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

Summary record of the 3rd meeting

Held at Headquarters, New York, on Monday, 22 June 2015, at 10 a.m.

Chair: Mr. Lasso Mendoza (Ecuador)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

1. *The agenda was adopted.*

Special Committee decision of 23 June 2014 concerning Puerto Rico (A/AC.109/2015/L.6 and A/AC.109/2015/L.13)

2. **The Chair** drew attention to aide-memoire 02/15/Add.1 relating to the Special Committee decision of 23 June 2014 concerning Puerto Rico, which contained 36 requests for hearing. He took it that the Committee wished to accede to those requests.

3. *It was so decided.*

4. **The Chair** said that the delegations of Algeria, Argentina, Brazil, Colombia, El Salvador, Ghana, Guatemala, Honduras, Kenya, Lebanon, Mexico, Morocco, Nigeria, Republic of Korea, South Africa, Spain, Uruguay, the Observer of the Holy See, and the United Nations Children's Fund had indicated their wish to participate in the Committee's consideration of the item as observers.

5. The Islamic Republic of Iran, on behalf of the Non-Aligned Movement, had also indicated its wish to participate in the Committee's consideration of the item.

6. **Mr. Maleki** (Islamic Republic of Iran), speaking on behalf of the Movement of Non-Aligned Countries, said that the Movement continued to attach great importance to the issue of decolonization and believed that exercising the legitimate right to self-determination of people under colonialism and alien dominance was of paramount importance. The Movement continued to reaffirm its full support for the aspirations of people under colonial rule to exercise their right to self-determination in accordance with the Charter of the United Nations and relevant resolutions.

7. The Movement reiterated its full support for the activities of the Committee and called for the reinvigoration of the working method of the Committee with a view to accelerating the decolonization process. It also urged the Administering Powers to abide by their responsibility and fully cooperate with the Committee in that regard.

8. Unfortunately, much remained to be done with regard to the implementation of the Declaration on the

Granting of Independence to Colonial Countries and Peoples. The Movement, therefore, reiterated its call to Member States, the United Nations, and all relevant United Nations agencies to speed up the process of decolonization with a view to achieving the complete eradication of colonialism, including by supporting the effective implementation of the Plan of Action of the Third International Decade for the Eradication of Colonialism.

9. The Movement reaffirmed its position on the question of Puerto Rico, as contained in the final document of the sixteenth Summit Conference of Heads of State or Government of Non-Aligned Countries, as well as in the final document of the Movement's seventeenth Ministerial Conference.

10. The Committee had considered the question of Puerto Rico for over 40 years, resulting in 33 relevant resolutions or decisions. The Movement welcomed the fact that Special Committee had adopted those resolutions by consensus, resolutions which it strongly supported. It called on the United States Government to assume its responsibility to expedite a process that would allow the Puerto Rican people to fully exercise their inalienable right to self-determination and independence, and urged it to return the occupied land and facilities of Vieques Island and Roosevelt Roads Naval Station to the Puerto Rican people.

11. The members of the Movement fully supported the work of the Committee and hoped that it would adopt by consensus a resolution on the question of Puerto Rico that took into account the Movement's position.

Draft resolution A/AC.109/2015/L.6: Decision of the Special Committee of 23 June 2014 concerning Puerto Rico

12. **Mr. León González** (Cuba), introducing draft resolution A/AC.109/2015/L.6, on behalf of the sponsors, thanked the petitioners for attending the meeting to convey their nation's wish for an end to Puerto Rico's colonial status. For more than 500 years, the people of Puerto Rico had been subjected to outside domination and had never been able to exercise their inalienable right to self-determination and independence, a right recognized by the General Assembly in its resolution 1514 (XV). Despite 32 Special Committee resolutions and decisions calling on the Government of the United States of America to assume its responsibility

to facilitate a process to permit the exercise of that right, little progress had been made. No further delay should be tolerated, in the Third International Decade for the Eradication of Colonialism.

