Introduction

Located in the North Pacific Ocean, Guam has a total area of 561 square kilometers, and it is the largest and most densely populated area in the Mariana Islands, with an estimated population of 164,300 as of 2018. Around 40% of the island is occupied by Chamorros, who are native Guamanians of Malayo-Indonesian descent. The issue of Guam’s decolonization and political status was conceived following the UN resolution in 1960 regarding the right to self-determination of colonial people. Since then, there have been multiple attempts in addressing these issues.

Guam was originally claimed by Spain in 1565; then, in December 1898, it was captured and subsequently ceded to the United States (US) during the Spanish-American War. Currently, Guam’s official political status is defined as an “unincorporated territory” of the US. The signing of the Organic Act on August 1, 1950 granted Guamanians congressional US citizenship, but while they enjoy most of the rights of a citizen of the 50 states, they are not entitled to vote in presidential elections, or select members of the US Congress. However, Congress has the power to veto any law that is passed in Guam, and it also determines which aspects of the US Constitution may apply to the territory. Initially, Guam had a military government headed by a naval officer who was appointed by the US president to be Governor of the territory; however, the Act also introduced a civil and democratic government, which is largely celebrated as a success for Guam due to the persistence of its people. Thus far, the true effectiveness of this Act in securing the interests of Guamanians still remains as a topic of controversy, and the ultimate fate of Guam and its people is still unknown.

Since the 1960s, there were multiple attempts in addressing the issue of decolonization within Guam. An example is the establishment of the Political Status Commissions (PSC) in 1973 and 1975 to educate Guamanians on the different political status options, namely: statehood, commonwealth, status quo, independence, and free association. Two Constitutional Conventions were also created and tasked with drafting a local constitution to replace the Organic Act; however, it was eventually voted down. In 1980, the Guam Legislature also promulgated a Commission on Self-Determination (CSD) in order to identify and enforce the will of the people regarding Guam’s political status through the Commonwealth
Act. Despite the ultimate failure of this statute, the CSD was revitalized through the Commission on Decolonization in 1997, and through Governor Eddie Calvo’s efforts in 2010. The new committee’s goal is to implement another public education campaign followed by a plebiscite on self-determination.

Guam has been the location of major naval and air bases for the United States Armed Forces throughout the course of history. Today, around one-third of the island is occupied by the military, allowing the US to maintain its influence over Asia, especially with the growing threat of other military superpowers such as People’s Republic of China (PRC) and the Democratic People’s Republic of Korea (DPRK). Guam’s strategic location justifies the US’ reluctance to grant its independence, despite outrage from locals due to land seizures and environmental damage from the operation of these military bases.

**Definition of Key Terms**

**Chamorro**

Chamorros are the natives of Guam and the Mariana Islands. Since the beginning of the 20th century, these natives have lobbied for political change within Guam in terms of sovereignty and political status.

**Colonization**

Colonization is the process of settling among and establishing control over the indigenous population of an area. Guam has been a colony of the United States since 1898.

**Commonwealth**

According to the US Department of State, a commonwealth is an area that is self-governing under a constitution of its adoption and whose right of self-government will not be unilaterally withdrawn by Congress.

**Decolonization**

Decolonization is the process by which a state withdraws from a former colony by granting it complete political independence. Guam has been lobbying for its decolonization since the establishment of the first PSC in 1973.

**Free Association**

Free association is a form of Independence wherein a country maintains sovereignty, but also maintains a close relationship with a larger, more powerful country through a treaty.
Independence

An independent state is autonomous, self-governing, and self-determining. All crucial decisions within the state are made by the national government and not foreign government institutions.

Self-determination

As defined by Article 1 of the UN Charter, “all peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social, and cultural development.”

Statehood

The UN’s four criteria for sovereign statehood are a permanent population, defined territory, one government, and the capacity to enter into relations with other sovereign states. Statehood for Guam would mean that it will become an incorporated territory of the United States, just like the 50 states.

