarily equal to Free Association. It's a model. It could be that, but it doesn't necessarily have to be. The CNMI, for example, is the Commonwealth of the Northern Mariana Islands. They're in a freely associated relationship with the United States, but their government is very different than, say, Palau who is also freely associated. And so, it just depends. No independent nation looks the same; no freely associated nation—I mean there are similarities but it's just a possibility.

To answer your question about the referendum and the vote and all of that, the law dictates that there's a way that we're going to do this. I mean the way that the law is set up is that we have to have this on an election year; it has to be conducted by the government. There's actually an attempt; if you remember from the last Administration, Governor Calvo attempted to put out a personal referendum to have his own vote. There's definitely a lot of resistance for that. My response to it would be this: one of the one of the challenges with the plebiscite is that the plebiscite is a non-binding plebiscite. And so, that creates a lot of blowback from our community because it's, and understandably so, it's insulting. We're going to exercise our right to self-determination, but it's non-binding. The way that I look at it is that it's more about what the exercising of our voice



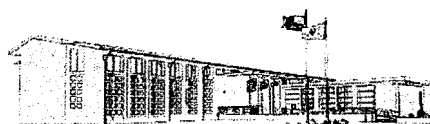
means to us. I think that that's the important part, that we have a responsibility to ourselves, to our *mañana*, to our children, to exercise that voice because that voice has been silenced for over 500 years. I mean we've been colonized for longer than African Americans were slaves. And so, I think that our ability, our willingness, our determination to assert that voice is what really matters because in the end, until we do that, what are we doing in Congress? What are we doing on the international level? We can't go to Congress or go to the UN and say, "Hey, this is not right. What's happening?" We have to be able to say this is what we want. Everybody knows that this is not right. I mean like the Senator said that the United States signed the Declaration, the United Nations recognized us non-self-governing. And so, that's pretty black and white. I think the question now is what do we want and we have to get to that point.

Now, to talk about on the point of education, my opinion, Senator, is that education is never lost. Any effort to education is never wasted. Whether we vote in two years, four years, 20 years, 40 years, education will never be wasted. The more educated that our people are, the better. I think that that's part of our challenge right now is that a lot of our people don't even understand the status quo entirely; some people on Guam don't see themselves as second-class citizens, but we are, we really are. We are not equal to other Americans. If you want to be a real American you've got to give up your homeland. I mean, that's the deal.

I just ran over the report from the United States to the UN on the status of Guam and this one of the things that is right up in the front—that citizens don't have the same voting rights, but they can if they leave. If they leave, they give up this place. They register in California, then they can be full citizens. And so, I think that that's the key for us, that the more that we understand our situation, the more we are prepared to decide what we want it to be. And when we are at that place, asserting that voice is integral to us moving forward, and that's the hard part for people like us. Well, that's why I envy the task forces that they got their pick and they're ready to rock and roll. All of you, myself, our Administration, that's not our role. Our role is not to pick a pick a side. Our role is to decolonize and when the people choose, we've got to get behind it. And so, I think that that's where we're at. We have to prepare our community to do this. We've got to prepare our community so that the task forces can do their jobs and do their work. And we have great people who really understand the issue well, but we have to set the tone. We've got to create a situation where they can do it, and we just haven't done that yet.

**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'.* Thank you very much, Melvin. Next, I want to move on to the second portion of our Informational Briefing and I like to recognize the



task forces under the Commission. So, in no particular order, we want to ask you to provide just an update or clarification about your task force, what you've been up to, and maybe a little bit of clarification for our Committees and for the people watching at home about what each of these task forces means. And so, representing the Statehood Task Force, we have Senator Edward R. Duenas, who's here with us. So, Senator, if you could give us a brief update, I appreciate it.

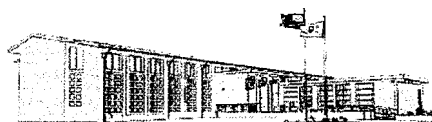
**Senator Edward R. Duenas, Statehood Task Force:**

Thank you, Senator. First of all, let me begin by addressing the honorable members here: Senator (Therese) Terlaje, Senator Lee, Senator Taitano, and Senator (Pedro) Terlaje. I appreciate your being here because we are here to discuss something that's very dear to my heart. But as I understand, you're speaking to the Chairman earlier that actually the purpose of this hearing is not necessarily to address the advocacy portion but to see what we're doing to organize if I may, correct? Okay. So that being the case, I will restrict my address to that because I came here prepared to even discuss the advocacy portion, but it's going to take maybe half an hour or more, but I will put that in another time. Okay. Anyway, as far as the Statehood for Guam's task force is concerned, we organized back in 1998 when the public law, when the Commission on Decolonization was enacted.

And at that time, we were asked to do our research and also to bring in some support members and which we did really. And as far as what we're doing lately, I mean, we've been sort of going back to regroup again because that has been 20 years ago. And like I said that during that time, 20 years ago, we were really spinning our wheels, we visited every village, we held mass meetings and also talked to groups, high school groups and even cultural groups, but that was 20 years ago. And I have a feeling that most of those people that were there are no longer in Guam or maybe we can find them in the cemetery.

So, that's the reason why I have to go back again and retrace. When we first were organized, when we had 20 support group members that came up to say, "Okay, Senator. We want to help you and we want to do the advocacy." But as of today, out of that 30, 20 has passed away and some of them have left the island and I can no longer count them on being here physically.

So, that's why I said that we're trying to maintain our contact with our support group members that are still here and also try to reorganize and recruit more. That's what we're doing in there in order to begin our new task. For me, it appears that we have to be going back to the first step, begin again rather than continuing because it is a long time and that





many of the people that we approach then and brought then are no longer here. Or maybe they might have forgotten—we explain to them; so, we have to do it all over again. We educate. So, we're looking at this this portion of our mission, to do it all over again.

Anyway, so like I said, that's where we are and I approached you, Senator Lee before we began this hearing and that's exactly what you want us to speak about because I don't want to speak something that you folks are not expecting to be briefed on. I want to hit the target from the very start.