13. The draft resolution reiterated that the Puerto Rican people constituted a Latin American and Caribbean nation that had its own unequivocal national identity, and noted that a majority of the people had rejected Puerto Rico's current status of political subordination on 6 November 2012. The text expressed concern about violent actions, including repression and intimidation, against Puerto Rican independence fighters and called for the release of individuals serving sentences in United States prisons for their involvement in Puerto Rico's struggle for independence.

Hearing of petitioners

14. **The Chair** said that, in line with the Committee's usual practice, petitioners would be invited to take places at the petitioners' table and would withdraw after making their statements.

15. **Mr. Bimbela** (Colegio de Abogados de Puerto Rico) said that, long before the question of Puerto Rico had been considered by the Committee, the Colegio de Abogados de Puerto Rico had consistently and categorically condemned the colonial situation of Puerto Rico. That regime and the Government of the United States of America both failed to comply with the obligations of the Treaty of Paris with respect to determining the political status of the inhabitants of Puerto Rico. He called on the United States Government to put an end to that unjust regime, and to replace it with one determined freely by the collective will of the Puerto Rican people. In that regard, the Colegio had spoken, in 1961, on the minimum substantive requirements that the decolonization process should include in accordance with existing international standards and, in 1977, on the fundamental procedural requirements that should accompany that process. In 2002, the Colegio had adopted the proposal of the Constitutional Assembly on Status. The Assembly would be the depositary of sovereignty of the Puerto Rican People, and would have deliberative and negotiation powers, in accordance with the exigencies of existing international law, and General Assembly resolutions 1514 (XV), 1541 (XV), and 2220 (XXI).

16. Despite having been under review by the Committee for 42 years, not once had the attention of the General Assembly been drawn to the question of Puerto Rico. He therefore urged the Committee to bring the subject before the General Assembly.

17. **Mr. Pierluisi** (New Progressive Party) said that the battle for equal treatment was crucial to Puerto Rico, whose intolerable situation was the root cause of the crises that forced many residents to emigrate to the United States.

18. Every year the Committee drafted a resolution affirming Puerto Rico's inalienable right to self-determination and independence. However, though the Committee might wish to see Puerto Rico become a sovereign nation, the vast majority of Puerto Ricans did not. Becoming a state within the United States, like independence, was dignified and democratic. For that reason, the draft resolution under consideration should stress Puerto Rico's inalienable right to independence or to integration as a state of the United States. Failure to do so would render the draft resolution incomplete and irrelevant.

19. **Mr. Muriente Pérez** (Movimiento Independentista Nacional Hostosiano) said that 25 July would mark the 117th year since the United States military invasion of Puerto Rico. When that country submitted resolution 748 (VIII) to the General Assembly in 1953, its intention had been to project the false impression that the colonial regime in Puerto had come to an end with the establishment of the Commonwealth. In that regard, it was important that Member States, many of which were former colonies, should acknowledge the situation of Puerto Rico and reaffirm its right to self-determination and independence, in conformity with existing international law.

20. Over the past two decades, approximately one million Puerto Ricans had been forced to emigrate to the United States, resulting in a greater population of Puerto Ricans there than remained on the island. Less than 40 per cent of Puerto Ricans were employed and over 85 per cent of their food was imported, even as agriculture represented a miniscule share of the economy. Poverty, deteriorating quality of life, social violence, massive emigration, insolvency and chronic debt were just some of the disastrous results of the colonial regime imposed by the United States on Puerto Rico. The United States had led Puerto Rico to

economic and social collapse, and had denied Puerto Ricans the possibility of building their own lives.

21. **Mr. Nenadich Deglan** (Estado Nacional Soberano de Borinken) said that the National Sovereign State of Borinken was a free, sovereign nation with its own government and legal and political systems. Friendly States were urged to recognize it as the sole legitimate government of the Boricua people, and to support that nation's claim to a seat as a Member State of the United Nations.

22. The United States of America was an occupying power without legitimate ownership over the territory or people. He demanded that Óscar López, whose long imprisonment served as an example of that belligerent state of affairs, be freed. It was time for the United States, accused of both genocide and violations of the Convention on the Prevention and Punishment of the Crime of Genocide, to completely withdraw from the territory so that the National Sovereign State of Borinken could fully exercise its right to self-determination.

