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ORIGINAL: ENGLISH

SECOND INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Caribbean regional seminar on the implementation of the Second International Decade  
for the Eradication of Colonialism: challenges and opportunities in the process of

[REDACTED]

United Nations 2000 Country Report Summary

## INTRODUCTORY REMARKS

Mr Chairman, Heads of Government, Honourable Ministers of Government and

Legislators Distinguished Guests Ladies and Gentlemen

Caribbean brothers, who share a common heritage, space and future, suggests that we expect to follow the example of our CARICOM and OECS Brothers.

Over the past 10 years, there has been a maturing of the relationship between the United Kingdom and its Overseas Territories, with successive policy papers promoting meaningful partnerships based on the principles of democracy:- “ Freedom, Equity and Justice. . . linked to good governance and accountability and the right to self

determination.”

The events in the Turks and Caicos Islands have highlighted the insecurity of our

retention of the undemocratic personal veto of the Governor and Secretary of State.

The responsibility for security and justice is critical to the advancement of self determination. Good governance must come from within. The rule of law is indispensable, and for us the protection and support of our security and justice personnel is sacrosanct. Territories must be assisted in absorbing this responsibility.

The change in global systems of governance and trade makes it imperative for small island states to be interested with regional organizations in such a way that

## RECOMMENDATION

So what are the concrete steps to be taken? Our recommendation at the last meeting was that the UN finds some means of enforcing all of its articles in a meaningful way and beyond that, the remaining colonies are given the option of removing themselves from their administering power and place themselves under the care of a United Nations body until such as time as they can enter the family of nations as a full-self governing state. Not much has happened since then.

But the Committee should be the transfer of the administering power to the

COMMITTEE OF EXPERTS ON THE IMPLEMENTATION OF THE DECLARATION

**PROCESS OF DECOLONIZATION OF THE NON-SELF-GOVERNING TERRITORIES**  
**THE MONTSERRAT CASE**

Paper presented by  
Hon Claude E S Hogan, Pol Sci(Law) BA(Hons) MA(Lon)  
Deputy Chair  
Education & Advisory Committee  
c/o Office of the Chief Minister  
Government of Montserrat

at the United Nations Caribbean Regional Seminar on the

## INTRODUCTORY REMARKS

On behalf the Government of Montserrat, I wish to thank the Committee for this

(obligatory) to advance and make real the process for non-self-governing countries and peoples



*Concrete Steps and Actions to be taken to advance and complete the  
Process of Decolonization of the Non-Self-Governing Territories: THE MONTSERRAT CASE*

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ospital and only two and our circumstances destroyed as done necessary come to 14 11 11

This caused unemployment as well as flight of skills. About 6,500 or 62% of the population left, producing a large Diaspora, part permanent or semi-permanent, part fluid. Whereas prior periods of emigration brought revenue through financial remittances to Montserrat today we see the



*Process of Decolonization of the New Self-Governing Territories: THE COMMONWEALTH*

This '*renewed contract*' would involve a 'partnership' built on principles that are based on: self-determination; mutual obligations and responsibilities; freedom for the territories to run their own affairs to the greatest degree possible; and a firm commitment from the UK to help the territories develop economically and to assist them in emergencies.