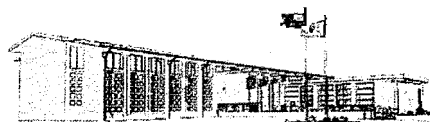
**Chairperson Biscoe Lee:**

Thank you, Senator. Can you also just give those who are listening on TV or on the Internet contact information for the Statehood Task Force if they would like to get involved, how can they get in touch with you? Is there a phone number or an email address?

**Senator Duenas:**

I've been doing my own personal recruitment when I come to speak to someone I indicate some interest in this. I would ask him, "Would you be interested in becoming a member of the Statehood Task Force or for that matter, be a member of the other task forces?" That's how I approach. We have put out our numbers. But like I said, they don't know whether some of the new ones who have access to that, unless again, we do it all over. Anyway, for your information, we have established and maintained a website since I think about more than 20 years ago. The address is [statehoodforguam.com](http://statehoodforguam.com), if you want to learn anything about our movement and the advocacy that we have. The students do that and you get everything from soup to nuts and we're continuing to update that thing, getting new information from our continuing research because some of them will have to be updated. Some of them, information is constantly—you know, like when you go into a classroom, teaching the classroom always continues to update every year because of changes. So, that's what we're doing now and the continuing to update on our website. I felt that having the website is one way, but of course, we realize that it will only be accessible to those who are computer-wise. If not, sometimes I would ask, "By the way, are you doing any computer work?" In my mind, I said apparently this person won't be able to access our website. But then we put for whomever. And let me say that our website has been accessed by people from all over the world.

And I have some comments. I think about maybe 95% of them are very favorable to the position that we're taking about Guam being a statehood. But unfortunately, if we open our website now and I have to warn you that if you go to the comments, it has been hacked. And what you see there is a nothing but the—I don't know how they put it in there,

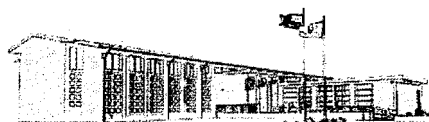


but some information about...sometimes it's very disgusting and they try to delete it but every time they delete it, they come back. For the first week, I tried to read every day and I go in and delete everything, but the next day, come back—same thing again all over. Now, they're occupying about the 11 pages. So, that blocks out the others who would like to make comments. But I was able to print out some of those things before this happened and that's why I'm saying about the comments and support that we have received. I would say nationwide or international, some of them are even from foreign countries. And they were very complimenting. So, I would like to think that the website has been very effective from the very start.

But now I don't know if some are still trying to get in. But because of the hack, they cannot get in. They blotted out 11 pages with spam—I'm gonna call it that. So, I'm trying to see how we can get that thing out of the way. My question is whether I should completely delete that portion, getting a feedback or somehow find a way in which a person that wants to make a comment be able to access it in some manner, but then it might be very difficult for the uninformed. If you're going to say go to this, go to that go to that, chances are they are going to be too frustrated and say forget it.

But anyway, so, like I said, that's the one way as far as the Statehood for Guam. We have the website, which has been in there for more than 20 years and have been maintaining it and for your information, out of my own pocket. I paid about a \$110 a month, every year to maintain our website. I don't mind that because I'm interested in informing everybody who wants to know about Statehood.

And of course, if I may say, some of the frustration that we have encountered, especially in the recent years, is our dealing with the procurement. To me, it's very, very frustrating to say the least. At the beginning, we didn't have this problem because they gave us our appropriation and then we went out and purchased. Of course, like I said, everything is being monitored and made sure that it is accounted for. But the way it is now, before we go out to have something printed, we have to go to three different printers and ask them. So, the way it is now says in order to be fair, we have to get all three printers. So, if you want to print, we have to give each printer so much amount of money from your appropriation in order to do it. Probably, that might be fine, but sometimes there's some printers that they don't print the kind of thing you need. So, I have very little apportioned because they're not doing the thing I need. So, I would have go to one or two printers and they and what they did is they apportioned the same amount of money for each printer. And when I when I saw the printer for number one and number



two, and then the third one I cannot use it. So, I lost in that instant. It was almost \$5,000 unused because I have no way of accessing it. They said, "Sorry you already used for the other two." And then the long process, at the very beginning we were very responsive because whenever we needed anything and we of course know we go out and take two, three quotes, you know, and then we from there we would select the one that's best suited for purposely. And so....even if the.....the procurement were expedited and then we can get a can get something there between the day or two once I go and get out and get the quote and then I will show you here and they say, "Okay. I want to choose this."

But the way it was a recently a minute, it doesn't work that way and I think Senator Terlaje here--Therese. I express my frustration to her time and again, so. Anyway, I have I think I have approach you or somebody also Senator Taitano said, you know, like what they did in the past if I'm not mistaken, you know that they legislature acting added a writer to build using the clothes notwithstanding any law to the contrary, you know, then you said the commissioner will save the day the.....the application of the Government of Guam procurement law does not apply to the commission to decolonization and the taskforce—period. Of course it does not mean that you have no accountability because we'll still be accountable to the commission be accountable to you know, and how we spend it and make sure they spend it is spent properly.

So that's how it can be expedited. See, right now, I think we have about 100 or some thousand dollars in appropriation. But I have to go—I have to go through the same rigmarole. I have not moved to do anything yet because I don't want again for them to put three different vendors, give them money, and then when you don't use any of the vendors, I cannot put out that money. "Sorry, it's gone." You either use it or you don't.

And so that's been our frustration really. If you want us to expedite our mission in educating, this has to be done so we can get the necessary treatment and supplies or for that matter, some manpower. Because we need to have extra manpower to put up, for example, our roadside signs, you know, and things like that. Just like in your campaign, you have people putting up your signs, right? It's similar to that. But sometimes we can't get enough volunteers for that purposes. So I suggested in the past if the taskforce would be allowed to contract people. Contract people. I see the need for us to effectively do our mission is, I need to have a coordinator. We did that for the several years of our existence. We had a coordinator and when we meet, and also coordinate everything, and we had an office. We maintained an office and you could go there and someone would be answering and people would call in and when they need me, they'd call me and say, "Senator, this person is calling for this,





can you answer?" Then they would put me in contact with them, see? So that's very very essential in trying to maintain. Cause otherwise now, even when we go out there do our spiel, they say, "Where do we go? Who do we see if we have questions?" and I say, "My cellphone!"