23. An application for membership to the United Nations had been submitted on 12 July 2014. Although that application fulfilled the necessary requirements, no response had been received. In that regard, he called on the Secretary-General to assume responsibility. According to the Convention on Rights and Duties of States, the National Sovereign State of Borinken met the requirements for Statehood. Its government operated legally and, in the light of the failure of the United States Government, had exercised its inalienable right to self-determination, in accordance with General Assembly resolution 1514 (XV).

24. **Ms. Susler** (National Lawyers Guild International Committee) said that the question of Puerto Rico played an important part in the international work of the National Lawyers Guild. The Guild had passed a number of resolutions affirming the right of the Puerto Rican people to self-determination and independence, and had called for the release of Puerto Rican political prisoners such as Óscar López, who had served over three decades in prison. His unjust imprisonment flew in the face of democracy, leading many notable individuals, including Heads of State and Government, parliamentarians and members of civil society to call for his release. The Guild trusted that the Committee would once again urge the President of the United States to release Mr. López.

25. **Mr. Dalmau Ramírez** (Partido Independentista Puertorriqueño) said that three crucial developments had occurred since the 2014 meeting of the Committee: the re-establishment of diplomatic relations between the United States and Cuba, regional summits that demonstrated Latin American and Caribbean solidarity with respect to the cause of Puerto Rican independence, and the Venezuelan rejection of foreign interventionism. Those events each bore witness to the triumph of the right to self-determination.

26. The depth of the economic crisis into which colonialism had plunged Puerto Rico was undeniable; however, the work of the Committee had greatly contributed to overcoming colonialism. He was of the view that Fourth Committee discussions in October, which would be informed by the report of the Committee, would provide the proper scenario to step up the intervention of Member States and representatives of the Community of Latin American and Caribbean States.

27. **Mr. López Sierra** (Compañeros Unidos para la Descolonización de Puerto Rico) said that the annual Oscar-Mandela March would continue to take place until the pressure necessary to compel the Government of the United States to allow Puerto Ricans to govern themselves without foreign intervention had been generated.

28. The United States, despite numerous resolutions calling for the immediate decolonization of the territory, intended to maintain Puerto Rico as a colony. That was the reason for the continued incarceration of Óscar López. Should he announce his intention to abandon the fight for Puerto Rican independence, he would be freed immediately, proving that he was indeed a prisoner of conscience and that the true criminal in the situation was the Government of the United States.

29. It was time to make the question of Puerto Rico public. The United Nations was requested to do everything in its power to ensure that subsequent meetings were broadcast globally via radio and television. Doing so would ensure global discussion on the matter, one that would intensify until the Government of the United States was forced to relinquish its hold on the territory which, of the existing colonies, was the oldest and most populated.

30. He called for the release of Óscar López and of Ana Belen Montes, imprisoned for her refusal to

remain an accomplice to United States aggression with regard to Cuba.

31. **Mr. Umpierre Mellado** (Acción Soberanista) said that he hoped the Committee's failure to accept the previous year's invitation to visit Puerto Rico, which remained open, was not due to United States Government interference. The General Assembly used an established list of factors as a guide to determine whether a people had achieved the political authority necessary to self-govern. In 1953, the United States submitted a memorandum asserting that the matter of the political status of Puerto Rico had been resolved with the establishment of the Constitution of the Commonwealth, and the General Assembly adopted resolution 748 (VIII), removing Puerto Rico from the list of dependent territories. Clearly, Puerto Rico did not satisfy the requirements for independent Statehood. In that regard, he demanded an urgent reassessment by the General Assembly of Puerto Rico as a dependent State. He also joined his voice to those that had called for the release of Óscar López.

