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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

Tokelau

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 under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 5 December 2022. Further details are contained in previous working papers, available at www.un.org/dppa/decolonization/en/documents/workingpapers.



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The Territory at a glance

Territory: Tokelau is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by New Zealand.

Representative of administering Power: Administrator Don Higgins

Geography: Tokelau comprises three small atolls: Atafu, Fakaofu and Nukunonu. Each atoll comprises strips of land up to 200 m wide and not more than 5 m above sea level. Samoa, located 480 km to the south, is the nearest sizeable neighbour and the principal point of contact for Tokelau with the outside world. Access is possible only by ship, with an average of 30 hours sailing from Samoa. There is no air service.

Land area: 12.2 km²

Exclusive economic zone: 318,990 km²

Population: 1,647 (2019), distributed as follows: Atafu: 535; Fakaofu: 546; Nukunonu: 504; and Samoa: 62 (Tokelau Public Service employees and their immediate families). There are 8,676 Tokelauans living in New Zealand (2018 census). As New Zealand citizens, Tokelauans may also reside in Australia.

Life expectancy at birth: 69.1 years (women: 70.4 years; men: 67.8 years (2010–2015 estimates))

Ethnic composition: Tokelauans are Polynesians with linguistic, familial and cultural links with Samoa.

Languages: Tokelauan. English and Samoan are also widely used.

Capital: None. Each atoll has its own administrative centre.

Head of territorial Government: Ulu-o-Tokelau. The position of titular head of Tokelau rotates annually among the *faipule* of the atolls.

Main political parties: None

Elections: Held in January every third year. The most recent election was held on 26 January 2023.

Legislature: The unicameral General Fono

Economy: The principal sources of revenue are fees from fisheries licences and assistance provided by New Zealand through budget support and project funding.

Monetary unit: New Zealand dollar (\$NZ)

Gross domestic product per capita: \$US 6,275 (2015/16 financial year, Tokelau National Statistics Office)

Brief history: Originally inhabited by Polynesians from surrounding islands, Tokelau became a British protectorate in 1889, and administration was transferred to New Zealand in 1926. By the Tokelau Act 1948, sovereignty over Tokelau was transferred to New Zealand.

I. Constitutional and political developments

A. Local self-governance

1. As previously reported, the current process of constitutional development stems from the 1998 decision of the General Fono (the national representative body) to endorse a comprehensive report entitled “Modern house of Tokelau”, which addressed the core issue that faced Tokelau in creating a constitutional framework that suited an atoll- or village-based self-governing community that respected traditional decision-making customs. The traditional Council of Elders on each atoll serves as the foundation for the governance structure of Tokelau. The Councils delegate authority to the General Fono for activities that must be handled at the national level (see [A/AC.109/2005/3](#)).

2. General Fono delegates are now elected on the basis of proportional village representation, with a system of universal village suffrage, rather than one of equal village representation with delegates appointed by the respective *taupulega* (village councils), as was previously the case. In the elections held on 23 January 2020, 22 General Fono delegates, including four women, were elected for the next parliamentary term of 2020–2022.

3. The six-person Council for the Ongoing Government is the executive Government when the General Fono is not in session. The Council consists of three *faipule* (representatives of each village) and one General Fono delegate from each village, designated by the *taupulega*. The position of Ulu-o-Tokelau, or Head of Government, rotates annually among the three *faipule*. In May 2022, the *faipule* of Nukunonu took over as Ulu-o-Tokelau. The *faipule* of Atafu is expected to rotate into the position following the 2023 General Fono election.

4. The New Zealand official with the principal responsibility for maintaining the relationship with Tokelau is the Administrator of Tokelau, who is appointed by the Minister for Foreign Affairs of New Zealand. The current Administrator is Don Higgins, who was formerly the High Commissioner to Solomon Islands and Kiribati and assumed the role of Administrator in May 2022. The Office of the Administrator draws on advice and support from the Ministry, including the Pacific and Development Group.

B. Referendum process

5. In 2003, the General Fono took a formal decision, with the support of all three village councils, to endorse self-government in free association with New Zealand as the choice to be actively explored with the Government of New Zealand. In August 2005, the General Fono approved a draft constitution, as the basis for the proposed act of self-determination, and the text of a draft treaty of free association. In November 2005, the Cabinet of New Zealand gave its formal approval. The referendum package, consisting of the draft treaty and the draft constitution, was to form the basis of the referendum on self-determination. In line with a decision by the General Fono, an overall majority of two thirds of the valid votes cast was required for a change to the status of Tokelau.