State Sovereignty

State sovereignty is a state’s right to maintain complete and exclusive control over the people and property within its territory.

Background Information

Military colonialism (1898–1950)

When the US declared Guam as an American colony in 1898, it assigned administrative authority to the US Navy, and the entire territory was governed by a single Naval Governor. This form of military government was widely regarded as autocratic due to the lack of checks and balances, and complete absence of democratic rights for the people of Guam, such as the rights to elect their own officials. Thus, the native Chamorros conveyed a petition to the US Congress, asserting that the sheer lack of liberty and basic property rights have convinced Guamanians that they were better off under Spanish rule. This statement sparked the long struggle for self-government and civil rights for the people of Guam.

Guam’s leaders in the early 20th century sought the attention of the US Congress through several formal petitions. The first of these were drafted and signed by 32 affluent residents in the village of Hagatna in 1901. It highlighted the flawed structure of the dictatorial naval government and the subsequent lack of suffrage and representation in the government for Chamorros. From 1901 to 1950, eight more petitions were signed by residents of Guam and forwarded to the US Congress, calling for
self-government and citizenship. However, despite the increasing number of signatures with each new petition, the requests of the Guamanians remained unaddressed. Some petitions were simply ignored or lost, while others were met with heavy opposition from the US Navy.

The failure of the petitions, however, did not end the pursuit of US citizenship and self-government in Guam. The Guam Congress was formed in 1917, and although its appointed Chamorro representatives were only given advisory roles, this platform enabled them to voice out the interests of the natives, along with their grievances on the naval government. Eventually, a Bill of Rights was proclaimed for Guam and its people; however, it was never approved at the federal level. The 2nd Guam Congress was formed in 1931, and local residents were finally able to elect representatives. On one occasion, two elected representatives from Guam flew to Washington DC to propose two citizenship Bills for Guamanians to President Roosevelt, the US House of Representatives, and the US Senate; however, these were eventually rejected in the US Congress due to heavy opposition from the Secretary of the Navy and the US Department of State, claiming that US citizenship is not in the best interests of the Chamorros. With the US government’s indifference to the Guam’s pleas and the seemingly limited and ineffective advisory role of the local Congress, frustration began to grow among the Guamanians.

Following the reoccupation of Guam by the United States after World War II, living conditions deteriorated for the Chamorro people. Many locals were evicted from their own property as the US military claimed nearly two-thirds of the island. Moreover, Chamorro laborers were paid four times less than the average American laborer for performing an identical job. These injustices ultimately led to the infamous “Guam Congress Walkout”. First, “The Bill to Provide an Organic Act and Civil Government for the Island of Guam” was unanimously approved and forwarded to the US Congress. The House of Assembly then motioned to adjourn and refused to resume sessions unless their proposal was recognized by US Legislation. The protest was highly publicized by media outlets such as newspapers, forcing the US government to take swift action to resolve the issue. This led to the signing and promulgation of the Organic Act of Guam under President Harry Truman, which affirmed Guam’s political status as an “unincorporated territory” of the US. It also granted congressional citizenship and a civil government to Guam’s citizens through the removal of the naval government and the establishment of a unicameral (one-house) legislature of 21 senators and an appointed civilian governor.

Political status and constitutional reforms (1950 – 1979)

After the enactment of the Organic Act, several other issues were also addressed. The security clearance requirement to enter Guam was lifted, allowing free trade and tourism within the island. Many locals viewed this requirement as a way for the Navy to arbitrarily prevent any individual or group from entering Guam. The Elective Governor Act was also passed, granting Guamanians to finally elect their own Governor. Furthermore, Public Law 92-271 was also passed, granting Guam the representation it
sought for in the US Congress. However, Guam’s representative remained as a non-voting delegate in the US Congress because the US Constitution explicitly states that all congressmen and senators must come from States of the Union. Despite this, the non-voting delegate still had the privilege of speaking on the House floor and introducing new legislation.