32. **Mr. Ortiz** (Popular Democratic Party), speaking on behalf of the Party's majority leader, said that for decades the timidity of the Committee, the lack of a sense of urgency, and disdain on the part of the United States had turned petitioner efforts into a useless annual pilgrimage. While Puerto Ricans watched their economy deteriorate, the United Nations remained passive, complacent, and even complicit, and the United States made no effort to assume responsibility for the situation caused by its political and economic usurpation. He called on the United States to commit to a decolonization process in conformity with international law, and to refrain from attempts to control the result. His Party demanded that Puerto Rico should be given the right to take its economy in hand and resolve internal issues without dependence or exploitation.

33. **Ms. López León** (Movimiento Puertorriqueño Anticabotaje) asked Member States for their support in freeing Puerto Rico from United States cabotage legislation. Because of that legislation, a natural disaster or dockworker strike had the potential to leave Puerto Rico without refrigerated food after three days, and with no food at all after seven days. The legislation was originally intended to stimulate the North American shipbuilding industry, and yet little reason for its continued existence remained. Results of studies revealed that the legislation hindered economic

development, obstructed the growth of international commerce, and cost the Puerto Rican economy between \$500 and \$900 million per year.

34. Only two companies existed to transport consumer goods to Puerto Rico's 3.7 million inhabitants through a single port. If Puerto Rico were to enter the growing global economy, it would need tools and access to markets that would allow for the flow of raw materials at competitive prices. Puerto Rico wished to nourish its economy and that of brother countries, including the United States, but would need to be free of cabotage legislation in order to do so.

35. **Mr. Rivera** (Puertorriqueños Unidos En Acción) said that the root of Puerto Rico's economic issues lay in the imperial policy of the United States, whose prejudicial laws hindered Puerto Rico's development while forcing thousands of its inhabitants to emigrate. Puerto Rican retailers suffered as their wealth went to multinational companies. For each job created in a United States megastore in Puerto Rico, jobs in the local economy were lost. Furthermore, while the colonial Government faced financial collapse, multinationals in Puerto Rico were attaining profits to the tune of \$75 billion per year. The political power possessed by the local Government was not enough to reverse the economic and colonial situation in which Puerto Ricans lived.

36. It would be a disgrace to continue the decolonization process without complying with General Assembly resolution 1514 (XV), liberating Óscar López, cleaning up the explosives and contaminants that littered the lands occupied by United States armed forces, or returning those lands to their inhabitants. Only the Constitutional Assembly on Status could initiate the process of the transfer of sovereign powers, thereby ensuring the full exercise of the right to self-determination and democracy.

37. **Mr. Muller Vásquez** (Frente Socialista de Puerto Rico) said that United States Government controlled all commodities, money, and electronic communications, and imposed a drug policy that was actually a pretext to brutally repress impoverished communities. Over the previous nine years, the Puerto Rican economy had further declined. The gross national product had fallen by thirteen per cent, 50 per cent of the population lived below the poverty threshold, and public debt had soared to \$70 million. Moreover, despite the official estimate of 15 per cent unemployment, most economists

actually believed the rate exceeded 20 per cent. As a result of that dire situation, approximately 55 per cent of Puerto Ricans lived outside the country.

38. The destruction of agriculture required 87 per cent of foodstuffs to be imported. Forced to abandon a traditional diet for one high in saturated fats, artificial ingredients and genetically modified foods, the population was witnessing a rise in the occurrence of obesity, diabetes, heart disease, cancer and asthma. Industrial pollution from United States companies, especially pharmaceuticals and petrochemicals, had caused environmental deterioration. The United States' response was the increase of taxes and prices for basic goods and services, and the reduction of social services, resulting in increasing protests and rejection by Puerto Ricans of the existing colonial situation. The United States had denied any responsibility for the economic disaster, instead classifying those who fought for Puerto Rican independence as domestic terrorists. Óscar López had been imprisoned for decades without having been found guilty of any real crime. The Committee was urged to convoke Mr. Lopez to speak on the matter.

39. In view of the above, the Frente Socialista demanded the immediate transfer to Puerto Rico of all the political powers that belonged to free and sovereign States.