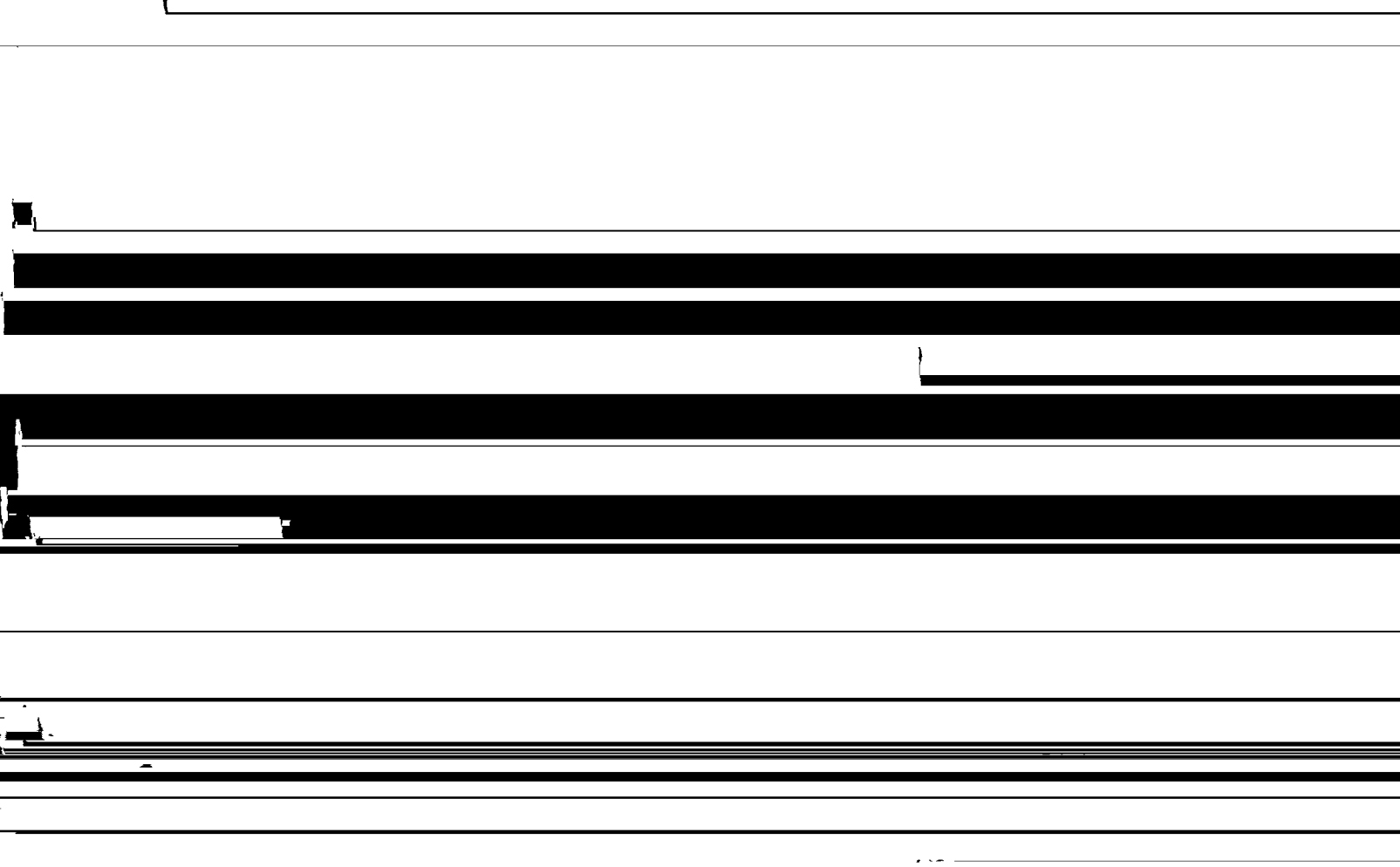
**Power of Government to Borrow or Lend**

The draft added a provision requiring government to obtain prior approval of a UK Secretary of state before we can borrow or raise or loan. This was added in view of the need for Montserrat to agree and comply with borrowing guidelines issued by the UK government.

There is no comparable section in the constitutions of Gibraltar, BVI, or Bermuda and the Montserrat side wanted this section removed because it doesn't belong in a constitution. The

*constitution is not written for today or for our current circumstances and therefore the UK*

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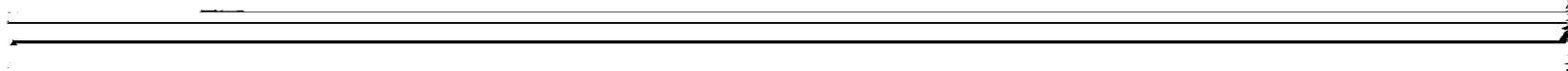




shouldn't limit our ability to borrow because we are presently in an unfortunate position.

**Budgetary Support**

The Montserrat side proposed that where Government is for any reason unable to meet the reasonable costs of providing essential public services, HMG shall provide budgetary support to GoM as provided by law or by any other written agreement between both parties.

The concept of a National Advisory Council supports our Constitutional Commissioners' position that modernisation combined with partnership must allow for positive innovation and creativity even it means a reduction in the Governor's powers. It is important that checks and balances are in place to protect citizens from abuse through political power but modernisation must allow for political growth and maturity locally. But the Governor's 'reserved' powers are

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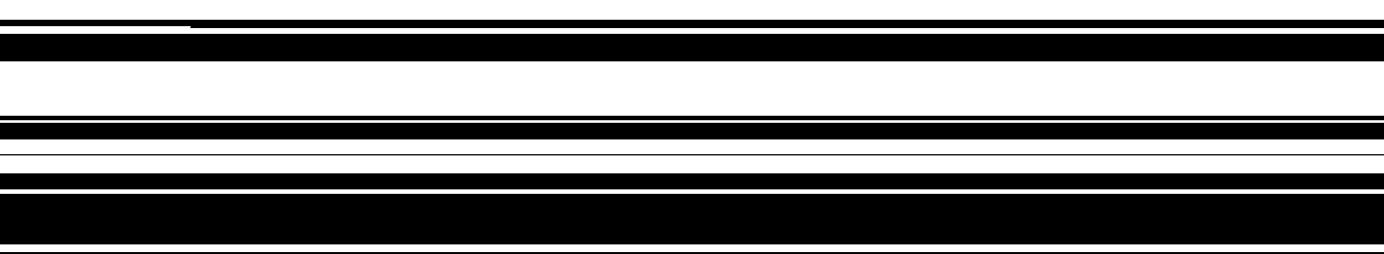


external affairs, control is given to local government for matters with direct bearing on social and economic development but adding a proviso which allows HMG to retain responsibility for matters pertaining to war and peace.