Despite these improvements in the quality of life of Guamanians, there were many imbalances that still remained. Governance of the island was simply transferred to the US Department of Interior, and the Congress still retained complete powers over Guam and the rights of its people. Citizens also did not have voting rights in the national elections. These disparities made Chamorros question why they were not consulted prior to the drafting and passage of the Organic Act. As a result, the first Constitutional Convention was created and funded by the 10th Guam Legislature. Composed of 43 elected delegates, the convention was tasked with reviewing and proposing amendments to the Organic Act. In total, the Convention made 34 recommendations; however, only 1 of these were ever acted upon.

This failure resulted in the formation of the first Special Political Status Commission (PSC) in 1973, which was tasked with exploring the different changes that may be implemented to its legal and political relationship with the US. It looked at the social, economic, and cultural implications of this relationship, and also sought for ways to foster economic growth and the preservation of the Chamorro culture. The commission emphasized the importance of an educational campaign in order to spread public awareness regarding Guam’s political status. Members repeatedly asserted the right to self-determination of Guam’s people, and that they must be consulted before any change in terms of political status is enforced. The commission was also critical of the US military’s presence in Guam, especially regarding the land seizures that continue to occur, and the restrictive immigration policies within the island. The second Special PSC was created in 1975, and it’s primary focus was on continuing the work of the first PSC, and negotiating with the federal government. This commission aimed to resolve the shipping, immigration, and other restrictions to Guam’s economy, as well as promote its participation in international organizations.

Two years later, a Second Constitutional Convention was created, and it aimed to redefine, instead of modify, Guam’s relationship with the US. Eventually, the Convention drafted a constitution for Guam that was modeled after the constitution of the 50 states; it incorporated drastic social, economic, cultural, political, and administrative reforms that deviated from the original Organic Act. The constitution draft was approved by President Jimmy Carter and the Congress, before being signed by 34 elected delegates; however, in a public referendum, 82% of voters rejected the new constitution, claiming that it did not address the Chamorro people’s right to self-determination and political status. No new Constitutional Convention has been formed ever since.

The failure of the draft constitution did not stop Guam’s quest for political status reform. The Guam Legislature formed the Commission on Self-Determination, which continued the previous PSC’s tasks. The commission held two plebiscites. The first allowed eligible voters to select between 7 options: Independence, Free Association, Territorial Status with the US, Commonwealth Status with the US, Status Quo, or Other. The second plebiscite was run-off between the two most-selected results – Commonwealth and Statehood. Ultimately, the people of Guam voted for commonwealth status, and the committee responded to this by drafting a Commonwealth Act and forwarding this to Congress. However, both the Reagan administration and the Congress were unwilling to open discussions, unless they were given the right to exercise control over the Act’s terms.

The second CSD was established by the 17th Guam Legislature; it was tasked with producing a single document to be ratified in Guam before being submitted to Washington. The Act was not well received by the White House and Congress, who claimed that certain sections were unconstitutional. Throughout the next decade, the Act would be re-submitted to Congress on four occasions; however, it eventually languished due to repeated objections. Many Guamanians claimed that Washington’s obduracy and deliberate refusal to acknowledge the Chamorro people’s right to self-determination was due to their aspirations to maintain their military interests within the region.

Recent decolonization efforts and UN involvement (1997–Present)

Due to the standstill in discussions over the Commonwealth Act, a new Commission on Decolonization was organized by the 24th Guam Legislature. The long-term goal of this commission is to hold another plebiscite in order to allow Guamanians to exercise their right to self-determination. Recently, under the tenure of Governor Eddie Calvo, the commission was reconvened and divided into three task forces – one for statehood, free association, and independence. It is bound to receive $300,000 as federal grant money for the education campaign; as of now, the committee has made proposals for a three-day conference, a three-year educational media campaign, and a "self-determination study" which aims to provide in-depth information on each option based on research on other areas of the world. It also aims to provide the effects of each option on aspects such as education and healthcare.