6. The first referendum on self-determination was held sequentially in Apia and on the three atolls from 11 to 15 February 2006 (see [A/AC.109/2006/20](#)). The outcome fell short of the required two-thirds majority, with 60 per cent of valid Tokelauan votes cast in favour of self-government in free association with New Zealand. The United Nations, which formally monitored the referendum, deemed the process credible and reflective of the will of the people of Tokelau. A representative of the

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, accompanied by a Political Affairs Officer of the Department of Political Affairs of the Secretariat, also observed the referendum process.

7. In August 2006, the General Fono voted to hold a second referendum on Tokelauan self-determination in late 2007. The proposed constitution and the draft treaty, commonly referred to as the self-determination package, were to be the same, and the legal threshold for acceptance of the proposal would remain at a two-thirds majority.

8. The second referendum was held from 20 to 24 October 2007. The result, with 64.4 per cent in favour, was again below the two-thirds threshold, thereby leaving the status of the Territory unchanged (see [A/AC.109/2007/19](#)). As with the first referendum, the United Nations formally monitored the voting, with representatives of the Special Committee and the Department of Political Affairs present as observers.

9. Following the results of the second referendum, the General Fono requested the Government of New Zealand to keep the entire self-determination package on the table. The Council for the Ongoing Government noted that Tokelau could in the future change the two-thirds majority threshold for the referendum but should put in place measures to ensure that a threshold would be supported by a clear majority in each village, to guarantee unity. The Council also noted the Territory's strong commitment to self-determination and its wish to have a constitution, albeit one that did not encompass the provisions for free association and self-government.

10. The outcomes of the referendums, neither of which reached the threshold of support set by the General Fono for a change of status, have been acknowledged and accepted by New Zealand. As a follow-up to the result of the referendum held in 2007, the then Prime Minister of New Zealand met the leaders of Tokelau in February 2008 to discuss the next steps in the development of the New Zealand-Tokelau relationship. It was agreed that a "pause" should be taken in the self-determination efforts of Tokelau. New Zealand is supporting Tokelau in efforts to develop its infrastructure, public services and capacity for self-governance.

11. In May 2022, the General Fono resolved to revive conversations on self-determination for Tokelau in the lead-up to the 100-year anniversary of New Zealand administration of Tokelau, in February 2026 (see paras. 44, 47 and 51).

II. Economic conditions

A. General economic overview

12. Tokelau faces major constraints to its economic growth, including such natural disadvantages as small size, isolation, distances between the atolls, lack of natural resources and natural disasters. The economic stability of the Territory has been made possible by the high levels of assistance provided by the administering Power supplemented over the past decade by significant revenue from fisheries licences. With the continued assistance of New Zealand, the Council for the Ongoing Government has maintained a focus on improving the delivery of core public services, such as education and health; undertaking key infrastructure projects, such as renewable energy, telecommunications and transport; adapting to climate change; and strengthening the Council and the Tokelau Public Service.

13. As part of a fisheries policy aimed at maximizing the economic benefits from the sustainable use of its exclusive economic zone, Tokelau joined the Vessel Day Scheme in 2012. The Scheme is used to sustainably manage catches of target tuna

species and increase the rate of return from fishing activities through access fees paid by distant water fishing nations. In October 2015, the General Fono approved fisheries reforms intended to further improve the administration and management of the Territory's offshore and inshore fisheries. The implementation of the reform programme continues and is guided by a fisheries reform steering group comprising representatives of Tokelau, the Office of the Administrator, the New Zealand Ministry for Primary Industries and technical advisors to the Administrator and the Tokelau Fisheries Management Agency.

14. Traditional and communal values and practices play a key role in contributing to a state of general well-being in the Territory, as evidenced by the *inati* system and the importance attached to upholding the concepts of family and/or extended family. The tradition of *inati* requires the deposit at a central location of food and produce, which are then apportioned on the basis of "share groups" to address the needs of every member of the community, including older persons, widows, single parents and children.

15. According to the administering Power, as a result of the levels of international assistance, fisheries licence fees, remittances and trust fund earnings, there is a significant degree of self-reliance in many Pacific island countries and territories. However, in comparison with other Pacific island countries and territories, the economy of Tokelau embodies an even greater degree of self-reliance owing in part to a lack of access to other international development funds. The coronavirus disease (COVID-19) pandemic will have had a negative impact on imports and may have curtailed some food supplies. However, it does not appear to have greatly influenced non-farm business, farming and fishing, employment or the receipt of remittances.

