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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

New Caledonia

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power on 2 December 2021 under Article 73 *e* of the Charter of the United Nations. Further details are contained in previous working papers available from www.un.org/dppa/decolonization/en/document/workingpapers.



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The Territory at a glance

Territory: New Caledonia is a Non-Self-Governing Territory under the Charter of the United Nations, administered by France. New Caledonia has the status of a sui generis collectivity (*collectivité*) under the French Constitution and has enhanced autonomy.

Representative of the administering Power: Patrice Faure, High Commissioner of the Republic (since 19 May 2021)

Geography: New Caledonia is located in the Pacific Ocean, about 1,500 kilometres east of Australia and 1,800 kilometres north of New Zealand. It comprises the Main Island (Grande Terre), the Pine Islands, the Bélep Archipelago, Huon and Surprise, the Chesterfield Islands and the Bellone Reefs, the Loyalty Islands (Maré, Lifou, Tiga, Beautemps-Beaupré and Ouvéa), Walpole Island, the Astrolabe Islands, the Matthew Islands and Fearn or Hunter, as well as islets close to the shore. It also has several uninhabited islets to the north of the Loyalty Islands.

Land area: 18,575 square kilometres (the Territory as a whole); 16,750 square kilometres (Grande Terre)

Exclusive economic zone: 1,422,543 square kilometres

Population: 271,407 (2019 census)

Life expectancy at birth: women: 85.4 years; men: 79.3 years (2021)

Ethnic composition: 41.2 per cent Melanesians (mainly Kanaks; 24.1 per cent persons of European origin, mainly French; 8.3 per cent Wallisians and Futunians; 2 per cent Tahitians; 1.4 per cent Indonesians; 0.8 per cent Vietnamese; 0.9 per cent Vanuatuans; and 21.3 per cent populations classified by the National Institute of Statistics and Economic Studies as “others” (2019).

Languages: The official language is French. About 27 Kanak vernacular languages are spoken in geographically distinct regions. Under the Agreement on New Caledonia signed in Nouméa on 5 May 1998 (Nouméa Accord), Kanak languages and French are the languages of instruction and culture.

Capital: Nouméa, located in the south of Grande Terre

Head of the territorial Government: Louis Mapou (since 8 July 2021)

Political groups (at the Territorial Congress): L’avenir en confiance; the joint group of Union calédonienne–Front de libération nationale kanak et socialiste, Nationalistes and Éveil océanien; Union nationale pour l’indépendance; and Calédonie ensemble.

Elections: The most recent national elections were held on 23 April and 7 May 2017 (presidential), 11 and 18 June 2017 (legislative) and 24 September 2017 (Senate). The most recent local elections were held on 12 May 2019 (provincial) and 15 March and 28 June 2020 (first and second rounds of municipal elections respectively).

Legislature: Congress of New Caledonia

Gross domestic product per capita: 31,065 euros (2020)

Unemployment rate: 13.3 per cent (2020)

Economy: Mining industry (mainly nickel), construction, trade and services

Monetary unit: Pacific franc or CFP franc (1,000 CFP francs = 8.38 euros, at a fixed exchange rate).

Brief history: In 1774, the British captain James Cook discovered Grande Terre and named it “New Caledonia”. France annexed New Caledonia on 24 September 1853. In 1942, the United States of America decided to set up one of their military bases for the Pacific in New Caledonia. Some 20,000 New Zealand soldiers were stationed in New Caledonia during the Second World War. In 1946, France made New Caledonia an overseas Territory with limited autonomy. In the 1970s, supporters of independence were highly active, leading to violence during the 1980s known as the “événements” (events). In 1988, the Matignon Agreements led to the establishment of three provinces with the aim of restoring the balance of power. Ten years later, in 1998, the Nouméa Accord provided for the gradual autonomy of the Territory and for referendums on the Territory’s accession to full sovereignty, which took place on 4 November 2018, 4 October 2020 and 12 December 2021.

I. Constitutional, political and legal issues

1. New Caledonia is a *sui generis* collectivity within the French Republic, governed under the provisions of part XIII of the Constitution (“Transitional provisions pertaining to New Caledonia”). The French Minister for Overseas Territories has responsibility for New Caledonia and, in that capacity, oversees the coordination and implementation of the actions of the Government of France in accordance with the Territory’s status and organization. The current Minister is Sébastien Lecornu. He assumed his functions on 6 July 2020. The administering Power is represented in the Territory by a High Commissioner, who exercises the authority of the French Republic in New Caledonia. That position is currently held by Patrice Faure. Under Organic Act No. 99-209 of 19 March 1999 concerning New Caledonia, the administering Power retains prerogatives in a number of areas, including diplomacy, immigration and alien control, currency, the Treasury, defence, justice, and maintenance of law and order. In the area of defence, the High Commissioner and the Commander of the Armed Forces of New Caledonia perform the functions prescribed by the relevant legislation. New Caledonia has an air force base, a navy base and one infantry regiment, with a total of around 1,450 military personnel. The Armed Forces of New Caledonia conduct the sovereign missions of the administering Power and provide support to the territorial Government in the exercise of its civilian security responsibilities. The administering Power is responsible for the maintenance of law and order, discharged by some 550 national police officers and around 850 members of the gendarmerie (including five mobile gendarmerie squadrons).

