



**Committee: Special Political and Decolonization Committee**

**Issue: The case of Guam**

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**Position: Deputy Chair**

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## **INTRODUCTION**

The case of Guam has been in the political scene for several years. Guam is an island in the Pacific Ocean, and since the end of World War II, it has been an unincorporated territory of the United States of America. After the UN “Declaration on the Granting of Independence to Colonial Countries and Peoples” was drafted, Guam’s long journey in the pursuit of decolonization and self-determination commenced.

Guam has a long history of colonization by Spain, Japan and the USA. It was colonized by the Spanish during the 16th-18th century, and was later ceded to the US at the end of the Spanish-American war with the Treaty of Paris. When World War II broke out, the island was conquered by Japan for three years, when it was re-occupied by the US.

Ever since, Guam has been a non-incorporated territory of the US, and its political status is unclear. There have been commissions working on the matter and a non-binding referendum has been conducted in order for the residents of Guam to express their opinion on the issue. However, even though the Chamorro want to have control over the political destiny of their island, at the time of the plebiscite, their vote did not reflect that. Furthermore, there have been several UN resolutions on the question of Guam, but none of them has yet managed to tackle the issue effectively.

Guam’s location is strategically important as well. It hosts two American military bases in its territory, and it is a passage to the Korean Peninsula, the South China Sea and Japan. Guam is the closest US military base to North

Korea, and therefore life in the island can be threatened in case of an armed conflict between the two states.

The issue of Guam lies in the decolonization of the island, and the achievement of self-determination. In order to solve the problem effectively, it is essential to determine the way the decolonization is going to be achieved, as well as to decide on Guam's relation with the USA.

## **DEFINITION OF KEY TERMS**

### **Unincorporated territory**

“Portions of the United States that are not within the limits of any state and have not been admitted as states.”<sup>1</sup>

There are three unincorporated territories in the US, namely Guam, American Samoa and the US Virgin Islands. These territories are under the power of the USA, but not US states. They have restricted political and legal rights.

### **Chamorro**

The ethnicity of the inhabitants of the Northern Mariana Islands, including the residents of Guam. Apart from the name of the ethnicity, Chamorro is also the name of the official language of the island (alongside with English).

### **Self-Determination**

It is a community's right to decide for its own political destiny. It may concern its sovereignty, its external policy (relation with other states), as well as its selection of system of government. A community's right to self-determination is a right protected by the United Nations Charter, as shown:

“To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace;”<sup>2</sup>

### **Military Buildup**

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**“The process of attaining prescribed strength of units and prescribed levels of vehicles, equipment, stores, and supplies.”<sup>3</sup> (Buildup)**

**The progressive development and accumulation of military equipment and personnel in a region.**

## **Decolonization**

**“Decolonization is defined as the act of getting rid of colonization, or freeing a country from being dependent on another country.”<sup>4</sup>**

**The process of decolonization is strongly supported by the UN. The 1990s were the first**

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<sup>1</sup> <https://legal-dictionary.thefreedictionary.com/Unincorporated+territory>

<sup>2</sup> <http://www.un.org/en/sections/un-charter/chapter-i/index.html>

<sup>3</sup> <https://www.thefreedictionary.com/buildup>

<sup>4</sup> <http://www.yourdictionary.com/decolonization>

**Decade proclaimed as the “International Decade for the Eradication of Colonialism” by the UN General Assembly.**

## **Commonwealth**

**“A group of sovereign states and their dependencies associated by their own choice and linked with common objectives and interests”<sup>5</sup>**

**A successful example of a commonwealth is the “British Commonwealth”, also known as the “Commonwealth of Nations”. It consists of 53 independent countries, and every two years there is an assembly among the nations, in which every state has an equal say. Examples of states parts of the British Commonwealth are Australia, Botswana, Cyprus and India.**

**During the non-binding political status referendum that was conducted in Guam in 1982, one of the options was “Commonwealth Status”. If that option was to be implemented, Guam would become an independent, sovereign state with commonwealth status with the US, similarly to the Commonwealth of the Northern Mariana Islands.**

## BACKGROUND INFORMATION



Guam is an island located in the Pacific Ocean and geographically belongs to the Mariana Islands in Oceania. Since 1898, Guam is an unincorporated territory of the USA. The territory is governed by a local governor (currently Eddie Calvo), but its head of state, as a territory of the US, is the president of the United States.