B. Assistance to Tokelau by the administering Power

16. Customized assistance is provided through budget support, projects and regional programmes. In 2021/22, New Zealand spent \$NZ 15.18 million on development assistance to Tokelau, including \$NZ 12.5 million in general budget support. Forecast expenditure for 2022/23 is \$NZ 24.9 million. New Zealand has committed to replacing critical infrastructure (the bridge in Nukunonu) and supporting Tokelau in preparation for a possible COVID-19 outbreak, including through vaccinations, workforce training, testing, protective equipment, quarantine facilities and a container laboratory. New Zealand is also supporting Tokelau in strengthening its resilience and adaptation to the impacts of climate change, including through the better use of its water resources and climate data and the design of emergency shelters and coastal protections.

17. The New Zealand Ministry of Foreign Affairs and Trade developed a four-year plan, published in October 2021, to guide the planning and management of the country's overall engagement with Tokelau and to serve as a platform for dialogue. The plan is being used to bring clarity as to what work should be prioritized and to help to monitor progress in order to achieve shared outcomes and strategic goals. The plan is a living document that will be refreshed annually to ensure that it responds to changes in country context, including the impact of external shocks such as COVID-19.

18. The plan sets out four strategic goals: supporting improved climate change resilience; supporting more effective, inclusive and resilient self-governance; strengthening the health and cultural vibrancy of the people of Tokelau in order to support human development and improve well-being; and supporting improved connectivity. These strategic goals are broken down into 6 medium-term and 10 short-term outcomes. The key assumptions of the plan, which will be tested and monitored

during its implementation, are that: (a) the impacts of climate change will worsen; (b) the Government of Tokelau will continue to develop its policy and priorities while applying a climate change lens and maintaining a strong focus on building resilience in an environmentally sustainable way; (c) Tokelau remains free of COVID-19 and the vaccine roll-out will be successful; (d) the borders of Tokelau will reopen to essential workers in the short term so infrastructure projects can go ahead; and (e) Tokelau will seek to revisit the question of its constitutional status in the lead-up to 100 years of New Zealand administration (in early 2026). The potential risks identified in the plan are as follows: (a) COVID-19 enters Tokelau and spreads among the population; (b) Tokelau is affected by extreme weather events or other natural disasters, resulting in significant damage, loss of life or disruption to New Zealand development investments; (c) improved Internet connectivity has unintended consequences; and (d) economic shocks significantly affect the country's fisheries revenue. The plan also notes that the key thematic focus areas for the engagement of New Zealand with Tokelau are the climate and governance and institutions. The focus of New Zealand on the climate drives its engagement to strengthen the climate change resilience of Tokelau, because this is essential to the preservation and development of Tokelau. The focus on governance and institutions is to support Tokelau in achieving more effective, inclusive and resilient self-governance because transparent, accountable, inclusive and democratic government systems are important enablers of positive development. Secondary focus areas include education, health, fisheries, and infrastructure and energy.

19. The Tokelau International Trust Fund, established in November 2004, was designed to provide intergenerational security and an independent source of income to Tokelau. Following the general decline in world markets earlier in 2022, the Fund's net assets decreased to \$NZ 96 million as at 30 June 2022 (from \$NZ 99.3 million in June 2021), but have since recovered to more than \$NZ 100 million.

C. Transport and communications

20. Transportation needs in Tokelau are met by regular passenger and cargo shipping services from Apia. In 2016, the Government of New Zealand gave Tokelau the *Mataliki*, a vessel that carries up to 60 passengers and essential cargo on international voyages. Transportation links were further improved in March 2018 with the launch of the *Kalopaga*. This cargo vessel, which can carry eight passengers, was funded and procured by Tokelau. In late 2018, New Zealand gave Tokelau a search and rescue vessel, *Fetu o te Moana*, which also provides general transportation between the atolls. With the completion of all four wharves and reef passages in 2019, the shipping services of Tokelau have been substantially upgraded.

21. During her visit to Tokelau in July 2019, the Prime Minister of New Zealand, Jacinda Ardern, indicated that New Zealand was committed to working in partnership with Tokelau on the development of air services to the Territory. This was on the conditions that Tokelau decide on which one of the three atolls the runway should be constructed; that it would be a joint project with co-financing from Tokelau; that a suitable site could be found; and that engineering and financial assessments proved the viability of air services. In October 2019, the General Fono decided that Nukunonu would host the first runway with the specific location subject to engineering assessments. The feasibility stage is complete, and a supplier has been engaged to advance design options.