2. The Territory is part of the metropolitan judicial system of the administering Power, with some special features, such as the obligation to use customary judges in civilian courts in cases involving disputes between persons with customary civil status. The Court of Appeal is located in the capital, Nouméa. Appeals on points of law can be filed with the French Court of Cassation.

3. New Caledonia has a 54-member Congress (28 women and 26 men) drawn from the elected membership of the three provincial assemblies (15 of the 22 members of the North Province assembly, 32 of the 40 members of the South Province assembly and 7 of the 14 members of the Loyalty Islands Province assembly).

4. As at 2 March 2022, the 54 members of Congress are distributed as follows: (a) *L’avenir en confiance* (18 seats); (b) the joint group of *Union calédonienne*–*Front de libération nationale kanak et socialiste*, *Nationalistes* and *Éveil océanien* (17 seats); (c) *Union nationale pour l’indépendance* (11 seats); (d) *Calédonie ensemble* (6 seats); and (e) two non-registered members.

5. Political parties in New Caledonia are essentially divided between those favouring New Caledonia remaining part of the French Republic and those favouring independence, with a number of shades within each stripe. There are also political groups within each stripe that form coalitions of actors and political parties. According to the administering Power, the main political parties that support independence include the following: *Dynamique autochtone*; *Dynamique unitaire Sud*; *Mouvement des océaniens indépendantistes*; *Mouvement nationaliste indépendantiste et socialiste*; *Rassemblement démocratique océanien*; *Parti de libération kanak*; the Labour Party; *Union progressiste en Mélanésie*; and *Union calédonienne*. The *Front de libération nationale kanak et socialiste* (FLNKS) is a political group that supports independence. On the other hand, the main political parties that do not support independence are: *Calédonie ensemble*; *Génération NC*; *Mouvement populaire calédonien*; *Rassemblement-les Républicains*; *Rassemblement national*; *Républicains calédoniens*; and *Tous calédoniens*. Political groups that do not

support independence include the Loyalists (a group that includes parties that do not support independence, except for Calédonie ensemble); and Voix du Non (a group that includes parties not in favour of independence, except for Calédonie ensemble and Rassemblement national). In addition, two political parties are unaffiliated, namely: Éveil océanien and Construire autrement.

6. In accordance with the Nouméa Accord, a set of institutions has been established to confirm the full recognition of the Kanak identity and culture. There are eight customary councils representing eight customary regions. In addition, a Territory-wide customary Senate with a rotating presidency comprises 16 members, with each customary council selecting two members. Under article 143 of Organic Act No. 99-209, the Senate is consulted on all matters relating to the Kanak identity but has no normative power. In accordance with article 147 of the Organic Act, the Senate has a budget for its operations.

7. The Government is elected by the Congress on the basis of a proportional system and comprises 11 members. The seventeenth Government of New Caledonia was elected on 17 February 2021, following the resignation of the pro-independence members of the previous Government on 2 February 2021. It is made up of four members presented by L'avenir en confiance, three from the joint group of Union calédonienne–Front de libération nationale kanak et socialiste, Nationalistes and Eveil océanien, three from l'Union nationale pour l'indépendance and one from Calédonie ensemble. The Government is composed of one woman and ten men.

8. The Kanak independence movement was launched in the 1970s, in response to the process of decolonization in Africa and Oceania and as a reaction to the large movements of people from metropolitan France in the late 1960s and early 1970s. In 1984, the Front de libération nationale kanak et socialiste was founded as an umbrella organization for the pro-independence parties and, later that year, it established a provisional independent Government. Between 1984 and 1988, about 80 people died in violent confrontations between pro- and anti-independence elements. The violence was eventually halted with the conclusion of the Matignon Agreements on 26 June 1988 between the Front de libération nationale kanak et socialiste, the anti-independence Rassemblement pour la Calédonie dans la République and the Government of France. Information on the Matignon Agreements and the Nouméa Accord, concluded in 1998, is available in previous working papers prepared by the Secretariat. The full text of the Nouméa Accord is contained in the annex to the working paper published in 1998 (A/AC.109/2114).

9. Under the Nouméa Accord, France agreed to transfer certain non-sovereign powers and a number of institutions to the Government of New Caledonia between 1998 and 2018. All institutions with the exception of the Rural Development and Land Management Agency have been transferred, along with all powers other than those in the following three areas envisaged in article 27 of Organic Act No. 99-209: (a) rules governing the administration of provinces, municipalities and their public institutions, legal oversight of the provinces, municipalities and their public institutions, and accounting and financial regulations for local authorities and their public institutions; (b) higher education; and (c) broadcasting. The Congress, which may request the transfer of the powers referred to in article 27 of Act No. 99-209, has yet to do so. The administering Power indicated that it had transferred to the Government and the provinces, through Organic Act No. 99-209, powers concerning access to and management of natural resources, including the regulation and exercise of the rights of exploration, exploitation, management and conservation of natural resources on land and in the exclusive economic zone; and regulations for hydrocarbons, nickel, chromium, cobalt and rare earth elements.

10. The Nouméa Accord provides for the holding of one to three referendums on accession to full sovereignty by New Caledonia.

11. The referendum date was set by the Government of France (article 216 of Act No. 99-209). On 27 March 2018, at the meeting of the Committee of Signatories to the Nouméa Accord – a regular meeting that brings together heads of institutions, political groups and members of the Congress, among others – the New Caledonian political partners, in agreement with the State, finalized the question to be asked for the referendum, which was formulated as follows: “Do you want New Caledonia to accede to full sovereignty and become independent?”.