**Figure 1:** Map that shows Guam's location in the Pacific Ocean in relation to Asia and Oceania

### Colonial History

The population of Guam originally consisted of Indonesian and Filipino people.

In the 16<sup>th</sup> century, during Magellan's explorations, Guam was conquered by the Spanish. At that time, the Chamorro had to convert to Catholicism and the

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<sup>5</sup><http://www.dictionary.com/browse/commonwealth>

population number decreased significantly. This was the first time Guam was under foreign

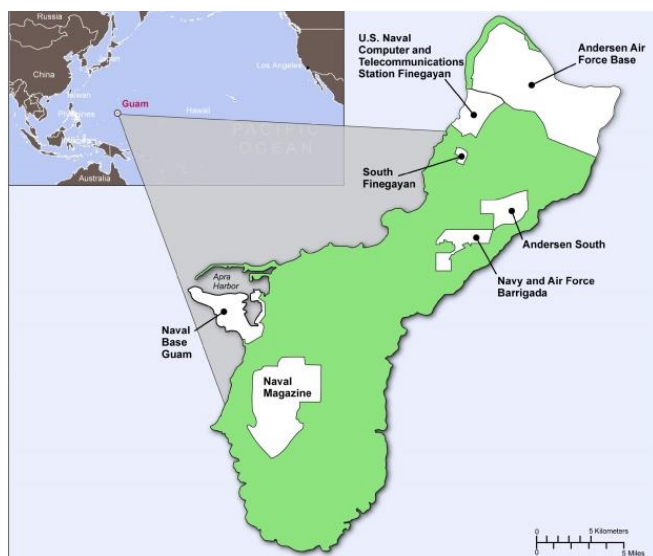
rule. Several years later, in 1898, the Spanish-American war occurred. The result of that conflict was the gain of control by the US over Latin America and regions of the Pacific Ocean through the Treaty of Paris. One of the areas the US managed to acquire was Guam. The territory was under the USA's sovereignty until the World War II. After the Japanese attack in Pearl Harbor, Japanese military invaded and annexed Guam in 1941, through a battle referred to as the first "Battle of Guam". The Guamanian population was forced into slavery, until the US re-occupied the region in 1944, through the second Battle of Guam, and established a naval military government. Despite the fact

that the area was re- taken by the USA, it was never incorporated into its territory, having as a result the current situation.

## Relation to the United States of America

Guam's current relation to the United States of America is a very complex one. The issue in the case of Guam concerns the status of the relationship between the two parties. As mentioned, Guam is currently a non-incorporated territory of the US, and one of the 17 States that are not self-governed. The Chamorro people are US citizens by birth, however their political rights are restricted. They do not have the right to vote in presidential elections, they are not included in the taxation system and they are represented in the Congress as a non-voting district.

There are two American military bases established in Guam. At the end of the Spanish-American wars, there was a naval base established by the US, namely the "Naval Base Guam". Apart from that, there is the "Andersen Air Force", an air force base created at the end of the 2<sup>nd</sup> World War.



## Strategic Importance

The territory of Guam is one of big significance to the US. Both its position, as well as the military bases established inside its borders can influence its relation to other countries. Its geopolitical location allows access to China, Japan, the Korean

**Figure 2:** Map of the Guam depicting the US military bases established on it.

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Peninsula, Hawaii and North America. During the Cold War Guam was a region where military equipment was stockpiled. Part of the facilities as well as the weapon systems created at that time, still remain at the island. Thus, it is a potential target for military attacks and tests.