22. Telecommunications services in Tokelau are provided by the Tokelau Telecommunications Corporation (Teletok). The investment in connecting Tokelau to an undersea Internet cable was confirmed in 2019. The project is being funded jointly by the Government of Tokelau and the Government of New Zealand. The undersea

Internet cable will provide high-speed Internet service, enabling better communication, administration, governance and improved health and education services. The cable landed in Tokelau in September 2021, and the connection was due to go live in late 2022. The full benefits of the submarine cable will be realized once an upgrade to the domestic network is completed, in 2024.

D. Power supply

23. In 2012, Tokelau became the first area in the world to draw electrical power primarily from solar sources, following the completion of the Tokelau Renewable Energy Project. The initiative involved the installation of solar photovoltaic systems on the three atolls.

24. The demand for electricity has grown significantly since 2012. As a result, in 2016 the Government of Tokelau funded a small expansion of photovoltaic systems and upgrades of the village distribution networks. However, demand has continued to outstrip supply. In 2019, New Zealand committed \$NZ 6 million to an expansion and renewal of Tokelau renewable energy facilities, which generate electricity for the villages. The Government of Tokelau and the villages will contribute \$NZ 3 million. The installation of proven new technology that would ensure that Tokelau generates 90 per cent of its electricity from renewable energy for at least 10 years is expected to be completed in 2023, as COVID-19 border controls have delayed installation.

III. Social conditions

A. General

25. In October 2016, Statistics New Zealand and the Tokelau National Statistics Office conducted a census, which is carried out every five years. The official *de jure* usually resident population of Tokelau was 1,499, which represented an increase of 6.2 per cent from the previous census, conducted in 2011. In December 2019, Statistics New Zealand and the Tokelau National Statistics Office carried out a population count which reported a further increase in the usually resident population to 1,647.

26. The first household income and expenditure survey of Tokelau was completed in 2016 with assistance from the Pacific Community. This survey estimated total annual household income at \$NZ 7 million, with employment accounting for 77.2 per cent, imputed rents for 10 per cent, income from transfers (including remittances, social benefits, pensions and scholarships) for 7 per cent and gifts (in kind and remittances) for 5.1 per cent. The survey estimated an average household size of 4.6 people and annual per capita income of \$NZ 6,100. Some 40 per cent of the population of Tokelau is less than 20 years of age, with a median age of 25 years.

27. According to the administering Power, COVID-19 has had a considerable social impact on the people of Tokelau. A number of students have had to forgo their international studies, and health patients have had increased difficulty travelling to New Zealand and have been stranded in Samoa and New Zealand after receiving treatment. The disruption to family life has been considerable. In September 2022, a project was begun to repatriate some 75 Tokelauans stranded in New Zealand, with the first of them arriving in Tokelau and quarantining in mid-October 2022.

B. Education

28. In Tokelau, early childhood, primary and secondary education is free up to year 13 and provided by three schools, one on each atoll. As an owner of the University of the South Pacific, Tokelau has access to the University's distance-learning foundation course through a University satellite receiver and centre on each atoll. The cost of the University's local infrastructure and staff is covered by the Government of Tokelau.

29. With a significant financial commitment from New Zealand, Tokelau carried out a five-year plan to transform compulsory education, focused on primary and early childhood education, with the assistance of the Centre for Educational Development of Massey University. The Education Review Office of New Zealand visited the three villages of Tokelau in March 2018 to assess progress and consult the village councils and education committees about priorities for the coming years. The 2018 review found that the quality of early childhood and primary education had improved since the 2013 review. However, much remains to be done and particular attention needed to be given to improving the breadth and quality of secondary education.

30. In 2019, New Zealand supported the Tokelau Department of Education in holding a successful Tokelau education summit by granting funding and coordinating attendance by representatives of New Zealand education agencies. The summit endorsed a historic shift in the education strategy of Tokelau towards closer integration with the New Zealand education system in order to raise the quality of secondary education and to broaden career and learning pathways for young Tokelauans. In October 2019, the General Fono approved the new secondary and digital education strategies of Tokelau. In May 2020, New Zealand committed \$NZ 4 million to support Tokelau in implementing its secondary and digital education strategies in particular and to continue raising the standard of all education services.