12. Following the 2 November 2017 meeting of the Committee of Signatories, and in order to enable the populations concerned to participate in the referendum on accession by New Caledonia to full sovereignty, the French Parliament adopted Organic Act No. 2018-280 of 19 April 2018 concerning the referendum, and its implementing decrees were issued by the Government of France in April and May 2018. According to the administering Power, the exceptional package of measures adopted in 2018 had several purposes: (a) establishing a procedure for automatic inclusion on the general electoral roll; (b) establishing periods for additional revisions of the three electoral rolls in New Caledonia; (c) allowing automatic inclusion for a category of voters whose property and personal ties are presumed to be mainly in New Caledonia; (d) establishing offshore polling stations in Nouméa for voters from the municipalities of Bélep, Pine Islands, Lifou, Maré and Ouvéa; and (e) establishing a special mechanism, as an exception to the general law, for voting by proxy.

13. The referendum on the accession to full sovereignty of New Caledonia held on 4 November 2018 saw a turnout of 81.01 per cent of voters, or 141,099 voters out of 174,165 registered in 284 polling stations. The results of the vote, announced on 7 November 2018 by the Commission Overseeing the Organization and Conduct of the Referendum, led to the rejection of full sovereignty and independence by 78,734 voters, or 56.67 per cent of the votes cast. The number of voters who voted for full sovereignty and independence was 60,199, or 43.33 per cent of the votes cast.

14. In June 2019, a new referendum was requested, by both the elected members of the group L’avenir en confiance and those of Union nationale pour l’indépendance and Union calédonienne–Front de libération nationale kanak et socialiste. The Committee of Signatories to the Nouméa Accord met on 10 October 2019, with the Prime Minister of France as Chair, to determine the arrangements for the second referendum, the date of which was set for 6 September 2020. Owing to the health crisis related to the coronavirus disease (COVID-19) pandemic, the referendum was postponed to 4 October 2020. In preparation for the second referendum, two decrees were adopted: Decree No. 2020-776 of 24 June 2020 specifies that the system of specific proxies and the establishment of offshore polling stations in Nouméa for voters in the island province will be continued, with some procedural improvements as requested by the nineteenth Committee of Signatories to the Nouméa Accord. These provisions were updated by Decree No. 2020-127 of 14 February 2020 in order to determine, on the one hand, the exceptional arrangements for voting by proxy and, on the other hand, the arrangements for voting in Nouméa for voters in island municipalities, in the context of the referendum on accession by New Caledonia to full sovereignty scheduled for 2020.

15. The second referendum on the accession to full sovereignty of New Caledonia was held on 4 October 2020, with a turnout of 85.69 per cent of voters, i.e. 154,918 voters out of 180,799 registered voters in 304 polling stations. The results were announced on 5 October 2020 by the Commission Overseeing the Organization and Conduct of the Referendum. The administering Power reported that the results of the vote had led to the rejection of full sovereignty and independence by 81,503 voters,

or 53.26 per cent of the votes cast. The number of voters who voted for full sovereignty and independence was 71,533, or 46.74 per cent of the votes cast.

16. In accordance with the provisions of the Nouméa Accord and the Organic Act, on 8 April 2021 the pro-independence political groups represented in the Congress of New Caledonia, representing more than one third of the elected representatives, requested that a third and final referendum be held.

17. The Government of France organized political discussions from 26 May to 1 June 2021 in Paris, in which political groups participated and at the end of which a third referendum on 12 December 2021 was announced. According to the administering Power, these discussions also addressed the consequences of the vote and led to the distribution of an information document to the population. This document was presented on 16 July 2021 to elected officials, the press, civil society and the customary authorities of the Territory.

18. The final declaration of the exchange and working session provided for the organization, by 30 June 2023 at the latest, of a referendum for the approval of the new Caledonian institutions.

19. The third and final referendum on the accession to full sovereignty of New Caledonia, provided for in the Nouméa Accord, was held on 12 December 2021. The turnout was 43.87 per cent of voters, or 80,881 voters out of 184,364 registered voters in 317 polling stations. The results were announced on 13 December by the Commission Overseeing Voting Operations. The administering Power reported that the results of the vote had led to the rejection of full sovereignty and independence by 75,720 voters, or 96.50 per cent of the votes cast. The number of voters who voted for full sovereignty and independence was 2,747, or 3.50 per cent of the votes cast.

20. According to the administering Power, the Commission stated that the low turnout, which was related to a call for non-participation by pro-independence political groups and parties, did not affect the fairness and sincerity of the vote, for which voting was not compulsory and there was no minimum turnout requirement. In accordance with the Nouméa Accord, the partners “shall meet to consider the situation thus created”.

21. There are several electorates in New Caledonia: the general electorate, the special electorate for elections to the Congress and the provincial assemblies, and a special electorate called upon to participate in the final status referendums under the Nouméa Accord. To be included on the special electoral roll for the referendum, all persons must meet at least one of the criteria established in Organic Act No. 99-209.

22. Every year, the special electoral rolls of voters eligible to participate in the election of members of the Congress and the assemblies are updated by special administrative commissions headed by members of the judiciary. These commissions also include a representative of the Administration appointed by the High Commissioner of the Republic, a representative of the mayor of the municipality and two representatives of voters in the municipality (one pro-independence voter and one anti-independence voter).