## **The future of Guam**

As mentioned, Guam has been a colony of Spain, Japan and the USA for many years. Many of the Chamorro now seek self-determination. They wish to have a self-governed state and decolonization to take place, something that is also established by the UN Charter. Whilst the debate is not new, the Trump Administration and 2017 nuclear threats by North Korea have both intensified some calls for independence, as well as statehood, so that the population can vote in Presidential elections. Furthermore, since the military bases hold approximately 28% of the island, the population of Guam also hopes for the demilitarization of its territory.

In order to achieve that, it is essential that a decision is made in regards to Guam's relation with the US and its political status. There are currently three alternatives concerning the political destiny of Guam: Statehood, Independence and free Association.

- **Statehood:** Guam will become a US state. Its citizens will have the same political rights as all citizens of the United States of America.
- **Independence:** Guam will be an independent, sovereign state that is politically autonomous.
- **Free Association:** Guam will be independent, but related to the US through a treaty deal.

These options and their advantages/disadvantages will be further analyzed in the "Possible Solutions" section.

## **Economy**

Guam's venture for self-determination is a very demanding one and in need of funding via sustainable financial resources. Guam's economy is mainly based



on tourism, the US military spending, and fish exportation. With regards to tourism, the industry addresses Japanese and Korean people and for the most part revolves around the aquatic wildlife of the island. The US military is currently investing in Guam through the creation of ports and the reinforcement of the military bases. The fish exportation industry is still very underdeveloped.

### **Organic act**

The Organic Act of Guam was the first document that was passed by the US Congress that recognized Guam as a territory with a civil, non-military government, thus denouncing the naval government. It was drafted in 1950 and falls under the category of Federal Legislation. The Organic Act enabled the Chamorro to have the US citizenship by birth, as well as established their rights under the Law. The Act was adopted right after the end of the 2nd World War, when Guam was re-occupied by the USA, after being under the Japanese rule for three years. It was fundamental for the establishment of Guam's political status and relation to the US, and hence, its adoption was very positive. However, the Act did not define Guam's relation to the US, and consequently Guam retained the status of an unincorporated territory of the US.

### **Legislative Commission on Political Status**

The "Legislative Commission on Political Status" was a commission created by the local inhabitants during the 1970s in order to inform the Guamanian public about the situation. Its aim was to educate the population on the options it had in regards to the political status of the island and the impact of each of which would have upon their lives.

## **MAJOR COUNTRIES AND ORGANISATIONS INVOLVED**

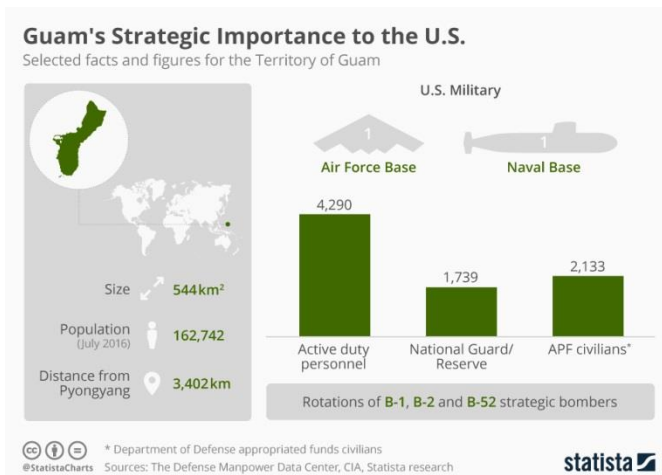
### **Mariana Islands**

The Mariana Islands are politically divided into two territories: the unincorporated territory of Guam and the Commonwealth of the Northern Mariana Islands. The Commonwealth of the Northern Mariana Islands was a trust territory granted to the US and formally gained its Commonwealth Status and became a self-governed territory in 1986.