40. **Mr. Alicea Rodríguez** (Colegio de Profesionales del Trabajo Social de Puerto Rico) said that Oscar López Rivera, who was incarcerated for exercising his right to fight for the independence and self-determination of the Puerto Rican people, should be released from prison.

41. Colonialism was an obstacle to solving the problems of the Puerto Rican people. The health-care system had become a market-based system dependent on federal subsidies that imposed operational and quality requirements that impeded the development of a universal system that could meet people's needs while taking into account the social and financial challenges they faced. Similarly, through the No Child Left Behind legislation, the Puerto Rican educational system had been federalized to erase the history and culture of Puerto Rico and institutionalize the colonial ideology of consumerism. Previously successful initiatives aimed at building creative, autonomous and community-based schools outside the colonial

framework were threatened by federal educational policy.

42. It was necessary for power to be transferred to the Puerto Rican people so that they could come up with non-colonial, non-territorial solutions to their problems. The Committee should remind the United States of its obligation to facilitate as soon as possible a genuine process of fair, democratic and participatory decolonization for Puerto Rico based on international law. Colonialism must disappear from the planet, and those nations hurt by it should be made morally and materially whole.

43. **Mr. Villanueva Muñoz** (Comité pro Derechos Humanos de Puerto Rico), condemning colonialism as a crime against humanity, said that there were seven capital sins of colonialism. The cabotage rules cost Puerto Rico more than \$100 million per year and raised the cost of living by 40 per cent. The imposition of the federal death penalty, notwithstanding Puerto Rico's constitutional prohibition against one, gave the Territory less autonomy than an Indian reservation in that regard. The 1952 Constitution required Puerto Rico to pay its external debt, which robbed it of \$78 million per year that could be used for education, health, public security and housing. The United States Navy had contaminated the population of Vieques with radioactive uranium and had committed to using the Super Fund to clean up the land but had not kept its word. With the blessing of the United States Supreme Court, Puerto Ricans paid more for Medicare and Social Security and received lower benefits than any other American citizens did. Despite Puerto Rico's contribution of \$9.6 million annually to the University of Puerto Rico, the continual flight to the mainland of the doctors, engineers and biotechnicians it trained who did not pay off their education loans resulted in a negative return on investment. Finally, although in the election of 2012, 54 per cent of the Puerto Rican people had disapproved of the current territorial/colonial status, the United States claimed that a second vote was required under the United States Constitution, even though such a plebiscite would be redundant.

44. Political prisoner Oscar López Rivera fought those seven capital sins of colonialism. Despite the appeals of Nobel laureates, politicians, organizations, the people of Puerto Rico and the international community to release him, his incarceration had lasted more than 34 years.

45. **Ms. Sanabria Dávila** (Comité de Puerto Rico en Naciones Unidas) said that it was shame that the meeting was not being webcast, as had been promised, and thanked the Chair for emphasizing that point. Since 1972, letter-writing campaigns, marches and exhibitions had urged the Committee to consider the issues of the colonization of Puerto Rico and the long-term incarceration of five nationalist political prisoners, including Oscar López Rivera. The current economic crisis in Puerto Rico, which had a profound effect on the Puerto Rican people, proved that the crisis was in fact that of the prevailing colonial system. The negative impact on the people of Puerto Rico would continue as long as the myth of economic development, within the myth of the Commonwealth as a showcase of democracy for Latin America and the Caribbean, remained in place.

46. **Mr. Toledo García** (American Association of Jurists) said that the United States was an imperial power and Puerto Rico its colony. Any attempt by Puerto Rico to question the authority of the United States was criminalized as an act of sedition, which was a direct attack on the independence, liberty and dignity of Puerto Ricans as a people. The United States prevented the economic development of Puerto Rico for the benefit of the inhabitants of the United States, violating Puerto Ricans' right to the full enjoyment of their national identity and natural resources, as well as the exercise of their political, civil, economic, cultural and social rights.

47. The cabotage laws were a clear example of the imperial pressures imposed on Puerto Rico. Those laws required that all imported and exported goods to and from Puerto Rico be carried on United States ships, the costliest merchant marine in the world, and hurt the economic development of Puerto Rico by compromising its ability to compete in international markets, particularly the Latin American and Caribbean markets, and attract foreign investment and create jobs.