23. In order to ease possible tensions, a team of experts from the United Nations has been mobilized every year since 2016 to sit on the administrative commissions as independent qualified persons. The expert team issued reports at the end of each annual review. In addition, the United Nations Secretariat deployed a group of experts to monitor the three referendums.

24. The decision to hold the third referendum on 12 December 2021 required the organization of a complementary revision of the electoral lists, which was completed

in early October 2021. As at 12 December 2021, the electorate for the referendum was 184,364 voters.

II. Budget

25. The financial situation of the collectivity, which has been deteriorating since 2012, has been worsened by the health crisis.

26. New Caledonia is primarily a redistributive collectivity. It collects taxes on behalf of local authorities and public bodies and redistributes approximately 83.23 per cent of the sums raised. Taking into account the scale of non-discretionary spending, particularly the payments to local authorities, but also structural spending, including on staff and public institutions, it has only limited fiscal space. Its debt ratios are very sensitive to variations in its savings and revenues. According to the administering Power, the issue of establishing a separate municipal tax system is still being considered.

27. On tax matters, the Congress passed two country laws on 1 September 2016, one establishing a comprehensive consumption tax to replace the existing seven taxes and contributions; the other on competition, competitiveness and prices, which will mainly allow the Government to regulate prices in the event of a breakdown in competition, supply constraints, slippage in the prices of basic commodities, or major crisis. The collectivity has also established the Local Emergency Plan to Support Employment (Pulse), which includes measures to revive investment, and an export support plan designed to diversify the economy, which for years has been focused on nickel mining. The provisional budget for 2020, adopted in December 2019, is, for the first time, a rigorous budget aimed at restoring the depleted finances of New Caledonia. The COVID-19 health crisis had a big impact on this budget.

28. Faced with the COVID-19 health crisis and the consequences of the measures taken to limit the spread of the virus, the Government of New Caledonia has drawn up a plan to safeguard the New Caledonian economy. The support mechanisms involve deferral of social security contributions and taxes and an increase in partial unemployment benefits. At the same time, New Caledonia has also had to meet exceptional costs in managing the crisis, such as the purchase of sanitary items (personal protective equipment, tests, oxygen, etc.) and the cost of repatriation and hotel accommodation for all travellers arriving in the Territory.

29. In order to meet these exceptional expenses, New Caledonia obtained financial support from the State in the amount of 122 million euros in exceptional grants for the year 2021. It was also able to take out a loan (25-year term with a two-year grace period) granted by the French Development Agency, for an amount of 240 million euros, guaranteed by the State. This loan enabled the Government of New Caledonia to finance its plan to safeguard the New Caledonian economy, to cope with losses in tax revenue and to maintain its capacity to provide funding to local authorities. In accordance with the provisions of this guarantee, specified in article 18 of the 2020 Budget Rectification Act (Act No. 2020-473 of 25 April 2020), an agreement, appended to the credit agreement signed on 13 May 2020 between the State, the French Development Agency and the Government of New Caledonia, specifies the reform programme that New Caledonia has undertaken to adopt in order to guarantee the sustainability of the loan repayment, as well as the principle and procedures for allocating part of New Caledonia's revenue, corresponding to the annual loan principal and interest, for the repayment of the loan guarantee.

30. The administering Power has put in place several national measures that are applicable in New Caledonia to assist businesses experiencing cash flow difficulties

as a result of the health crisis: the solidarity fund; ad hoc cash-flow support for businesses; and the loan guarantee by the State. By the end of October 2021, a total of 18,649 grants from the solidarity fund had been paid out to nearly 7,000 companies, representing 5 billion CFP francs, and 440 companies had received State-guaranteed loans worth 26 billion CFP francs. Other aid measures are intended to be applied in New Caledonia as part of the recovery plan put in place by the State.

III. Economic conditions

A. General

31. The administering Power reports that New Caledonia has one of the richest economies of all the Pacific islands, with a per capita gross domestic product (GDP) of 31,065 euros in 2020. This is partly due to the preponderance of nickel mining and processing in the economy of the collectivity. Nickel production accounts for 93 per cent of exports. However, there are still significant geographical disparities in income distribution: 90 per cent of total expenditures and resources are concentrated in the South Province, which represents 74.4 per cent of the population of the Territory, while the North Province accounts for 18.8 per cent of the population and the Loyalty Islands Province only 6.8 per cent. The economy is also highly dependent on transfer payments from the Government of France. Such payments amounted to 178 billion CFP francs in 2020, representing approximately 19 per cent of New Caledonian GDP. In comparison, the contribution of the nickel sector to wealth creation is 7 per cent of GDP. A large part of the State's financial transfers to the New Caledonian authorities are made under development contracts.

32. The business environment of the New Caledonian economy gradually improved throughout 2019 (+11.7 points), before sharply declining in 2020. Measured among business leaders by the Overseas Issuing Institute, the business climate indicator was at its lowest level on average in 2020 (at 85, i.e. -6.3 points over the year), far from its long-term average.

33. The main investment drivers used by the Government of France are based on:

(a) **Development contracts.** The new generation of contracts that will cover the period 2017–2022 includes an allocation, following the signature of amendments in 2020, of 99.563 billion CFP francs, including 53 per cent in funding by the administering Power (53.221 billion CFP francs).