C. Health care

31. An independent review of clinical health services in Tokelau and the patient referral scheme of the Government of Tokelau was completed in 2019 and provided many recommendations for improving health services. The review found that, while Tokelau has a financially well-resourced health system, there are substantive areas of dysfunction. It noted that strained relationships can obstruct effective delivery of health services and national coordination. The review found that substandard health-care provision and a lack of trust in local clinical services contribute to an increased uptake of the patient referral scheme. This, the increasing incidence of non-communicable diseases and policy and process issues contribute to the scheme's unsustainable financial burden. The Ministry of Foreign Affairs and Trade of New Zealand has contracted a Tokelauan health adviser to assist the Government of Tokelau in prioritizing the review recommendations and developing a strategic plan and operational plans for improving health services. Implementation of the plan for strengthening the health system is scheduled to begin in early 2023.

32. Tokelau has reported low infant and maternal mortality, thanks to the early referral of mothers for maternity care in Samoa or New Zealand. Antenatal care coverage and coverage for child immunization is 100 per cent. Tokelau also has very high rates of immunization. It was vigilant in protecting its population from the measles outbreak in Samoa.

33. In July 2021, the New Zealand Defence Force made a contactless delivery of COVID-19 vaccines to the three atolls of Tokelau, which were each able to run their own roll-out programme using local clinical staff, with remote planning and preparation support provided by the New Zealand Ministry of Health. As a result,

further deliveries of COVID-19 vaccines were made, including booster doses and vaccines for paediatrics. Some 99 per cent of people in Tokelau 16 years of age and over are now fully vaccinated against COVID-19. Meanwhile, in line with the commitment to improve women's health made by the Prime Minister of New Zealand during her visit to Tokelau in 2019, New Zealand funded the recent delivery of 900 doses of the Gardasil 9 human papillomavirus (HPV) vaccine to Tokelau for those between 9 and 19 years of age. Following a public awareness programme, the vaccines were administered widely, and the eligible age has been raised to 26 years, with the newly eligible group to be vaccinated by early 2023.

34. On 21 March 2020, Tokelau declared its borders closed to all countries and territories with COVID-19 cases. New Zealand provided the Government of Tokelau with \$NZ 3 million in supplementary budget support in March 2020 to prepare for COVID-19 and to respond to its economic and social impacts. A further \$NZ 1.26 million was committed to improve diagnostic capacity in Tokelau (including COVID-19 testing capabilities) and assist the health sector in equipping staff quarantine and hospital isolation facilities for each village appropriately. That financial support is complemented by advice from the New Zealand Ministry of Health and ongoing assistance from regional and international organizations, which the Government of New Zealand supports. COVID-19 first arrived in Tokelau in December 2022. According to the World Health Organization (WHO), from 3 January 2020 to 4 January 2023, there were five confirmed cases of COVID-19, with no deaths reported.

IV. Environment

35. The low-lying atolls in Tokelau are susceptible to climate change impacts such as sea level rise, extreme weather events and related hazards. In April 2017, Tokelau launched its climate change strategy, entitled "Living with change: an integrated national strategy for enhancing the resilience of Tokelau to climate change and related hazards, 2017–2030". Strengthening climate change resilience is a national priority under the National Strategic Plan 2021–2026 of Tokelau. In July 2022, a spring tide, combined with severe weather conditions, led to a coastal inundation in Fakaofu that damaged homes, buildings and many crops.

36. New Zealand recognizes its unique obligation to Tokelau to assist with climate change adaptation and disaster resilience efforts because, as a territory of New Zealand, Tokelau cannot access global climate change funds and it receives limited assistance from other donors. A multi-year programme of technical assistance and grant funding to strengthen disaster preparedness in Tokelau has been extended. In 2019, New Zealand-contracted environmental engineers completed a coastal hazards study and an implementation plan for improving coastal resilience. The plan provided a framework for reducing disaster risk and adapting to climate change. In the plan, the safeguarding of lives during storms and cyclones was prioritized and shelters were recommended. In 2020, New Zealand engaged a supplier to advance designs for three projects, including a climate-resilient upgrade of the Nukunonu bridge, the construction of emergency shelters to protect residents during extreme weather events and options for improved coastal protections. New Zealand is also supporting the climate change resilience and adaptation of Tokelau through projects to improve water security and better understand climate mobility issues so that communities are resilient to acute and slow-onset disasters and can remain in situ, as well as through the improved use of climate and meteorological data in decision-making.