48. Thanks to the efforts of the Puerto Rican people, the bombing of Vieques had ceased, but the degrading effects on the island's land and environment persisted and needed to be addressed. The people of Puerto Rico repudiated the death penalty as inconsistent with their values despite United States attempts to impose it. Puerto Rico demanded the release of pro-independence activist Oscar López Rivera, calling for him to be brought home to the island. The Committee should

review the case of Puerto Rico in the light of applicable international law and the principles set forth in General Assembly resolution 1514 (XV). It should re-examine resolution 748 (VIII) and clarify that Puerto Rico's status as a so-called Commonwealth masked its true condition as a colony.

49. **Ms. Ora Bannan** (LatinoJustice PRLDEF) said that, despite the United States Navy's 12-year clean-up effort following its 60-year use of Vieques as a bombing and weapons test site, the people of Vieques had still not obtained justice. With most of the island remaining in the hands of the Navy, the ability of the inhabitants to exercise control over the local economy was limited and their free movement restricted. They continued to suffer disproportionately from serious diseases and disabilities related to exposure to mercury and other heavy metals used during the military manoeuvres. The clean-up process, which involved burning vegetation to expose unexploded ordnance, followed by the open-air detonation thereof, had the same negative environmental and health-related side effects as those it was designed to ameliorate. Although safer methods of clean-up were available, the Navy sought to minimize costs and excluded them.

50. While the Navy did not adequately comply with the 2014 federal law requiring public disclosure of the history, description and location of the weapons used, it estimated that 90,000 munitions had been removed and stated that it would take another 15 years before all munitions were gone. Still, it made no promises that after clean-up the lands would be fit for human use or habitation. The official position of the United States continued to be that there was no link between decades of dangerous military practices and the health and environmental contamination of Vieques. The United States had not put forward or implemented a global plan to adequately address the health, land use, the environment and the economic issues that resulted from decades of military use and abuse.

51. **Ms. Guillén Casañas** (Igualdad) said that although Puerto Ricans had been United States citizens since 1917, they had yet to be granted equal rights, benefits, opportunities or representation. In the recent referendum, 54 per cent of voters had opposed the territory's current colonial status and 61 per cent had favoured statehood. The Puerto Rican people were going through the worst financial, economic and social crisis in modern history because their colonial status deprived them of equality and democracy. Theirs was a

half-democracy where the similarity with states of the United States stopped at state administrative processes; unlike states, Puerto Rico had no representation at the federal level, except for a resident commissioner who had no voice. Puerto Ricans were treated like second class citizens, which was expressly prohibited by the United States Constitution.

52. As a result of the brain drain caused by the emigration of the productive components of Puerto Rican society — the most educated, professionals, the working class and young people — the island was increasingly becoming a poor and elderly society. The only way to resolve the island's economic depression was to definitively resolve the island's status. It was the right and aspiration of the Puerto Rican people to achieve economic prosperity and security by becoming the fifty-first state of the United States. Puerto Rico had never asked for independence, but it had clearly stated its desire to be part of the nation to which it belonged, notwithstanding the Committee's advocacy for independence for non-self-governing territories or the call by Cuba and others for Puerto Rico's independence. Accordingly, draft resolution A/AC.109/2015/L.6 on the Decision of the Special Committee of 23 June 2014 concerning Puerto Rico should be withdrawn and a new one drafted to reflect the true will of the Puerto Rican people.

53. **Mr. Meléndez Ortiz** (League of United Latin American Citizens) said that Puerto Rico's situation as an unincorporated territory of the United States discouraged the long-term investment needed for economic growth and allowed for differential treatment by United States Congress in the administration of important federal programmes like Medicare Advantage and Medicaid. The lack of progress made by the United States President and Congress to assist Puerto Ricans in achieving the full exercise of their political rights as American citizens was as disappointing as the work of the Special Committee on Decolonization, which had been unresponsive to the democratic will of the American citizens of Puerto Rico and ineffective in advancing the territory's self-determination.