(b) **Tax relief.** Overseas tax assistance targets private sector economic projects. It allows a taxpayer based in metropolitan France to benefit from a significant tax reduction in return for investing in a productive project overseas. The tax relief mechanism was initially scheduled to expire in late 2017. The mechanism was extended until 2025, offering project managers greater visibility. Tax relief remains the main tool of State support for the private sector and all flagship projects in recent years have benefited from it. In 2020, public expenditure on overseas tax assistance amounted to 13.3 billion CFP francs, after 15 billion CFP francs in 2019 and 13.1 billion CFP francs in 2018. The number of applications submitted is trending upward, from 24 in 2018 and 27 in 2019 to 33 in 2020.

B. Mineral resources

34. According to the report of the Overseas Issuing Institute for 2020, New Caledonia, with 7 per cent of the world's nickel reserves, is the fifth-largest source of that metal in the world, after Indonesia (21 per cent), Australia (20 per cent), Brazil

(16 per cent) and the Russian Federation (7 per cent). New Caledonia has jurisdiction over nickel, chromium and hydrocarbons with regard to the regulation and enforcement of rights, including export licences. Mining is carried out by about a dozen operators, the largest of which are SLN, the Nickel Mining Company, Prony Resources New Caledonia and Koniambo Nickel. The other operators are small-scale miners, who may or may not be owners of mining claims and supply the SLN plant with or export crude ore.

35. The level of nickel ore exports has risen sharply in recent years, from 5.5 million tons in 2015 to 8.4 million tons in 2020. Metallurgical production, which had seen a steady increase between 2015 and 2018, from 93,977 tons to 114,637 tons, has since been steadily declining, reaching 90,708 tons in 2020. The sector has a strong knock-on effect in terms of induced employment and consumption, which feed the other sectors of the economy. According to a study by the New Caledonian Institute of Statistics and Economic Studies in April 2021, the sector directly employs 9 per cent of private sector employees (approximately 6,000 people) and generates nearly a quarter of direct, indirect or induced salary employment.

C. Construction and manufacturing

36. The construction and public works sector accounted for an average of 11 per cent of the wealth generated and employed some 9.3 per cent of wage earners in the Territory in 2018. As at 31 December 2020, the sector had 7,441 businesses, or 14.5 per cent of the number of New Caledonian businesses (compared to 12.3 per cent in 2019).

D. Agriculture and fisheries

37. Although the primary sector (excluding mining) represented around 2 per cent of wealth generation in 2020 and wage employment (with 1,760 wage earners in 2020), it is nonetheless the principal sector of activity of much of the rural population. New Caledonia is not self-sufficient in most agricultural and livestock sectors and thus remains heavily dependent on imports. The agricultural sector includes a food-crop farming component not included in accounting statistics but whose production level is estimated to be equal to that of the business sector.

E. Transport and communications

38. The Territory has a road network that extends over 5,600 kilometres (46 per cent in the North Province, 40 per cent in the South Province and 14 per cent in the Loyalty Islands) and consists of territorial, provincial and communal roads.

39. Since the year 2000, New Caledonia has had authority over international traffic rights and air carrier operational programmes. Powers in policing and security in respect of air traffic were transferred, for domestic traffic only, in 2013. The New Caledonia Air Services Agency, a public enterprise of New Caledonia, is responsible for ensuring the continuity of air services. To that end, it owns 99.38 per cent of the shares in the international airline Aircalin. Five international airlines operated scheduled flights to the Territory prior to the suspension of international commercial passenger transportation owing to the COVID-19 health crisis. Frequent international flights connected the airport to neighbouring countries and territories (Australia, New Zealand, Fiji, Vanuatu and French Polynesia) as well as Japan. In 2020, owing to the COVID-19 pandemic, international traffic to and from New Caledonia dropped by

70.4 per cent. In 2020, a total of 167,558 passengers passed through La Tontouta airport, compared to 567,016 passengers in 2019.

40. Owing to the COVID-19 health crisis, the Government of New Caledonia suspended international commercial routes on 20 March 2020. This suspension was extended until July 2021. However, there is still an air route between Paris and Nouméa, via Tokyo, to ensure territorial continuity with the French mainland. As a result, the number of passengers averaged around 3,900 per month between April 2020 and September 2021, these passengers being mainly repatriated residents and persons needing to travel for compelling reasons. As the “compelling reason” requirement was suspended in October 2021, scheduled international passenger flights to New Caledonia have been authorized since 1 December 2021, with entry conditions to the Territory remaining strict.

41. Regarding domestic service, New Caledonia has 14 airfields open to public air traffic. Public domestic air transport is provided by two companies, the main one being Air Calédonie. Work has been carried out to expand and redesign the Nouméa-Magenta airfield to cope with increasing domestic traffic, financed under the development contract between the French State and New Caledonia for the period 2017–2021. Affected by the COVID-19 health crisis, domestic transport had about 25,000 passengers per month in 2021 (compared with about 40,000 in 2019), with domestic routes suspended twice in 2021 due to the health crisis.

42. The telecommunications sector includes the territorial operator, the Post and Telecommunications Office of New Caledonia, and its partners. The Territory is connected to the Internet by an undersea optical cable linking Nouméa to Sydney since 2008. The number of subscribers is increasing and stood at 60,791 (+3.4 per cent) on 31 December 2020. A programme to secure the transmission networks is currently being carried out by the Post and Telecommunications Office, with the support of the Government of New Caledonia. The objective of this programme is to improve the resilience of the domestic network, both land and sea, and of international links. It depends, inter alia, on the deployment of a second international undersea cable to secure international connectivity for New Caledonia for the next 25 years.