**Chairperson Biscoe Lee:**

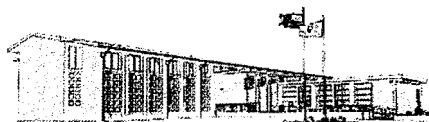
Thank you very much, Senator. We're going to allow the other taskforces to also give an update, and then we'll have our senators ask any questions. Thank you for your update. Mr. Constantino?

**Mr. Peter Constantino, Vice Chairperson, Free Association Task Force:**

Yes, good morning honorable senators, and thank you for this opportunity to speak here before you in regard to decolonization and the initiatives that are placed on this commission. Again, I am Peter Constantino, and I am the vice-chairperson for the initiative for free association under decolonization. It's been roughly around two and a half years since I've been involved in this particular initiative. Our former chairperson, Mr. Adrian Cruz, invited me to join him because of our same type of views as far as where we would like to see our island move into.

Unfortunately, we are currently in transition because Mr. Cruz tendered his resignation as chairperson. He is part now under the current administration under *Maga'håga* Leon Guerrero, and Lieutenant Governor Josh Tenorio. So in order to present an unbiased commission between the administration and the commission, he chose to tender his resignation. So we are currently in transition and it doesn't mean that he is not involved with us as far as an individual because again, the bottom line is, this is for every single person here on Guam, and all citizens should be and must be involved in this decision to decolonize. Along those lines, back in November when I heard that certain people were to be slated take over the commission, I was very elated to know that Mr. Melvin Won Pat Borja was going to be assigned, or was looking to be assigned for the position, only because I know his passion as a literary artist. So in regards to the performing arts, he and I share that same passion and I just was very happy to hear and finally know that he became the executive director for the commission. So in my conversations with him, he has very many great ideas, wonderful approaches—some approaches which I have never thought of and, I had to stop for a minute and say, "Man, that sounds even better."

And hopefully going forward now, with the commission and the full support of the administration behind this commission in being able to educate and come up with an education plan behind our people. Yes, we need to get this ball rolling—it has been rolling, but we just need it to roll faster. I'm glad it's getting done at the start of this administration



moving forward. We have many plans in the past two meetings that we have had up at the governor's conference room and unfortunately with the timeline that we have with the budget, September 30<sup>th</sup> is less than six months away. And whether we are going to get that no cost extension or not, we need to be able to know and plan for September 30<sup>th</sup>. And so, it's yesterday that we needed to do all these things. We have a lot of plans and drafts of how to move this education program forward and as Mr. Borja had stated earlier, we need to have something in place whether it is given to us or not—the extension.

So I feel we are in that particular mode and we are almost there, it is just a matter of now implementing and formulating and hopefully working with other agencies here on the island to produce the material that we need in order to educate our people with is paramount to why this commission exists and why we need to look toward a referendum, during a gubernatorial general election which is going to be in four years. I can remember back to a time in the early 80s when I actually did vote for Commonwealth and with all the education material that was there, was still not enough. I only voted because everybody else thought it was a good idea. Now, thirty years later, we are back in that same situation.

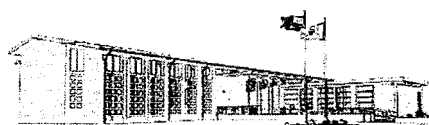
So now, with more of the information that I had from thirty years ago leading up to now, there was a lot more and there is a lot more that we need to do. The political scene has changed, the economic scene has changed, our geography has changed. We have more people, we have less people, we have more people again. Bottom line is that we need to educate the people that are here now as far as where we want to go in the future because we are the only un-freely associated, un-independent, unconnected, technically, government wise in this region. Palau, the CNMI, FSM, the Marshalls, they have all made those decisions, except us. We need to make sure that we let our governing powers know that we want to be part of that region and where we need to go is dependent on how well each of our initiatives do. And that's pretty much all I can say is that we need to move and move quickly. Thank you.

**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'.* And then lastly, representing the Independence Taskforce we have Victoria Lola Leon Guerrero.

**Ms. Victoria Lola Leon Guerrero, Independence Task Force:**

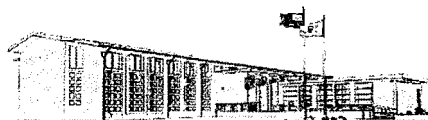
*Håfa Adai*, thank you so much for having us here today. This is actually my first time testifying in this historic legislature with all of our women. I'm very proud of all of you and also our *taotao* Yona here. *Si Yu'os Ma'ase* to all of you especially because you have played different roles in keeping



knowledge about decolonization alive in our community. It's an honor to speak before you today.

The Independence Taskforce has really been sort of for a very long time what you would call the underdog. Independence is probably one of the status options that most people fear largely because of such a long history of decolonization. So when we take a look at learning in our schools it's not something that is taught to our students necessarily. We're learning, pretty much about a place very far away as sort of being the ideal livelihood for us and I think a lot of that has changed. I think that people are questioning sort of the heavy American indoctrination that has happened through the school system for a long time and we're seeing reform at that level. We're seeing teachers and administrators really wanting to prioritize our own experience, and those are acts of decolonization that I think are really powerful that are already occurring in our community. But knowing though, that most of the voting population, have really been made to believe that independence is impossible, impractical, and not smart for Guam, because we've been so dependent on the United States because we are "in need of protection from other countries" coming in and attacking the island. Often I'm met with anger by people, especially from older generations who feel indebted to the United States because of different aspects of our history, particularly World War II, or who feel that Guam would be incredibly vulnerable if independent.