54. By lending its support to draft resolution A/AC.109/2015/L.6, which called upon the United States to grant independence to Puerto Rico pursuant to General Assembly resolution 1514 (XV), the Committee was disregarding the fact that the residents of Puerto Rico had been American citizens for 98

years, that there were more Puerto Ricans residing the United States than on the island, and that the political aspiration of the majority of the American citizens residing in Puerto Rico was to attain political equality through its admission as a state of the Union.

55. Self-determination was not synonymous with independence. It had been recognized that a territory could attain a full measure of self-government through integration with an independent State on the basis of complete equality, which, in the case of Puerto Rico, would be statehood. While it was admirable that the Special Committee wanted to hear points of view from across the political spectrum, the Committee was well aware, based on the testimony of many Puerto Rican organizations, that Puerto Rico did not want independence. The unequivocal majority of people of Puerto Rico voting in favour of statehood had confirmed that fact.

56. **Mr. Burgos Pérez** (Coalición Puertorriqueña contra la Pena de Muerte) said that the Committee should take up and include the issue of the death penalty in draft resolution A/AC.109/2015/L.6, as the death penalty in Puerto Rico was a clear example of the atrocities of colonialism. Unlike in other countries, the death penalty in Puerto Rico was imposed by a colonial Power and did not reflect the will of the people. It therefore violated such fundamental human rights as the right to life and the right to self-determination.

57. Puerto Rico had abolished the death penalty in 1929 and confirmed its abolition in the 1952 Constitution; nevertheless, as the island remained subject to United States legislation, the practice remained in place under federal law. Further, the Government of Puerto Rico did not have the power to refuse the extradition to the United States of Puerto Ricans accused of offences subject to the death penalty. The text of the draft resolution should call on the United States Government to declare a total and immediate moratorium on the death penalty in Puerto Rico. More generally, the Committee should refer the question of Puerto Rico to the plenary General Assembly for consideration and Oscar López Rivera should be released from prison.

58. **Mr. Rolón** (Puerto Rico No Se Vende) said that Puerto Rico had not been allowed to participate in the adoption of Committee resolutions on its status and its people's right to independence and self-determination.

It was wrong for Puerto Rico not to be listed as a Non-Self-Governing Territory, but it was worse that while the United Nations considered colonialism to be a crime against humanity and had adopted numerous resolutions requesting the United States to immediately decolonize Puerto Rico, the Organization's efforts to achieve decolonization for Puerto Rico had met with no success whatsoever. Acts of genocide continued to be waged against the people of Puerto Rico because certain States had the power to violate human rights and ignore international law when it suited them.

59. Puerto Ricans had been unable to reconcile their differences and establish a constituent assembly on the status of Puerto Rico, which would provide the most effective means to combat imperialism. Many had simply failed to realize that they were second-class citizens of the United States. The Puerto Rican people must unite, organize and work towards independence and freedom for Puerto Rico and all of Latin America.

60. **Mr. Lugo Segarra** (Nationalist Party of Puerto Rico) said that there was no democracy in Puerto Rico and that elections had not undone the condition of slavery borne by its inhabitants. His party abstained from participating in elections because the winners of such elections would guarantee the continuity of the colonial system. The colonial Government was faced with an economic crisis and carried a large external debt despite the fact that it did not have the legal power to sign international contracts.

61. The Nationalist Party of Puerto Rico did not recognize Puerto Rican debt of any kind and urged the United States to withdraw from Puerto Rico, return the territory's wealth and indemnify the Puerto Rican people for all the damage it had caused. The party condemned the United States' campaign against the Bolivarian revolution across Latin America and its attempts to destroy democratic processes around the world. Oscar López Rivera should be released, as should all political prisoners wherever they might be.

62. **Ms. López** (New York Coordinator, Free Oscar López Rivera) said that the Puerto Rican diaspora had been subjected to racial discrimination, police brutality and horrendous living and working conditions. As an internal colony within the United States, Puerto Rico had struggled for economic and social equality. The continued imprisonment of Oscar López Rivera, as one who had grown up in that context, interfered directly with the decolonization process of Puerto Rico.