## United States of America (US)

The United States of America is the country most involved in the matter

of Guam. Guam is a territory which is currently governed by the US, and the case revolves around Guam's relationship with its colonizers. In order to establish Guam's political status, it is essential that this relation is properly determined. The options that are available are



**Figure 3:** Chart presenting the strategic importance of Guam to the US in terms of personnel, location, military bases and population.

independence, statehood and free Association with the United States. The residents of Guam are

currently USA citizens by birth with constricted political rights. Since World War II, there have been two military bases created in Guam by the US, the Andersen Air Force and the Naval Base Guam. Therefore, the US military is closely related to the territory.

## Democratic People's Republic of Korea (DPRK, North Korea)

Guam is the closest American military base to the Korean Peninsula. Therefore, it would be the first area that would be attacked in a potential conflict between the US and the DPRK. The North Korean leader had previously mentioned plans to release ballistic missiles towards the territory, but there



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have been no confirmed actions by the DPRK exclusively against Guam. However, this situation should be taken in to consideration while solving the issue.

## Japan

Japan has also had an important involvement in the case. The state ruled the island from 1941 to 1944 in the first Battle of Guam. The American attack in Pearl Harbor resulted in the military intervention and occupation of Guam by Japan. The Guamanians endured a three-year period of being under the Japanese rule, before the US reoccupied the region through the second Battle of Guam.

As far as the military aspect is concerned, as previously mentioned, the US has established military bases in Guam. These bases have been used to attack Japan towards the end of the World War II. Additionally, in 2006 there was an agreement between the US and Japan, to transfer a significant amount of military equipment and personnel from Japan to the territory of Guam, which was decided to be reduced in 2015, due to concerns regarding the environmental impact of the action. Nevertheless, the project is in progress and will be completed during the next decade.

## People's Republic of China

Guam's strategic location affects China as well. The island provides access to the South China Sea, thus being adequately close to the state. Furthermore, the US military base in Guam's territory is a potential target for many states, including China. There have been reports by the US stating that China has practiced future attacks in Guam, while it is always working on the development and modernization of its military equipment.

## TIMELINE OF EVENTS

Date	Description of Event
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<b>April-August 1898</b>	<b>The Spanish-American war occurred. When it ended, Guam was ceded to the US and the island's naval government was established, after signing the Treaty of Paris. This is the time Guam's complex relationship with the US began.</b>
<b>December 1941</b>	<b>Japan conquered Guam during the 2<sup>nd</sup> World War</b>
<b>21 July 1944</b>	<b>Guam was again retrieved by the USA. This date is also known and celebrated as the "Liberation Day" by the Guam population.</b>
<b>August 1950</b>	<b>The "Organic Act of Guam" was signed by the US President Truman. The act established the US citizenship to the Chamorro and granted certain rights to them.</b>
<b>December 1960</b>	<b>Declaration on the Granting of Independence to Colonial Countries and Peoples was adopted by the UN, thus establishing the right to self-determination.</b>
<b>1973 &amp; 1975</b>	<b>Two Legislative Commissions on Political Status were created in order to inform the public about the political status situation and the available options.</b>
<b>1982</b>	<b>The Commission on Guam's Self-Determination was created aiming to continue the attempts to achieve self-determination for Guam, as well as to assist the previously created commissions in the education of the public. Furthermore, 1982 was the year the non-binding referendum was carried out among the Chamorro concerning the political destiny of their territory.</b>

## **UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS**

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The UN has had a very active role into solving the question of Guam. Decolonization is one of the main matters the UN tries to tackle, and therefore there are documents aiming for it since the 1960s. There have also been many resolutions drafted and adopted by the Political Committee, the most important of which are mentioned below. Each title is linked to the respective document.

## **Declaration on the Granting of Independence to Colonial Countries and Peoples**

The declaration was drafted in the 14<sup>th</sup> of December 1960. It sets in place the right of self-determination for people and communities and furthermore asks for the granting of independence to any colonized territories.

### **GA Resolution A/RES/41/25 on the Question of Guam**

This resolution was adopted on the 31st of October 1986 and recognizes Guam's right to self-determination and highlights that factors such as the population rate or the territorial size should not limit the aforementioned inalienable right. Furthermore, this resolution asks the US to commence the process for the decolonization of the territory and proposes focusing on economic development.