So it's not the easiest status option to promote, however it is one that when education comes into play, people agree that it's not so scary anymore. And so, I actually enjoy those encounters when people kind of come very passionately at me and say, "How dare you promote independence in our community, that's very irresponsible, what are your plans, we can't survive without the United States, we can't survive without the US military." And so often times it's just a matter of saying, "Okay, let's break this apart." Let's take a look at the fact that as Senator Marsh pointed out, 193 other places in the world are independent. In fact, most of the world is made up of independent nations that work together to support each other and so we have been very well aware that what we need to do is take peoples' fears and questions and answer them as much as possible. Particularly over the last three years, we've held consistent educational events in the community, and we've diversified what these kinds of events look like so we could not just address sort of the younger audiences who seem more quickly... I guess not convinced, but who engage a lot more in these conversations, but we've also targeted different generations through different types of events.



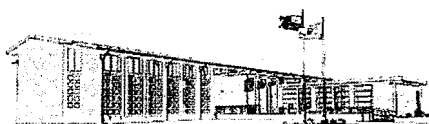


So, our most consistent events happen monthly. We have a general assembly the last Thursday of every month at 6 pm at the Chamorro Village main pavilion. And so the intention behind the general assembly is that there's a place that the community can go to—at least once a month to learn about independence and to learn about what we've been up to, but also to engage on different topics. So as Director Won Pat Borja had pointed out, you know, we don't want to simply continuously do just basic 101 presentations over and over again. So the general assembly has really allowed us to have more of a membership—people that support independence but can't go to all of our events but at least come to the general assembly to learn about something new every month. So every month we take a different educational topic. So for example, last month we discussed indigenous approaches to education and we looked at models throughout the world at people who are reframing what they're learning.

We've also talked about water as an economic resource right? Or we've talked about issues like defense. And so, really over the last three years we've created a beautiful collection of resources and so this is in the packets we've given you today. These *Hita La'mon* pamphlets are a compilation of the topics that we discuss every month. So we create a handout that goes out to the community that comes, we make a powerpoint, and we honor different people in our community. We call them *Måga Taotao*—our heroes in the community who have done something within this topic area to really transform our lives. So for example, again we honored Dr. Pedro Sanchez this past month. We've honored so many people—people that you may not even necessarily think of initially as having contributed to our island's decolonization. And what's been really incredible about that is that their family members come and sort of engage in these topics as well and we have really lively discussions about decolonization.

At every one of our general assemblies we have small group discussions so that every person who attends is able to ask questions but also share their ideas about decolonization. So that's every month—I'm going to push it, it's on the last Thursday at every month at 6 at Chamorro Village, you can always find us there.

The other things that we do are teach-ins. For example, one of our most successful recent teach-ins was about the cockfighting ban where we take an issue that community cares about or impacts groups within the community and we connect it to our island's colonization and our need for decolonization. So those teach-ins really sort of appeal to sort of the college students, so they happen at the University of Guam and they're a lot more academic. We also do what we call our *Hale'ta Hikes*. So kind of

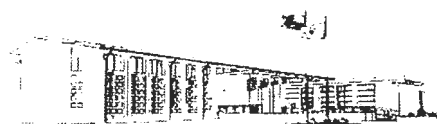


targeting people that want to go out into nature, want to learn more about our culture. And the other thing that we do every year had started in response to the verdict in the Davis case. We had what was called the "Respect the CHamoru People" rally at Adelup and we had 600 people attend that first rally and so we decided that there are people that are looking for a bigger gathering of people with music and poetry and artistic expression. So every year on July 4<sup>th</sup>, we sort of reclaim this notion of Independence Day in our context and we hold our *Na'la'la* concert series and so that's been also another way to really bring in families to listen to live music on a holiday at Adelup.

And then we do basic 101 outreach as well. So this in our pamphlet is our frequently asked questions. And the two sort of phrases that we have really embodied as representing independence is *Hita'lamon*—it's up to us. Really getting people to see that we have all the tools we need to move our island into a better political future where we can make all of our own decisions. At the heart of it, independence equals sovereignty and voice and the ability to make decisions for ourselves and *Na'lå'la* means to give life, to sustain life. So we created this *Na'lå'la* booklet to really answer peoples' basic questions. We offer families to, if they'd like to have a small gathering we call it our *faninåyan* meetings. *Faninåyan* is like a place of enlightenment. So even for all of you, I know some of the questions you asked Senator Terlaje, are very valid and a lot of people still feel that way and so in that instance we'd love to come and sit with you and maybe your staff or people you know and attempt to answer some of those questions about the process or about what things would look like. Say our community does choose independence, how possible is it to achieve?

We'd love to sit down and have those conversations. So, with the *faninåyan* concept is to gather five to ten people to answer any questions you have. So for any of these events—for information on any of these events or to organize a *faninåyan* meeting, please email us at [independentguahan@gmail.com](mailto:independentguahan@gmail.com) or you could find us at any social media, Instagram, Facebook, or Twitter just looking for Independent Guåhan.

Another really big thing that we feel is important is that we begin to address community issues now. So for example, during the war claims process, we noticed—and it's mostly in my own experience because I've done a lot of work to interview war survivors and they were reaching out to me, their families were reaching out to me saying there was nowhere to go to help them fill out their war claims. And so, we had decided that this is something that our *miñaina* and *manamko'* need and we organized two events called *Ayuda i Mañinata* to really help them to fill out the war



claims forms, help them through the process, and also engage with them, engage with this critical moment in our island's history and see how we can assist.