F. Tourism

43. In the view of the administering Power, New Caledonia, with its geographical location and cultural richness, has real strengths and considerable tourism potential that has not yet been fully tapped. Tourism thus could be a driver of the Territory’s economic development. As part of its strategy to diversify the economy, the Government of New Caledonian approved, in March 2018 a tourism development strategy for services and leisure activities running until 2025, in order to develop tourism, the second largest export sector after nickel. New Caledonia thereby aims to welcome more than 200,000 tourists and 1.2 million cruise passengers (goals established before the health crisis).

44. The tourism sector accounts for a little more than 2.8 per cent of GDP and 5,387 jobs. In 2019, the sector reached a record number, with 130,458 visitors, compared with 85,785 in 2009 and 120,343 in 2018. From March 2020 to 1 December 2021, owing to the health crisis and the closure of borders, New Caledonia did not welcome international tourists (except for passengers from Wallis and Futuna, a territory with which a health “bubble” has been set up). This led to an exceptional 76.1 per cent drop in tourist numbers, a sudden halt in cruise ship tourism and a contraction in jobs in the sector (804 jobs lost, a 14.9 per cent drop in the workforce).

IV. Social conditions

A. General

45. New Caledonia's population growth has been in sharp decline since the last census, with the number of inhabitants increasing by an average of only 0.2 per cent per year from 2014 to 2019, compared to 1.8 per cent between 2009 and 2014. The 2019 population was 271,407, which is 2,640 more than in 2014. The population grew by 1 per cent between 2014 and 2019, compared to 9.4 per cent growth during the previous period between censuses. The slowdown in the rate of population growth over the 2014–2019 period is primarily the result of negative net migration for the first time since 1983 (2,000 net departures per year), partially offset by a natural population change that remains positive despite a decline in the fertility rate.

46. According to the Overseas Issuing Institute report for 2020, the Territory's human development index rose by 15 per cent between 1990 and 2010, driven by its social component (education and health), which accounted for 80 per cent of that increase, and its economic component, 20 per cent.

47. The adult literacy rate is over 96 per cent and school enrolment (all levels) stands at 89 per cent. Nevertheless, the territory suffers from certain imbalances and inequalities at several levels, including in the social and economic spheres.

48. The concept of economic rebalancing is rooted in the Nouméa Accord and in the aim of achieving a more harmonious distribution of job and wealth creation throughout New Caledonia in preparation for the Territory's potential accession to full sovereignty. This concept led to the development of a formula for budgetary allocations that proactively favours the North (31.3 per cent) and Loyalty Islands (16 per cent) Provinces on account of their demographic weight and the imbalances to be corrected (for more details, see [A/AC.109/2019/11](#), para. 40). It has also resulted in the development of the Voh-Koné-Pouembout area in the North Province, an area covered by two successive development contracts (2011–2016 and 2017–2022), and the establishment of a nickel plant in the North Province (Koniambo Nickel, in partnership with Glencore).

49. In the South Province, the construction of a metallurgical plant has also received support from the administering Power. This is the Goro plant, operated by the Prony Resources New Caledonia consortium since April 2021. According to the administering Power, the consortium consists of Société de participation minière du Sud calédonien (30 per cent of the shares), the trader Trafigura (19 per cent of the shares), Compagnie financière de Prony (30 per cent of the shares) and a trust company that is expected to hold 21 per cent of the shares. Once incorporated, employee ownership would take 12 per cent of the shares and a local fund, the environmental and socio-cultural risk prevention fund, would take 9 per cent of the shares. The Goro plant uses a hydrometallurgical process, which makes it possible to exploit low-grade nickel ore.

B. Employment

50. Private wage and salary employment declined by an average of 1.4 per cent in 2020, a loss of 910 jobs over the year. It stands at 64,714, its lowest level since 2011. Thus, since 2015, private wage and salary employment has been declining by an average of 0.6 per cent per year, compared to an average of 3.3 per cent growth from 2000 to 2015. While construction continues its downward trend with a loss of 291 jobs (-4.6 per cent), job losses in services (-2.2 per cent) and trade (-0.8 per cent) highlight the impact of the health crisis, particularly in the accommodation and food

services sectors (-12.3 per cent). On the other hand, driven by the mining sector, employment in industry is increasing with an average net addition of 151 jobs. Employment in the primary sector remains stable. The 2019 census data show several characteristic changes in the labour market compared to previous censuses, including feminization (a seven-point narrower gap between men and women), ageing, tertiarization (three out of four jobs), casualization (21 per cent of jobs held are part-time, fixed-term contracts, etc.) and increasing qualifications (31 per cent of workers have a college degree).

51. The unemployment rate as defined by the International Labour Office was 10.9 per cent in 2019, compared with 11.9 per cent in 2018, higher than in metropolitan France, where it was 8.6 per cent in 2019, but much lower than in overseas France. According to the New Caledonian Institute of Statistics and Economic Studies, 46.3 per cent of job seekers are men and 53.7 per cent are women. More than half of the unemployed are between 25 and 49 years old. Unemployment is more frequent among Kanaks than in the general population (two out of three unemployed). For the population as a whole, the South Province retains the most favourable employment indicators, with 80 per cent of jobs and 75 per cent of the population, while the North Province lost 1,000 jobs in 2020. The Loyalty Islands Province continues to lag far behind in labour market terms.