### **GA Resolution A/RES/72/102 on the Question of Guam,**

The above resolution was adopted on the 7th of December 2017 by the Political Committee of the UN and aims at solving the issue of Guam. Amongst others, the resolution re-established the Guamanians' right to self-determination, reaffirms that self-determination is a fundamental human right and that there is no alternative for it in the case of Guam. It also calls the US to cooperate with the decisions of the General Assembly (GA) and participate in the attempts of Guam for sustainable development and economic growth.

## **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE**

### **Commission on self-determination**

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In 1982 the first Commission on self-determination was founded in the pursuit of establishing self-determination for Guam and determining its political status and its relation to the USA. The results of the first survey that was conducted on the matter among the Chamorro showed that the population was not sure of its choice. Therefore, the Commission, similarly to the Political Status Commission, had to educate the public and before conducting the referendum.

## **Guamanian status referendum of 1982**

The referendum that was carried out after the activity of the Commission on self-determination had seven options, namely free Association, Statehood, Independence, Commonwealth Status, Territorial Status, Status Quo and Other. The option that prevailed with 51% was Status Quo.

The establishment and the activity of the Commission were effective at helping the Chamorro comprehend the situation and participate in their territory's political destiny; however it didn't manage to cause changes to the political status of Guam. The referendum was not binding, and therefore it could not have legal power over the territory. Furthermore, the residents' choice for Status Quo did not change the situation.

## **POSSIBLE SOLUTIONS**

The case of Guam is evidently a very complex matter, and therefore it is crucial that the approach to it is holistic. As mentioned above, there are three alternative ways to follow concerning the political status of Guam in relation to the US: Statehood, Independence and free Association. All three options have advantages and disadvantages. It is hence essential that the optimum solution is implemented, in order to succeed in the decolonization of the island.

Statehood would be a good solution that would give the Chamorro full political rights and therefore a say in the US's politics. Guam would be considered a US state, and acquire the respective rights, sovereignty and autonomy. This means that Guam residents will have the right to vote, as well

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as full representation in the Congress. If Guam becomes a state, it would also be obligated to follow the USA's constitution and federal laws. However, Guam being granted statehood is something very unlikely, due to its very small population.

Independence is also an option. Guam being completely self-determined would enable it to make its own decisions without being influenced by its dependence to other countries. Moreover, it means that Guam can claim a future membership at the United Nations as an autonomous, sovereign state. Nevertheless, in order to achieve independence, states have to go through a long-lasting transition period. This means that Guam will have to wait several years before it arrives at full self-government. Furthermore, Guam's independence does not signify the removal of the military bases from the area, as well as raising issues about the sustainability of its economy.

Free Association could be considered the middle ground between the two aforementioned options. It consists of an agreement between two independent countries, in this case the US and Guam, which are connected through a treaty deal. That deal is not rigid as far as terms are concerned and the terms could be established in the process. This option will enable Guam to maintain its relation with the US and benefit from it, but also to control its economy and political destiny. Furthermore, this may give Guam the opportunity to become a UN member state in the future. Currently, it seems like the most sustainable and realistic solution.

Thus, in order to solve the problem in the case of Guam, it must be decided which of the three options is the most favorable, and construct a plan which aims to the successful achievement of that goal. In that process, bearing in mind that the US investment in the region due to the military presence is important to the economy of the territory is essential. Similarly, taking into account recent development, the possibility of arranging for another referendum can't be ruled out.

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All three options have a number of factors that have to be settled in order for them to be successfully achieved. Hence, it is crucial that the solutions have to take these factors into consideration. The military aspect of the topic as well as the strategic value of the territory for the US and other states has to be acknowledged. Moreover, such a big change in the political status and the territorial integrity of Guam will be in need of financial resources. Therefore, it is essential that the plans for the achievement self-determination for Guam also include the economic growth necessary for the sustainability of the goal.

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