And so this year, our sort of community project—and actually it's not just for this year, it's going into the future—we've just entered into an MOU with the Department of Parks and Recreation and the Humatak Mayor's Office to adopt the Cetti Bay Park and Overlook. We'll be painting our *Na'la'la* design, which are the canoes that came in during Festpac, with just simply the word *Na'la'la* as a reminder to sustain life and to give life, and to think about what that means for our community. And we'll be maintaining that park and it's really an opportunity for the community to have a space that we can take pride in, but to also come and learn about independence. And so, we need lots of volunteers to help us paint that mural, but also maintain the park, so if you're interested in that, please email us. There's a lot that we can talk about, but I think what we wanted to just share is that I agree with Director Won Pat Borja that there can never be too much education in our community. As an educator, it has always been shocking to teach at the college level, at the high-school level, even at the middle-school level, I've been in all these classrooms on Guam. None of the students I've had have come into any of my classrooms with knowledge of their own history enough to be able to confidently speak about it. A lot of our students don't know who our leaders are. They can't tell you who our past governors are, they can't tell you all of our villages, they can't tell you all of our islands in our Marianas, they can't talk with confidence about key moments in our history, they don't know about colonization and that's why you have adults uncomfortable with calling Guam a colony.

And so, I think that—I commend the efforts of people like Senator Duenas who have been doing this education, I commend the efforts of Senator Terlaje who was engaged during the constitutional convention and the people who were doing this twenty or thirty or even forty or fifty years ago, but the reality is that we all suffer from a bit of amnesia as time passes and people are busy and our lives continue on without a date or without a plebiscite in place. People tend to either forget or disengage and so there's no... there's nothing wrong with continuing to educate—and not just educate, because sometimes when we say that we need to educate our community that they know nothing and that's not the case either. I really really enjoy through all the different events that we've done, learning from the people around me as well. Even to the point that when I go grocery shopping or I'm at a funeral, people just really want to talk about this and have their own ideas of what our island could be if we really actually attained sovereignty. So, it really is a big and important conversation.





The last thing that I really want to emphasize is the need to support these educational efforts. In terms of the self-determination study we found this to be the biggest priority as a commission solely because as Director Won Pat Borja pointed out, we're volunteers. We do our best, in terms of these educational materials we try to give sources for people to find more information but I'm not an expert on the economy, I'm not an expert on the port, I'm not an expert on immigration. All I can do is research and give that information, but there are experts out there. There are people out there who have seen other places decolonize that we can learn from—that we should learn from because I think that we can't just give people brochures with bullet points and expect them to make the largest decision our island has to make which is our political future. We need to fully be informed. Then that's why I'm really excited to see the components of the study that really first of all show us how much we're dependent on the federal government and how much they're sort of benefiting from this relationship, because we've always been told that we're the ones benefitting from the relationship but we don't recognize, actually, that the federal government benefits a lot without really giving much back to the community. And so we need to see that. We need to see evidence of that. And also the experts who can tell use what these three status options could look like from their expertise and this is something that is going to include all our government agencies sharing information, it's going to really tap into all resources so now we have actually hard evidence to say, "This is what our situation, and this is what's possible." We need that.

Then, once we have that information, I really want to, and I hope to work with the legislature and to have your support in funding the commission, funding the taskforces, to truly get this information out to every household. So that's my last sort of pitch, and I look forward to working with all of you.

**Chairperson Biscoe Lee:**

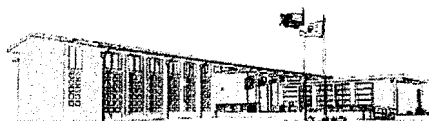
*Si Yu'os Ma'åse'*, Lola, very much for your presentation and I just missed the opportunity to give Mr. Constantino a chance to just give us some contact information so if people are interested in learning more about Free Association or in participating as a volunteer in your taskforce. What's the best way to get in touch with you?

**Mr. Constantino:**

You're able to get in touch with us through our website [freeassociationforguam.com](http://freeassociationforguam.com).

**Chairperson Biscoe Lee:**

And that's the word "for" F-O-R?



**Mr. Constantino:**

F-O-R. As well as my contact number, which is 688-7720 and basically how we've been getting our information just through word-of-mouth, which is why moving forward we are able to now work with your support in getting the Commission's education program up and running very quickly.

**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'.*

**Mr. Constantino:**

*Buen probechu.*

**Chairperson Biscoe Lee:**

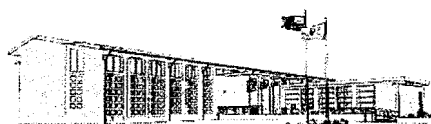
And at this time, I would just like to turn it over to Senator Kelly if she has any questions, and to the rest of my colleagues, for this panel.

**Senator Marsh (Taitano):**

*Si Yu'os Ma'åse'* for all of the presentations. It really helps us understand the work that's been going on over the years and the ways that we can be continuing to support that. So, beginning with Statehood, I just had a couple of areas where I'd like to offer some support. For the website, there should be a process of being able to receive comments, review them and before that they're posted, there are options where it's immediately posted, but there are ways that it can be received, reviewed and then it's up to you and your Task Force to decide which is posted. So, we would like to help with that to make sure that you feel you have that control of your own website.

And then we've been talking with the Executive Director about procurement, but we want to just continue to offer that support if there are ways we can help make the procurement more suitable to your needs. We will certainly be working on that and including the issue of the Manpower that it takes to carry out some of the tasks that you have. So, thank you for the work that you've been carrying forward for so many years and we're hoping in those ways and others that we can be helping you meet your goals and carry out your mission.

And same for the Free Association. If there are ways that you are seeing that we can be supportive. And it's very helpful to get your contact information so that people know how to get to the website and it's very admirable to give out your cell phone number so that they can actually get a hold of you directly and hopefully be volunteering or asking questions that are really important to be addressed but perhaps volunteering to be part of the Task Force.



And then for Independence, I just wanted to thank you for adopting the park. It's always good to hear about with all of the task forces the ways that you're engaging the community. And adopting the park, I have oversight over the Parks and Rec and we're very interested in promoting the Adopt-A-Park program. And so, it's good to hear that you have that and as we've all maybe put in little plugs here and there I'd like to plug that we are really looking for partners. I think it means so much more when their stakeholderhip amongst the community and we all learn to connect with that place and really value it and its contribution to the community. So, again, thank you for that and our door is always open to hearing about the types of support that we might be lending. *Si Yu'os Ma'åse'.*

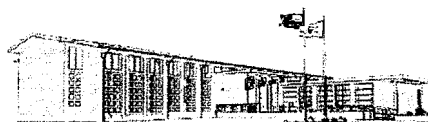
**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'*, Senator. Senator Therese Terlaje?