C. Education

52. In 2020, New Caledonia's school population included 2,905 university students and 65,832 pupils (including students in post-baccalaureate classes and those seeking advanced vocational training certificates), of whom 33,786 were in primary education, spread over 267 public and private schools, and 29,622 in public secondary schools and private secondary schools under contract. According to 2019 census data, the number of highly educated individuals has increased more than fourfold since 1996 and continues to grow rapidly, with a 39 percent increase between 2014 and 2019. The number of graduates with a bachelor's degree or higher is also three times higher than in 1996. Over the same period, the number of individuals over 15 years of age with few or no degrees has decreased (an 8 per cent decrease between 1996 and 2019) with 46,762 individuals without a degree in 2019.

53. The Cadres Avenir scheme is a management training programme implemented by the administering Power as part of the rebalancing provided for in the Nouméa Accord. The 1,872 training courses allow beneficiaries of the programme to provide their expertise to various communities, administrations and companies in New Caledonia today. Some 71 per cent of those trainees are of Kanak origin. The overall success rate is 82 per cent. Ninety-five per cent of trainees successfully enter the workforce within three months of their return to New Caledonia. The financial commitment of the administering Power in this area has been maintained since 2006 at approximately 645 million CFP francs (5.4 million euros), with New Caledonia contributing 55 million CFP francs (approximately 460,000 euros). New initiatives have been undertaken to identify and train individuals in the fields of excellence (for further details see [A/AC.109/2018/11](#)).

54. The adapted military service is a mechanism that fosters the social and vocational integration of young people in difficult circumstances. It is aimed at people aged 18 to 25 in the overseas territories who suffer the most from unemployment and are often marginalized. Universal national service, which is available to young people between the ages of 15 and 18 after the fourth year of high school, has been implemented in its first phase, namely, the 15-day cohesion stay for 88 students in the fifth year of high school throughout the country. That roll-out was subject to prior consultation with the local government and the three provinces, in order to organize

the modalities for the establishment of such a system in the Territory. Civic service volunteering, a multifaceted civic engagement scheme, is supported by the administering Power, including the development of voluntary service in the public interest, for young people between the ages of 16 and 25, regardless of qualification, and for young people with disabilities up to 30 years of age. They have served public authorities and associations in fields as diverse as culture, youth, the status of women, and combating violence against women. This system is being maintained for the year 2022.

55. The University of New Caledonia is a public scientific, cultural and professional institution under the supervision of the French Ministry of Higher Education, Research and Innovation. It derives special institutional legitimacy from the Nouméa Accord, point 4.1.1 of which calls upon the institution to address the specific research and training needs of New Caledonia. The University opened a branch in the North Province in 2019 and has partnered with the Loyalty Islands Province in linguistic research.

D. Health

56. The Territory has three public hospitals: (a) Gaston-Bourret Territorial Hospital in the South Province; (b) Albert-Bousquet Specialized Hospital in Nouméa, South Province; and (c) North Hospital in the North Province.

57. In the area of health crisis management, competencies relating to health and civil security have been transferred by France, which nevertheless remains the guarantor of civil liberties. Since 2020, the COVID-19 health crisis has thus been managed in close cooperation between the administering Power and the political and customary authorities of New Caledonia. In the face of this crisis, which required restrictions on public freedoms and the implementation of emergency health measures, it was agreed to proceed by joint decision between the President of the Government of New Caledonia and the High Commissioner of the Republic. State services, including the Armed Forces, also provided human, logistical and material support to New Caledonia from the start of the pandemic. Following the rapid implementation of strict sanitary protection and health and public freedom management measures, the Territory remained free of COVID-19 cases for a long time. The vaccination of the population started on 20 January 2021, with the provision of vaccines by the administering Power (in total, more than 400,000 doses were delivered to the Territory).

58. On 6 September 2021, three isolated cases of the Delta variant were discovered in New Caledonia. In less than a week, hospitals had to deal with a massive influx of patients. A support mission from the Ministry of Health visited the Territory from 14 to 20 September to assess the quantity and quality of human and material reinforcements needed. More than 400 medical personnel were sent to reinforce the Territory. The Government of France also provided medical supplies, tests and personal protective equipment in large quantities. A military resuscitation module (medical equipment and 39 military personnel) was also made available to the Territory. These reinforcements, the strict containment measures and the vaccination policy limited the impact of the spread of the Delta variant. After a peak around 20 September 2021, the number of cases began to decline, and the situation stabilized. As of December 2021, the Government of New Caledonian estimates that there are approximately 12,000 patients who have recovered and fewer than 300 deaths. An initial analysis showed that 45 per cent of all patients and 53 per cent of those who died were men. The median age of confirmed cases since 6 September 2021 is 37 years, and the median age of deceased patients is 71 years. 70 per cent of confirmed cases and more than 80 per cent of deceased patients were not vaccinated.

The case fatality ratio was 2.4 per cent. The threshold of 60 per cent of the total population having received a complete vaccination regimen was reached in mid-November 2021.

V. Environment

59. The administering Power indicates that New Caledonia has a unique natural heritage characterized by a high rate of endemism, in particular in terms of flora (76 per cent); striking land ecosystems (rainforest, maquis shrubland), some of which are particularly endangered (dry forest); and the second-largest coral reef in the world after the Great Barrier Reef in Australia. The various threats to this biodiversity have attracted the special attention of non-governmental organizations. Biodiversity conservation is also at the heart of government concerns. Various initiatives are being undertaken by the three provinces, which are responsible for environmental matters, and by the Government of New Caledonia in the exclusive economic zone.