With regards to UN involvement, commission members have attended and testified in two UN regional seminars, and three Decolonization plenaries in New York. Free association task force chair Adrian Cruz also states that if the US Congress does not take action on the results of the future plebiscite, Guam will take the issue to the UN Headquarters. Recently, in October 30, 2017, the Fourth General Assembly has also voted in favor of a resolution regarding Guam’s self-determination for the first time in nearly 2 decades. The resolution encourages the cooperation of the US and Guam to continue negotiations on self-determination efforts, requests that the US should return seized land back.
to the native Chamorros, and asks both parties to jointly protect the island’s environment from harmful military activities. The US, however, responded negatively to the resolution, stating that it is “incorrect to assume that the military presence is necessarily harmful to the rights of indigenous people”, and that the UN must also consider other viable political options.

Major Countries and Organizations Involved

United States of America

For more than a century, Guam has been a colony of the United States, and it has been primarily utilized for military operations in various conflicts, including the Second World War, the Korean War, and the Vietnam War. Guam is often dubbed as the “permanent aircraft carrier” of the US army. This is because the island’s two military bases house several wide runways for US helicopter and bomber squadrons, massive fuel and munitions storage facilities, and multiple nuclear-powered submarines. According to many Guam officials, these military interests are the primary justifications behind the Washington’s reluctance and adamance towards facilitating any changes towards Guam’s political status.

United Nations Special Committee on Decolonization

The United Nations Special Committee was established in November 27, 1961, and its primary role is to facilitate and make recommendations on the implementation of the UN Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514). This committee reviews its list of non-self-governing territories (NSGTs), which includes Guam. It then provides funding for educational campaigns which aim to inform colonial people of their right to self-determination. The committee also hears statements from NSGT representatives through annual sessions, and it conducts regional seminars and visiting missions in these territories. Though the Special Committee has not made a formal visit to Guam at present, its members have interacted with various Guam representatives in several of its sponsored seminars.

United Nations Department of Political and Peacebuilding Affairs (DPPA)

The DPPA conducts regular political missions and is involved in conflict prevention, peacemaking, and post-conflict peacebuilding in NSGTs such as Guam. The DPPA’s Decolonization Unit also aids the Special Committee in compiling basic data on the island as well as creating annual reports on its political, social, and economic circumstances; this allows the Special Committee to recommend a specific course of action to be taken in order for Guam to achieve a smooth transition to independence. Next, the Department of Public Information will also present alternative measures for Guam in its
decolonization process. Finally, if the NSGT receives the approval of the US, the Electoral Assistance Division will provide technical assistance to help a newly sovereign Guam establish “credible and sustainable national election systems” for its upcoming leaders.

**Timeline of Events**

<table>
<thead>
<tr>
<th>Date</th>
<th>Description of event</th>
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<tbody>
<tr>
<td>1898</td>
<td>Guam is captured and permanently ceded to the United States in the Spanish-American war.</td>
</tr>
<tr>
<td>December 17, 1901</td>
<td>A petition for a civil government is Guam is signed by 32 Chamorros and submitted to the US Congress, marking the beginning of the civil rights battle in Guam.</td>
</tr>
<tr>
<td>1917</td>
<td>The First Guam Congress is established, which included Chamorro representatives who were appointed by Naval Governor Roy Smith.</td>
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<tr>
<td>1931</td>
<td>The Second Guam Congress is formed, and for the first time, Guam residents were able to vote for their representatives.</td>
</tr>
<tr>
<td>November 7, 1936</td>
<td>F.B. Leon Guerrero and B.J. Bordallo flew to Washington DC to propose two Bills to secure US citizenship for Guamanians; however, the Bills were never passed due to heavy opposition.</td>
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<tr>
<td>1946</td>
<td>The UN lists Guam as a non-self-governing territory.</td>
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<tr>
<td>March 5, 1949</td>
<td>Members of the Guam Congress organized a walkout, which compelled the US government to address the lack of civil rights and citizenship of Guam’s people, along with their desire for self-government.</td>
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</table>
August 1, 1950  The Organic Act of Guam is ratified, granting US citizenship and a civil government to Guam.