**Senator Therese M. Terlaje:**

*Si Yu'os Ma'åse'.* Thank you very much. Thank you for this opportunity. Thank you for this opportunity for the Commission, especially our new Director and the task forces to share their work and their contact information and their vision really with the people of Guam. I think that's important and I like that this forum is able to do that. I want to welcome—we've got new Commission members this year. John Reyes is one of them. I'm looking forward to—I'm optimistic, like many of you, about what we're going to be able to accomplish.

I wrote some notes as I was listening to you today, but I think sometimes our efforts in decolonization over the years, our self-determination or political status have been—they've been criticized; people are very critical of our work and our efforts, but it's my view that we really made great great progress. There's been some really good work. There have been so many good people behind it that have been dedicated for many, many years. And I think it's good to see new generations coming up and taking this on, but I think we're really going to be successful by joining the two, you know, we've got to join all the generations in this and that's what I'm hoping our goal will be this year. I think previous Commissions have made great strides. They've done a lot of the things that were talking about here—education. They've done the studies, and I think in particular the Commonwealth efforts were fantastic; they were excellent. We gotten further than we've ever gotten before in changing political status or addressing political status at least with the United States and those efforts under former Governor Ada. And that those self-determination Commission's back then I think we're very effective and the grassroots movements that really were the basis of all of this.

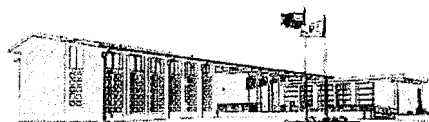




When I first became a Commission member, one of the things I was really focused on was I wanted to see all the studies that had already been done, all the documents that have been produced by those prior Commissions so that we didn't have to reinvent the wheel, that we could pick up exactly where they left off and move on. We could examine the impediments to our progress and start there. And so, I'm still hoping that we would be able to do that. I know at the time they were unable to find the documents they said and so they went to MARC [Micronesia Area Research Center] and they pretty much scanned and so we have those documents from MARC available. But then on the last month of the last Administration, the prior Director announced that she was able to find these documents in storage up at Adelup. So, I understand now that our new Director has these and so I'm hoping that as a Commission, we are going to be able to utilize these to the fullest extent possible.

And now, I agree with these efforts, you know to use the University of Guam and other experts in our efforts, but I just want everyone to remember that this will never be something that is done by—it's not an academic exercise. It is going to be something that we are going to accomplish because we have taken the time and put in the work to really learn about it and that we believe in it and that our heart has to be in it. And that's why I'm very happy about our new Director and I'm very grateful for the continued work of the Task Forces. They are there are continual reminders of the heart that it takes to really accomplish self-determination. I mean, we've seen it in other countries. I mean, violence is even part of it in many countries and we're hoping we're going to achieve self-determination without violence here on Guam and that's what we're looking to. And, we've seen many successes and so, I'm optimistic because I've seen the people of Guam; they are willing to learn and they so smart and they are willing to do what it takes. So, I just think it's a matter of us stepping up to give them the resources that we can. I also think it's going to require the full time and effort of our Director. I don't think that's always been the case because in many cases the Directors work under the Governors and the Governors have utilized the Directors for other work. And so, I'm hoping this will be a very focused work for the next, four (4) years hopefully shorter.

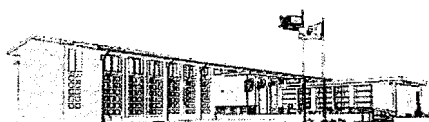
And the educational process—I really think because even the questions that we've heard this morning and discussions that we have in our community, I think there's three things we need to do: one is let's please do a very clear history of our efforts in political status, our efforts to change our political status. Please, let's not start from this notion that we have done nothing or no nothing. That's not the case we've done so much and I want that to be very clear. Everyone should know about it. They should be able to cite to it readily and I know that this is within the power of our



Director and our Commission members to just do that. I think there's a book that I used to teach at the University of Guam, Penny Bordallo Hoffschneider's book; it was her thesis, I think, in college, it's an excellent review of the political status efforts up until the time she wrote it--Guam's efforts. And, it has our heroes in there and what they actually said, she has the most excellent quotes pulled out already that if you read those quotes today, they're absolutely applicable that we can say the exact same thing. Many of us are saying the exact same thing now and that's what really made an impression on my students. It's like they were shocked that this has been going on for so long and we're still saying the exact same thing. I just think, let's utilize those resources and let's get that history very clear so we don't have to keep going backwards. Let's move forward.

The other thing is this governance study. I'm very much looking forward to the governance study that you are going to enter into, that UOG is going to help us complete. Governance is going to discuss our current relationship. I think one of the most important components of it...there are several of them and they're all you know going to be very information on very educational. But the one I'm most concerned about that I feel is urgent, of course, I've said this to you before--it's the control of our resources. This governance study is going to discuss control of Guam's resources, who controls it and what types of controls are there over it. Because obviously, to change our status a lot of it is going to depend on what type of control do we have of our resources and in control of resources is really, that's the human rights part of it. That's the indigenous rights part of this United Nations, you know, their efforts, is people deserve to control their resources.

And so, a lot of this work I think is...I'm already going to commend our government of Guam agencies in advance. I believe they have this information. They've had to have used this information when they apply for grants, when our former governors and current governors go to the federal government to ask for justice in different areas and to ask for improvements in different areas. We are always doing this comparison between how we are governed and how other places are governed or how we could be governed or how we could be better governed or how we could govern ourselves or how we would do it if we govern ourselves. And I'm very much looking forward to that and the real education that will surround this self-governance. And I think those are urgent because we're going to use those in all our meetings with the federal government, in all of our efforts with the United Nations. Those are the facts those will be non-disputable facts that we will be able to—we will all be on the same page. And I think the more things that we agree on the better, right?