37. New Zealand also adapted its approach to strengthening the water security of Tokelau to take account of COVID-19 control measures. The New Zealand navy

deployed a large vessel to Tokelau in November 2020, which transferred water tanks and renewable energy materials to the atolls by helicopter while maintaining social distancing.

V. External relations

38. Tokelau, as a Non-Self-Governing Territory, does not have an international legal personality separate from that of New Zealand that would allow it to enter into formal international legal obligations as a State in its own right. In consultation with Tokelau, New Zealand is responsible for entering into any such obligations on behalf of Tokelau. Tokelau participates in regional and international organizations in its own right to the extent that such organizations allow.

39. Tokelau is seeking to increase its engagement with regional and international organizations. It is a member of the Pacific Community, the Pacific Community Coastal Fisheries Programme, the Council of the University of the South Pacific, the Pacific Regional Environment Programme and the Pacific Islands Forum Fisheries Agency. Tokelau is an associate member of the Pacific Islands Forum, a member of the Polynesian Leaders Group and an associate member of WHO, the United Nations Educational, Scientific and Cultural Organization and the Food and Agriculture Organization of the United Nations. In addition to New Zealand, Samoa is an important bilateral contact for Tokelau.

40. A representative of Tokelau attended the twenty-seventh session of the Conference of the Parties to the United Nations Framework Convention on Climate Change as part of the New Zealand delegation.

41. At the twenty-third session, as requested by the Government of Tokelau, New Zealand announced that it had submitted a formal declaration to the United Nations to extend the territorial application of both the Convention and the Paris Agreement to Tokelau. The national reports of New Zealand under the Convention now include action taken by Tokelau.

VI. Future status of the Territory

A. Position of the territorial Government

42. At the 3rd meeting of the Special Committee, on 13 June 2022, the observer for New Zealand made a statement on behalf of the Ulu-o-Tokelau. In the statement, he noted that, thanks to stringent travel restrictions, Tokelau remained free of COVID-19, and 99 per cent of the eligible population had received the vaccine and the booster. New Zealand had donated the vaccines for adults and provided the supplies and training necessary for Tokelau hospital personnel to administer vaccinations in the three villages. While the vaccines for children had been acquired commercially, New Zealand had ensured their timely clearance through customs in Samoa. It had also funded and delivered rapid antigen tests and doses to vaccinate adolescents against HPV. A delivery of vaccines for the population that was newly eligible for the booster dose was planned for the end of June 2022, and New Zealand had also offered a second booster dose for the vulnerable population. WHO continued to provide COVID-19-related technical assistance and rapid antigen tests, as well as polymerase chain reaction (PCR) cartridges for the processing laboratory funded by New Zealand. Assistance from other United Nations agencies included the dispatch of a consultant to conduct a community survey on social protection. The resulting data had been used to develop the Territory's first social protection policy, which was

being translated into Tokelauan and would be sent to the key stakeholders for consultation before being submitted to the General Fono for approval in July 2022.

43. In his statement, the representative also noted that, in the context of the COVID-19 pandemic, consultants and essential workers travelling to Tokelau were required to submit a plan providing for strict observance of mask, social distancing, hygiene and quarantine requirements and for the immediate removal from Tokelau of personnel testing positive for COVID-19. Only one of the contractors participating in the joint projects with New Zealand had submitted such a plan, and one contractor had even withdrawn. However, thanks to the compliant contractor, the submarine cable had been landed, moving Tokelau closer to high-speed Internet access. When live, it would provide a platform for the remote delivery of health care and higher education. With respect to climate change, Tokelau could only mitigate its effects. For it, rising sea levels and sea acidification were significant issues.

44. The representative said that Tokelau had begun to relocate senior officials in the national public service from Samoa to Tokelau in order to provide elders with modern advice face-to-face, thus consolidating the integration of traditional and modern knowledge that characterized the Tokelau model of governance. He also said that, in May 2022, with the support of New Zealand, the General Fono had resolved to revive the internal conversation on self-determination. As Tokelau grew ever more confident in refining a governance model that integrated its culture and the Western approach, it became increasingly evident that the governance structure that Niue and the Cook Islands had chosen might not suit Tokelau. He concluded by saying that an act of self-determination, while still an option, carried its own risks.

