

United Nations  Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

TEL.: 1 (212) 963.1234 • FAX: 1 (212) 963.4879

Distr. RESTRICTED
PRS/2012/DP.3

ORIGINAL: ENGLISH

THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Third International Decade for
the Eradication of Colonialism: current realities and prospects

30 May to 1 June 2012

DISCUSSION PAPER

PRESENTED BY

THE KANAK DEVELOPMENT AGENCY

(NEW CALEDONIA)

**Special Committee on the Situation with regard to the Implementation of
the Declaration on the Granting of Independence to Colonial Countries and
Peoples**

Pacific regional seminar on the implementation of the Third

realities and prospects.

Quito 30 May - 1 June 2012

Mr. Chairman, on behalf of my organization, the Kenya Agency for Development I

seminar in the opening year of the Third International Decade for Eradication of Colonialism.

New Caledonia : current realities and prospects for decolonization under the Noumea Accord

The situation of New Caledonia can be seen as a great challenge for the international community when considering the huge amount of works the United Nations have done in promotion and protection of human rights, especially standards to respond to peoples of the world who have waged the most persistent struggles for decolonization and self-determination, gender-based aggression and discrimination, denial of access to basic minimum needs, environmental degradation and destruction, systematic "benign neglect" of the disarticulated, disadvantaged and disposed including the Indigenous Peoples.

Nowadays, New Caledonia has a « rendezvous » with elections that could lead to independence for the Non Self Governing Territory. The rendezvous is based on the legal right to self-determination for which the United Nations General Assembly has attributed a wide range of

have brought many changes in International Law.

Three areas of rights offer the principles and practices that would allow the international community to succeed in one of its most laudable goals, the eradication of colonialism, of old and new sorts, in one of the Non Self Governing Territory of the United Nations' list :

- The area of rights defined by United Nations' Resolutions and Declarations with regards to decolonization;
- The area of right to self-determination of the peoples of the French overseas territories defined in the French Constitution, especially since it has been revised to give New Caledonia a status apart from the other overseas territories;
- The United Nations Declaration on the Rights of the Indigenous Peoples as New Caledonia has an indigenous population that represent over 40% of the total population and according to

Qualified as an overseas territory under the French Constitution in the end of the 1950s, New Caledonia went through several years of turmoil from the 1970s as the challenge posed by the steady growth of radical Kanak demands was met with a direct response from the conservative French Government – massive immigration to the territory to swamp the Kanak independence movement¹. As the 1970s decade ended, the polarisation over the issue of independence was evident

In 1988 the confrontation became extremely tense and turned into a colonial war against the

Can the administering power organize and conduct the self-determination referendum for New Caledonia ?

We learned from History and History of decolonisation tells us that a precedent case does exist, and the victim is another Indigenous Melanesian People, a Melanesian indigenous people being victimized, marginalized on its own land where violations of the fundamental human rights are taking place so often.

The exercise and implementation of the right of peoples to self-determination

The following is extracted from a statement made by Alain Christnatch, former High Commissioner in New Caledonia, artisan in chief of the Nouméa Accord, self promoted expert with thirty years experience of New Caledonia, when he attended the Seminar on the Future of political *collectivités* of Oceania that took place in Nouméa from 7th to 11th of March 2011.

He made a quite lengthy statement in which he gave, in many disturbing prospects, his

perception of the institutional framework of New Caledonia. (Alain Christnatch, 11/3/2011)

an accord with a solution of full sovereignty. Otherwise it will be difficult not to ask the question.

Can the consultation be re-organized with added another and new question regarding relationship between a "partially independent" New Caledonia and France? The answer a new process should be organised to go around an expected refusal from the Constitutional Council with a vote by the full Parliament as it was

We support Mr Christnacht's remarks about immigration further...

of the immigration coming from France and from the overseas territories and departments.

In 2012 Immigration remains an important issue as migrants from "metropolitan" France or from other French Overseas Territories keep coming to settle in New Caledonia, and incitation measures to encourage new comers are still available under various forms.

According to studies done by ISEE, the National Institute for Statistics and Economic Studies, who also conduct every census, from 2004 census and 2009 census, 18,553 migrants settled in New Caledonia, of which 84% are French citizens coming from France or from overseas territories or departments. The 2009 census included data on ethnicity. This indicated that the Kanak indigenous population is now 40.24% of the total population when it was estimated

Time is missing for more presentation from me here. We were expecting to say more about
mining in New Caledonia as well as the

mountains and also to mine the lagoons and bays the chromium deposit that came from mining
the mountains during the last century mining activities. Chromium is a very important