I think that the Commonwealth efforts that we made—prior leaders of Guam were really in meetings with the federal government and they learned the reasons why that Commonwealth was rejected and I think those reasons, we also need to start with those right. So, we need to be very clear and be able to cite our sources and I think some of these people are still alive and that if we're going to do PBS videos, I'm hoping that that's where we start. We start with interviewing those people who were actually here in those meetings who led these efforts, who listened firsthand and know why our efforts were rejected back then. Because back then, the key with the Commonwealth efforts was the unity. The community was actually very unified behind those efforts. The government was unified. It was very much led right. I'm hoping that those are some of the areas that we are going to absolutely have some concrete things to focus on and those alone, I think would make an excellent educational process and they would get us all on to the same page and perhaps the same urgency right? Those past efforts to me, they bring the urgency. And the reasons we were rejected, those also bring the urgency. The governance indicators, those are going to be very compelling, I believe, from many people who right now don't feel like this is anything that we need to do urgently. And I want to thank you all for your efforts and thank you again for...and particularly, thank you for pointing out the heroes. Some of you are our heroes. Some of you are showing the community our heroes who have really shouldered these efforts and led these efforts and we will always be indebted. We wouldn't even be in front of the United Nations if it weren't for those community activists who led us there. They brought us there. They showed us the way and they showed us all the potential of really what we could do with the United Nations and what we were entitled to and what we deserve and I'm so very grateful. I wish I could name all of them and I'm hoping we will, as part of our educational efforts. *Si Yu'os Ma'åse'.*

**Chairperson Biscoe Lee:**

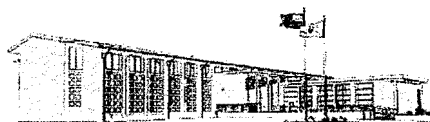
*Si Yu'os Ma'åse'.* Senator. Thank you very much, Senator Therese Terlaje.

**Mr. Won Pat-Borja:**

If you don't mind, I would like to respond.

*(Chairperson Biscoe Lee consents.)*

Thank you, Senator Terlaje. I just wanted to address some of the things that the Senator brought up. In regards to the putting forward our history of these efforts and some of the issues she stated that we had with the missing archive, we were able to locate the archive. I'm just going to be up front with you—it's very unorganized and we're trying to sift through it. There's a lot of material and it's not complete, but what we do have—I





want to acknowledge our UOG intern Rob Leon Guerrero has been sifting through all of these documents and I'm glad that you brought this up Senator because we have the same stance that we we're not trying to reinvent the wheel. But more so than that, I think it's important. It's our way. It's our custom to honor and recognize those who came before us and I think that that's really important.

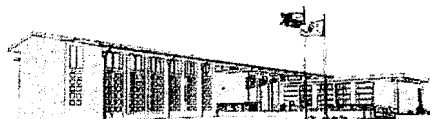
And so, we are making an attempt to utilize the archive as best as we can. We've managed to find a few educational documents. We actually found this really great document submitted about a timeline of different federal decisions that were made regarding Guam's political status and history and so, what we're trying to do is we're trying to leverage those documents. When I said earlier that we need to create new materials, I still stand by that statement but it's not that we are, you know, we're not going to disregard what has come before us. I should clarify that what I meant was that we want to create new materials with this history in mind, informed by this history and I also think it's important for me to thank Senator Terlaje because when I first got noticed that I was going to take on this position, she was one of the first people that I spoke to and she really encouraged me to seek out others who have come before me who had done this work. We've been involved in this work and I've really been making a deliberate effort to do that. And so, I love this idea of studying our history and why Commonwealth was rejected and really reaching out to the people who were involved in that movement whatever level they were involved in. I think is important to help us lay out that legacy and I think it's very valuable. So, we are absolutely going to take good consideration as to how we move forward, but I just wanted to thank you for those comments and I really appreciate it.

**Chairperson Biscoe Lee:**

Thank you very much, Mel, and just wanted to remind everyone at the table that we have just a few more minutes in this room. So, I really want to thank you. I think we are having a really good discussion. I also want to take the time and acknowledge Senator Amanda Shelton, who has joined us and then just turn the mic over to Senator Pedro Terlaje if he has any questions for the panel.

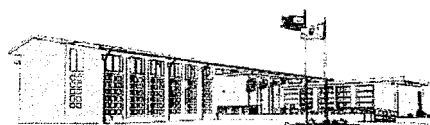
**Senator "Pedro" Terlaje:**

I just wanted to recite what you mentioned about the *Na'la'la*, and the CHamoru word *Na'la'la* and the CHamoru word *hita-lamon*, because those two words in CHamoru coincide to each other. And when you talk about *hita-lamon*, what you really mean is that let us decide our own destiny on how our political status is going to be and then when you mentioned *Na'la'la*, that is where we stand in deciding *i na'la'la-ta*, how



are we going to live on to the future with the political status that we so desire not only for us as we speak on this table, but also the desire of our ancestors and our children and everybody else. And so, I thank you very much.

One of the things that I wanted to come out—because when we had this Constitutional Convention, I'm not sure if I'm making the right decision because at that time the majority of the people decided that Commonwealth will be the best political status for our people, But as the years went by and let me go back to my General before when I was in the Guam National Guard, you know, I was thinking about it was I think 40 years ago, even before that we came out with a whole lot of things regarding political status, Commonwealth and all that. I just wanted to mention is that what the United States gave us. What is the mindset of our Congressional leaders or who did the colonization for Guam? How did they come up with that? Why did they give us? Why did they give us the colonial way of life? So, now we're going back with a whole lot of process. (Senator Telaje speaks in *CHamoru*.)—because we were educated bad back then what would be the best political status for our people, but I also feel that whoever gave us that colonization for our people, then we need to go back and ask them: Why is it that you gave us that political status? You put us in that situation. And now we're asking, we're going through a whole lot of process going to the United Nations, writing to our Congressional leaders, making the president of the United States know what we want. But you know, even at that, we need to really come out and do like what happened 40 years ago, we decided what would be our political status and we came up with Commonwealth, but I don't think that's going to be the situation now because we don't really understand the pros and cons the advantages and disadvantages regarding our economic status in the future. Are we going to continue to realize the federal benefits that we get? And some of the things that some people come out especially the veterans. I know this, you know? They asked if they're going to take away Guam Memorial Hospital. Are they going to take away the food stamps? Those are the things that we need to really be sure and whatever the case may be—(speaks in *CHamoru*) political status. We need to maintain that close relationship with the United States, no matter what political status, even if we go Commonwealth. We need to maintain that close relationship with the United States and maintain the privilege and the benefits that is being given to us by the United States. Thank you very much for bringing that up, *i na'lå'la yan i hita-lamon* because sometimes when we go out as parents and just like when they talk about the casino, in the game of chance and all that, this one lady said, you know, I'm 80 some years old, *guahu lamon*. What she's talking