63. Oscar López Rivera was convicted of so-called seditious conspiracy for his activities in favour of the independence of Puerto Rico. Having served over 34 years in prison in conditions designed to crush his fighting spirit and political belief in Puerto Rico's right to self-determination, he had become a symbol of freedom and a role model for social justice. Throughout Puerto Rico, the United States and across the world, momentum in support of his release had grown. People of different backgrounds and ideologies were uniting in a humanitarian effort to free him, calling on President Obama in a single voice to use his clemency powers to that end.

64. **Mr. Hoepfner** (Socialist Workers Party) said that because of their struggles and experiences with the United States justice system, many workers in the United States could identify with Oscar López Rivera and his fight for freedom. A successful struggle for Puerto Rico's independence was in the interests, not just of Puerto Ricans, but of the vast majority of the people of the United States. As long as United States imperialism ruled Puerto Rico, its grip was strengthened everywhere and the ability of workers to fight for their interests was diminished. The Cuban Revolution was proof that when workers and farmers took political power out of the hands of the capitalist minority, they could win genuine independence and reorganize society in the interests of the vast majority.

65. **Mr. Pagán Bonilla** (Generación 51), thanked the Chair for his remarks on the importance of webcasting the day's proceedings, and said that Puerto Rico had been a colony for five centuries. On 6 November 2012, the Puerto Rican people had overwhelmingly rejected the status of a free associated state and opted for statehood as the means for decolonization. However, international, federal and local authorities had not acted to implement the referendum, which obligated the people to continue to demand equality and decolonization for Puerto Rico.

66. The situation had raised a number of questions. To what extent was the situation analogous to that of South Africa under apartheid? Did it warrant a re-evaluation of General Assembly resolution 748 (VIII), which had determined that the United States of America should cease transmitting information regarding Puerto Rico under Article 73 e of the Charter of the United Nations? How did the Committee believe that the results of the referendum could be implemented? In

view of its mandate, was the Committee morally or legally justified in waiting for others to take action?

67. **Ms. Laboy** (Ideological Statehood Reborn) said, favouring statehood, that the most important challenge facing the people of Puerto Rico was the island's political relationship with the United States. The essence of colonialism was inequality through disenfranchisement. Notwithstanding Puerto Rico's removal from the list of Non-Self-Governing Territories, the people of Puerto Rico did not have the right to vote for a voting congressional delegation or for the President of the United States.

68. Puerto Rico remained a colony because colonialism, like the law of inertia, required the application of force if the object at rest — the colony — were to move forward. Absent force and the political will for change, Puerto Rico would remain in the same state of political, social and economic immobility that had driven tens of thousands of Puerto Ricans to leave the island, not by preference but by necessity. The people of Puerto Rico had rejected the current status in a plebiscite in November 2012, yet without the tools of democracy at their disposal their fight for equality was an uphill battle.

69. The people of Puerto Rico needed to demand change not only at home, but in the United States, and in organizations like the United Nations and the Organization of American States. They needed to demand that their fundamentally inadequate and unnatural status as a separate and unequal territory of the United States should be changed once and for all.

70. **Mr. Toro Goyco** (Convergencia Nacional Boricua (CONABO)) said that for more than 50 years Puerto Rico had been calling for recognition of its right to self-determination and national sovereignty. Puerto Rico had been subject to hateful exploitation at the hands of the two most powerful empires in history, namely Spain and the United States. The Spanish invasion imposed political subordination on the native Taino residents and exploited them and their island's natural resources. Subsequently, the United States invaded the island and tricked its people with promises of democracy and freedom, culminating in the drafting of a constitution which, despite its failure to grant the slightest degree of sovereignty, was used as basis for asking the United Nations remove Puerto Rico from its list of Non-Self-Governing Territories. In November 2012, 54 per cent of the Puerto Rican people voted

against the current colonial regime, but 56 per cent also voted against statehood.

The meeting rose at 1.05 p.m.