B. Position of the administering Power

45. The observer for New Zealand delivered a statement at the 3rd meeting of the Special Committee, on 13 June 2022. He said that keeping Tokelau free of COVID-19 had been the key focus of his Government's engagement with the Territory for the past two years. He went on to say that, while the remote geography of Tokelau had afforded it a measure of protection, the smallness of its atolls, its limited health-care capacity and the close-knit nature of its communities made it potentially highly vulnerable to the spread of the virus.

46. The representative said that border regulations and vaccination remained the atolls' main defences against COVID-19. The vast majority of the population had been vaccinated thanks to the contactless delivery of the vaccines by New Zealand and through commercial channels, along with virtual training and other support provided by New Zealand. The highly successful vaccine roll-out attested to both the cooperative relationship between New Zealand and Tokelau and the Tokelauan spirit of self-determination.

47. The representative went on to say that his Government welcomed the momentous decision of the General Fono to reopen the long-standing question of self-determination. In the Joint Statement of the Principles of Partnership between New Zealand and Tokelau, New Zealand and Tokelau had affirmed their commitment to working in partnership with the United Nations to achieve a self-determination outcome that fitted the local Tokelauan context and had the support of the Tokelauan people, and they had agreed that New Zealand would continue to work with Tokelau to provide the people of Tokelau with balanced and comprehensive information concerning the self-determination options of independence, self-government in free association and full integration. Those shared principles remained the starting point for New Zealand in the renewed conversation on self-determination, with the 100-year anniversary of New Zealand administration in early 2026 potentially

marking an important milestone. Tokelau intended to take a measured approach, carefully exploring all options. His Government welcomed that approach and stood ready to support the Territory.

48. The representative stated that, at the same time, New Zealand remained focused on working with Tokelau to improve the delivery of public services and to build critical infrastructure on the atolls. Despite the operational constraints posed by COVID-19, a new international submarine cable had been landed in Tokelau, and work was progressing on connection to the atolls. Given that fisheries were the atolls' only significant source of independent revenue, New Zealand continued to work with Tokelau to ensure that the fisheries within the Tokelau exclusive economic zone remained sustainably managed.

VII. Consideration by the United Nations

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

49. The Special Committee considered the question of Tokelau at its 3rd and 8th meetings, on 13 and 24 June 2022. At the 3rd meeting, and with the consent of the Special Committee, the observer for New Zealand made a statement on behalf of the Ulu-o-Tokelau and also delivered a statement in his national capacity. At the 3rd meeting, the representative of Papua New Guinea (also on behalf of Fiji) introduced draft resolution [A/AC.109/2022/L.23](#). Subsequently, the delegation of Indonesia joined the sponsors of the draft resolution. At the same meeting, the Special Committee adopted draft resolution [A/AC.109/2022/L.23](#) without a vote.

B. Consideration of the question of Tokelau by the Special Political and Decolonization Committee (Fourth Committee)

50. At the 9th meeting of the Special Political and Decolonization Committee (Fourth Committee), held on 14 October 2022, the representative of New Zealand said that ensuring that Tokelau continued to be free of COVID-19 had been the key focus of recent engagement. Despite the protection afforded by its remote geography, Tokelau remained vulnerable to the spread of the virus due to the small size of its atolls, the close-knit nature of its communities and its limited health-care capacity. Appropriate border measures and ongoing vaccinations would therefore likely continue to be features of life in Tokelau for the foreseeable future. New Zealand continued to work closely with Tokelau to deliver the necessities of life for its people, including by enabling safe pathways back to the atolls for its residents who needed to leave temporarily for specialist health care abroad. The results of such actions stood as a strong testament to a unique partnership: Tokelau was empowered to deliver for itself on its key priorities, with timely and measured support from New Zealand.

51. The representative stated that New Zealand supported the decision taken by the General Fono in May 2022 to begin a new conversation on the broader question of self-determination in the lead-up to the 100th anniversary of New Zealand administration of Tokelau, in February 2026. In the Joint Statement of the Principles of Partnership between New Zealand and Tokelau, New Zealand and Tokelau had affirmed their commitment to working in partnership with the United Nations to achieve a self-determination outcome that fitted the local Tokelauan context and had the support of the Tokelauan people. At the same time, New Zealand remained

focused on working with Tokelau to improve the delivery of public services and to build critical infrastructure on the atolls. Despite the operational constraints posed by COVID-19, a new international submarine cable had been landed in Tokelau, and work was progressing on connection to the atolls, which would bring increased capacity and opportunity in education, health, self-governance, international connectivity and other areas.