about is up to her how to spend her money. (Speaks in *CHamoru*.) So, thank you very much.

**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'*, Senator. Senator Shelton?

**Senator Amanda L. Shelton:**

*Håfa adai* and *Si Yu'os Ma'åse'*. I apologize for being late. I was attending some activities with Sanctuary and our youth at Untalan Middle School this morning, so I apologize. I'm really look forward to doing this again with all of you and reviewing all of the documents that you provided today and your update. And I did get a chance to work closely with the Commission and meet many of you when we were working on the one Guam debate gubernatorial debate last year and you all provided a lot of the research and the information that we needed to build that project up. So, I wanted to thank you for that and the work that you continue to do and I just look forward to what the Commission will be working on in the near future. So, thank you very much.

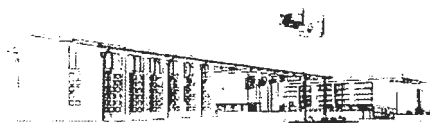
**Chairperson Biscoe Lee:**

Thank you very much. I just also wanted to give our Director of the opportunity to give us the contact information. So, if anybody has questions or want to contact the Commission, what's the best way for them to do that? They can give you a call or...

Yes. Our office number is 475-9545. Our website is currently under construction from the last—our websites are hosted by OTech at Adelup. So, we have to basically have to update it. There's a lot of information that needs to be added to it, but you can also contact me via email. My email address is [melvin.borja@guam.gov](mailto:melvin.borja@guam.gov).

*Si Yu'os Ma'åse'* and I just really want to take the opportunity to thank everybody for participating today. Before we close, I wanted to just comment briefly about (1) I agree with you Mel. I think that the study was going to be very important educational tool to arm our community with and I think it'll answer a lot of questions with regard to the safety National Security interests the economy our health our Wellness. There's so....many different questions that all kind of lead back to that. So, I agree that the city is going to be important. And thank you for updating us about the media and the marketing plan, the MOA that we have going on with UOG.

But I did want to just take a moment to recognize one of the members of the commission, Mr. John Reyes who's joined us here. And at our last meeting, he stepped up to the plate and everybody acknowledged that he will be the Co-Chairperson for the upcoming conference. And so, I just





wanted to give John the opportunity to give us a brief update on how the planning for that is going and if we have a timeline to expect.

*Si Yu'os Ma'åse'*. Thank you, Senator. We have the dates for the conference. It's September 12th through the 14th. The first two days of the conference will engage in-depth discussion on the state of decolonization and Guam and in the region. It will examine the three status options and explore specific governance models for varying administering powers. On the third day, it's a small group strategic setting, which will consist of about 30 attendees. The goal for the attendees for the first two days is roughly 120 to 150 people is kind of what we're planning for. From a speaker perspective, who we will have on the conference—we started this within the subcommittee; a letter has been drafted but we're still kind of fine-tuning that list. There's certain members or certain speakers that have a position within the UN and we have to invite them as an educational speaker. Those are some of the things that were still kind of working out. The subcommittee's is due to meet again before the next Commission meeting to finalize additional items, such as working with a travel agent to ensure that we have someone that will not only take care of the travel arrangements, but there's also visa requirements for some of the speakers to come in based on their geographical region. And then, fine-tuning the lay of the conference agenda as well. So, those are some of the things that were working on. We've progressed pretty well in regards to getting a letter out putting a list of speakers together, but definitely the location is set and the dates are set.

**Chairperson Biscoe Lee:**

*Si Yu'os Ma'åse'*, John. I really appreciate that update. And if there are no other questions or comments from my colleagues, we will go ahead and adjourn. I just wanted to say *Si Yu'os Ma'åse' todus hamyu pot i finatan miyu' pã'go*. The Committee on Federal and Foreign Affairs, Telecommunications, Technology and Labor hereby concludes this Informational Briefing. Written testimonies may be submitted through email at [senatorbiscoelee@guamlegislature.org](mailto:senatorbiscoelee@guamlegislature.org) and [office.senatorkelly@guamlegislature.org](mailto:office.senatorkelly@guamlegislature.org) or may be hand-delivered to our offices here in *Hagåtña*, at the Guam Congress Building. This Informational Briefing is now adjourned and we invite the public to please stay tuned to hear more about the Commission's various task forces, some of the advocacy that work that will that they'll be doing, which will be announced at a later time pursuant to the Open Government Law. The time is now 10:59 a.m. And again, *Un Dangkulu na Si Yu'os Ma'åse'*.

The public hearing was adjourned at 10:59 a.m.

### III. FINDINGS AND RECOMMENDATIONS



The Committee on Federal and Foreign Affairs, Telecommunications, Technology, and Labor and the Committee on Heritage and the Arts, Parks, Guam Products, Hagåtña Revitalization, Self-Determination, and Regional Affairs hereby reports the following updates from the Commission on Decolonization, as per Mr. Melvin Won Pat-Borja, Executive Director of the Commission, regarding the use of the \$300,000 awarded to the Commission from the Department of the Interior for a Self-Determination Study, also known as a Self-Governance Study, a Self-Determination Conference, and Media Marketing Plan to advance the education efforts of the Commission and the various task forces.