The current draft requires the Government to delegate regional affairs to a Minister or ~~to a~~



and conditions that include: requiring separate authority for the negotiation and conclusion of any ~~treaty or~~ international agreement memorandum of understanding political declaration in the filed




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and that GoM explores the possibility of a "Free Association" relationship with the UK. In

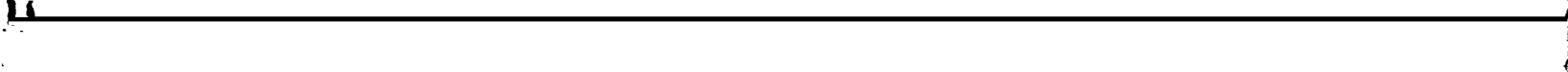
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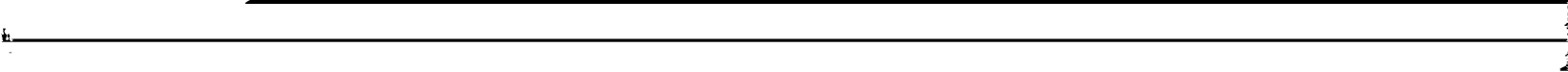
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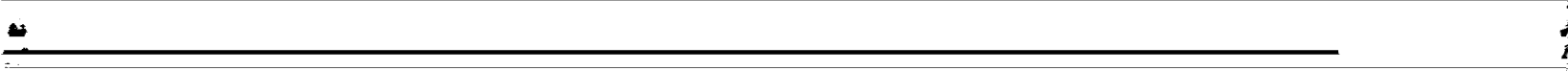
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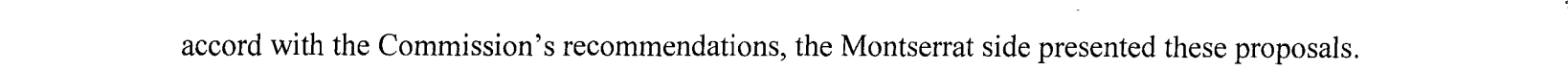
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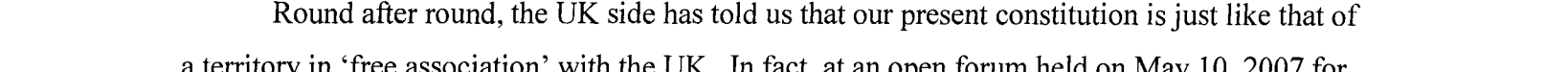
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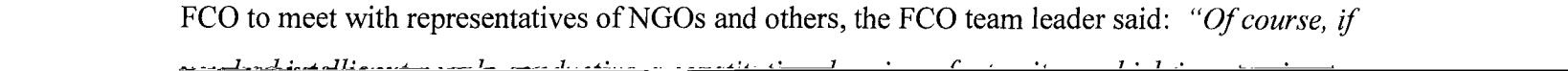
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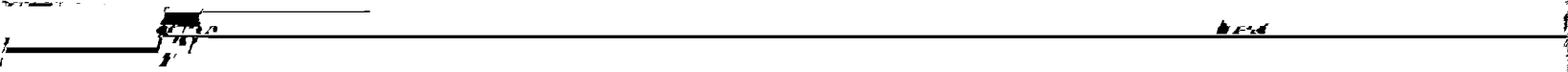
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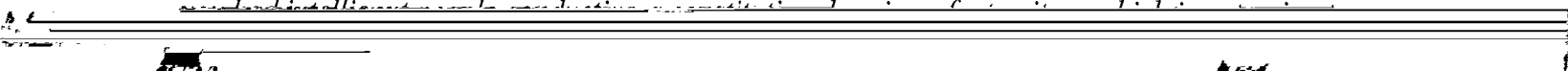
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accord with the Commission's recommendations, the Montserrat side presented these proposals.

Round after round, the UK side has told us that our present constitution is just like that of a territory in 'free association' with the UK. In fact, at an open forum held on May 10, 2007 for FCO to meet with representatives of NGOs and others, the FCO team leader said: "*Of course, if*


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responsible for the governance of Montserrat and has the right to have the final say. We accept this. But when we ask for provisions similar to those contained in Bermuda's more advanced constitution, we are told we can't have them. We also maintain that Article 73 of the United Nations Charter obliges the United Kingdom, as the administering power for Montserrat, to act in full accordance with all its provisions but we are particularly concerned with subsection (d): To promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article.

The UK Government has indicated in a letter dated 11 July 2006 that it will not request Montserrat's removal from the UN's list of non-self-governing territories in the near future.

The UK side claims that one of the foundations of our *renewed partnership* for progress

and prosperity is self-determination and we support that wholeheartedly. We also agree with the following observations made by our Constitutional Commissioners:

- While modernization connotes greater democratization and consequently greater local control

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easily revoke the constitution at any time or the UK could impose direct rule as they considered doing in 1996.

Only the UK has a right to grant us a new constitution and since we can't seem to agree

very misleading. Many depressed Montserratians do not feel the effectiveness of this aid, explaining why politicians have been critical of the delivery mode and demanding more. Delays continue ~~for example, we are in dire need of housing and funds were approved since November~~