52. The representative added that, given that fisheries were the atolls' only significant source of independent revenue, New Zealand continued to work with Tokelau to ensure that the fisheries within the Tokelau exclusive economic zone remained sustainably managed. New Zealand was also supporting Tokelau in modernizing its body of law to ensure that it reflected international norms, as well as engaging with its leaders in a positive dialogue on improving its legal, judicial and police services.

C. Action taken by the General Assembly

53. On 12 December 2022, the General Assembly adopted without a vote resolution [77/145](#) on the question of Tokelau. In that resolution, the Assembly:

(a) Took note with appreciation of the decision of the General Fono on 23 May 2022 to revisit the views of the people of Tokelau and revive the dialogue on the question of self-determination for Tokelau in the lead-up to the 100th anniversary of New Zealand administration of Tokelau in early 2026;

(b) Welcomed the progress made towards the devolution of power to the three *taupulega* (village councils) since 2004, and noted that further discussion was planned on the recommendations in the report on the devolution review, compiled in 2012, and the additional recent efforts in Tokelau in addressing a future governance model that accounts for, inter alia, the Territory's religious faith, culture and identity;

(c) Recalled with satisfaction the democratic elections in Tokelau held on 23 January 2020 for the tenth General Fono and the subsequent swearing-in of the Ulu-o-Tokelau on 8 March 2021, and noted the subsequent change of the Ulu-o-Tokelau on 19 May 2022 at the General Fono;

(d) Recognized the ongoing socioeconomic development challenges posed by the COVID-19 pandemic to Tokelau and the close cooperation with the administering Power, New Zealand, and neighbouring countries, and commended Tokelau on its record of no transmission of the virus to its people, thus far;

(e) Noted with appreciation that Tokelau and New Zealand remained firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that meet their current requirements, including investment that had enabled Tokelau to be directly connected by an undersea fibre-optic cable on 20 September 2021 for faster and more reliable Internet services, improved maritime transport infrastructure and services, quality health care and education and support for the fisheries sector;

(f) Took note of the National Strategic Plan 2021–2026 of Tokelau, which further prioritized good governance, human and infrastructure development, telecommunication, transportation, sustainability and climate change adaptation, as an important framework for the Territory's sustainable future;

(g) Acknowledged the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau, including through new shipping service assets and shipping infrastructure development, and

budget support for the delivery of education services ranging from early childhood education to foundation courses for tertiary study, as well as the support and cooperation of the United Nations Development Programme and the World Health Organization;

(h) Recalled the completion by Tokelau in 2013 of the Tokelau Renewable Energy Project with the support of the administering Power and the receipt by the Government of the Renewable Energy Award granted by the New Zealand Energy Efficiency and Conservation Authority;

(i) Also recalled measures taken by Tokelau to safeguard the health of its peoples through its “Tobacco-Free Tokelau by 2020” policy, launched in 2017, and encouraged the necessary support for its implementation from the administering Power, the United Nations system and relevant stakeholders;

(j) Acknowledged the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the 2030 Agenda for Sustainable Development, the impacts of climate change and the protection of the environment and oceans, and in that regard encouraged, as appropriate, assistance towards the implementation of the climate change strategy of Tokelau, entitled “Living with change: an integrated national strategy for enhancing the resilience of Tokelau to climate change and related hazards, 2017–2030”;

(k) Appreciated the efforts of the administering Power to include in its national reporting to the secretariat of the United Nations Framework Convention on Climate Change the climate mitigation action taken by Tokelau, and also recalled the milestone achievement of Tokelau in the launch of its national greenhouse gas inventory report on 11 April 2019;

(l) Recalled with satisfaction the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and called upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

(m) Welcomed the ongoing cooperative attitude of the other States and territories in the Pacific region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs, including at the fiftieth Pacific Islands Forum Leaders Meeting, held in Tuvalu in August 2019, as an associate member, represented by the Ulu-o-Tokelau;

(n) Called upon the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further developed;

(o) Recognized the positive actions taken by the administering Power to transmit to the Secretary-General under Article 73 *e* of the Charter of the United Nations information regarding the political, economic and social situation of Tokelau;

(p) Commended the renewed strong commitment of both Tokelau and New Zealand to continuing to work together in the interests of Tokelau and its people;

(q) Requested the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to examine the question of the Non-Self-Governing Territory of Tokelau and to report thereon to the General Assembly at its seventy-eighth session.

Map of Tokelau