VI. Relations with international organizations and partners

60. Organic Act No. 99-209 governs the legal framework for the establishment of external relations by New Caledonia. New Caledonia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992. It became an associate member of the Pacific Islands Forum in 2006 and a full member in 2016. New Caledonia's participation for the first time as a full member in the Forum summit in Apia in 2017 was an important step in the implementation of the Nouméa Accord towards a greater international presence.

61. New Caledonia is also a full member of the Pacific Community, which has its secretariat in Nouméa. Other regional arrangements to which New Caledonia is a full party include the Oceania Regional Environment Programme, the Oceania Customs Organization and the South Pacific Tourism Organization. It participates under different statutes in the work of the Pacific Islands Forum Fisheries Agency (as an associate member), the Western and Central Pacific Fisheries Commission (as a participating territory), the Pacific Islands Development Forum (participating in the work, without any special status), the World Health Organization (with a non-voting seat on the Regional Committee for the Western Pacific) and the Oceania Regional Anti-Doping Organization (as a participating member). Lastly, New Caledonia, with the support of the Government of France, was granted associate membership in the International Organization of la Francophonie in 2016 and in the United Nations Educational, Scientific and Cultural Organization in 2017.

62. New Caledonia has continued to strengthen its ties with the European Union, with which it holds the status of associated overseas territory, as conferred by the Treaty of Rome. The European Commission office for the Pacific overseas countries and territories is based in Nouméa. Under the eleventh European Development Fund, New Caledonia received 29.8 million euros (3.6 billion CFP francs) between 2017 and 2020. Over this period, New Caledonia, together with the other three overseas countries and territories in the Pacific, benefited from a regional envelope under the eleventh European Development Fund amounting to 36 million euros for the implementation of a regional cooperation project. Lastly, New Caledonia is also involved in the work of the Association of the Overseas Countries and Territories of the European Union, of which it assumed the vice-presidency in 2019 and took over the presidency in December 2020.

63. In January 2012, the French Minister for Cooperation, the French Minister for Overseas Territories and the President of the Government of New Caledonia signed

an agreement on the hosting of representatives of New Caledonia in French diplomatic and consular missions in the Pacific (Oceania). The first New Caledonia representative was appointed to work out of the French Embassy in Wellington in 2012. On 9 March 2017, the Congress of New Caledonia adopted, by a majority, a country law on New Caledonia representatives that allows the Territory to be represented in States or territories in the Pacific. Five delegates took up their posts in 2019 and 2020 in the French embassies in Australia, Fiji, Vanuatu, Papua New Guinea and New Zealand.

64. Since 2016, the Government of New Caledonia has been heavily invested in developing relations with neighbouring States. In addition to the tripartite cooperation agreement initiated in 2012 between France, New Caledonia and Vanuatu, and regularly renewed since then, New Caledonia strengthened its cooperation with Vanuatu by signing a joint cooperation plan in 2017. New Caledonia signed similar cooperation plans with New Zealand in 2016 and Papua New Guinea in 2018. It has also initiated an agreement on the development of economic and commercial exchanges with Vanuatu and is in discussions with other States in the region. The Government of New Caledonia intends to develop its economic diplomacy in that area. As such, economic diplomacy missions visited Papua New Guinea in July 2018, Fiji in July 2019 and Australia in March 2020.

VII. Position of the administering Power

65. Speaking on the question of New Caledonia during the general debate of the Fourth Committee on 1 November 2021, the representative of France recalled that the political process initiated in 1998 by the Nouméa Accord was coming to an end. He referred to the preparation of the third referendum, scheduled for 12 December 2021, as well as the 18-month transition period that would then open to define the political organization of the Territory.

66. The French representative recalled his country's cooperation with the United Nations in this political process. The United Nations was an additional guarantee of transparency and legitimacy, complementing the fundamental principles of neutrality, dialogue and respect for democratic choices that were guaranteed by France.

VIII. Consideration of the question by the United Nations

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

67. The Special Committee considered the question of New Caledonia at its 4th and 7th meetings, held on 15 and 24 June 2021. At the 4th meeting, statements were made by the representatives of France, Papua New Guinea and Fiji. At the same meeting, in accordance with requests for hearing granted by the Special Committee at its 2nd meeting, held on 14 June, statements were made by Sonia Backès, South Province (see [A/AC.109/2021/SR.4](#)).

68. At its 7th meeting, the Special Committee adopted the draft resolution on New Caledonia ([A/AC.109/2021/L.22](#)) submitted by the representatives of Fiji, Indonesia and Papua New Guinea and as orally amended, without a vote.

B. Special Political and Decolonization Committee (Fourth Committee)

69. At its 16th meeting, held on 11 November 2021, the Fourth Committee adopted, without a vote, a draft resolution on the question of New Caledonia (see [A/C.4/76/SR.16](#)).

C. Action taken by the General Assembly

70. On 9 December 2021, the General Assembly adopted, without a vote, resolution [76/98](#) on the basis of the report of the Special Committee transmitted to the Assembly ([A/76/23](#)) and its subsequent consideration by the Fourth Committee.

Annex

Map of New Caledonia