1968  The Elective Governor Act is passed, allowing Guamanians to vote for their own Governor in the upcoming 1970 elections.

1973  The first Special Political Status Commission is created and tasked with exploring the different political status options for Guam, and creating a public educational campaign on this matter.

July 1, 1977  The second Constitutional Convention was formed to redefine Guam’s relationship with the US.

1980  The Commission on Self-Determination is formed with the purpose of continuing the task of the previous Political Status Commissions.

January 30, 1982  Two public plebiscites are held, which ultimately ruled commonwealth status as the desired relationship between Guam and the US.

January 4, 1984  Second Commission on Self-Determination is established and tasked with producing a single Commonwealth Act to be ratified in Guam before submission to Congress.

November 1987  A plebiscite is held regarding the Commonwealth Act, which is approved in its entirety.

1997  The Commission on Decolonization is formed and tasked with exploring the options of independence, statehood, or free association for Guam through educational campaigns. It aims to
October 30, 2017

The UN Fourth General Assembly voted in favor of a resolution addressing the right of self-determination of Guam’s people and other issues regarding the US military base located in the island.

September 30, 2019

This is the deadline set by the US federal government for a budgeting proposal to be submitted by the Commission on Decolonization, which is bound to receive $300,000 in grant funds.

Relevant UN Treaties and Events

- Charter of the United Nations (Chapter XI), 26 June 1945
- Declaration on the Granting of Independence to Colonial Countries and Peoples 1514 (XV), 14 December 1960
- International Covenant on Economic, Social & Cultural Rights, 16 December 1966
- Vienna convention on the Law of Treaties, 23 May 1969
- Political Status Plebiscite, 4 September 1976
- Political Status Plebiscites, 30 January 1982
- The Question of Guam, 2 November 1985, (A/RES/40/42)
- The Millennium Declaration, 8 September 2000, (A/55/L.2)

Previous Attempts to solve the Issue

Political Status Commissions (PSC)

Throughout the 1970s, the people of Guam grew interest in changing its political status. They drew inspiration from UN Resolution 1541, which asserted every person’s right to self-determination, and from the successful negotiations made between the Northern Marianas, Saipan, and the US. This ultimately led to the establishment of two PSCs in 1973 and 1975, respectively. Both commissions were tasked conduct a plebiscite in the near future regarding the Guamanian’s desired political status.
with educating the public through campaigns in order to determine the most suitable political status for Guam. A plebiscite in 1976 revealed that Guamanians desired to have an “improved status quo” with the US, which prompted the creation of a constitution that resembled those of the 50 US states. However, in a public referendum held in 1979, a majority of voters rejected the proposed constitution, claiming that it failed to properly address the rights of the Chamorro people.

**Commission on Self-Determination (CSD)**

The two Commission on Self-Determination were established in 1980 and 1984 respectively in order to continue the work of the failed PSCs by educating the public on different political status options. Two plebiscites were then held in 1982, which ultimately determined commonwealth status to be the most appropriate for Guam. A Commonwealth Act was eventually drafted and approved in Guam through a public plebiscite in 1987, before being submitted to Congress in 1988. Throughout the drafting process, the Organization of People for Indigenous Rights (OPI-R) also remained actively involved in emphasizing that the rights of Chamorros should be addressed and upheld in the Act. Unfortunately, this Act was heavily opposed by the US Congress and the White House, and it was eventually abandoned.

**Possible Solutions**

**Consistent Lobbying**

It must be noted, however, that spreading awareness is only the first step towards decolonization. Perhaps the most crucial aspect of this process is for the United States, as the administering power over Guam, to approve the island’s request independence. However, since the US holds many military interests within the island, and since the UN is obliged to respect the national sovereignty of each nation and its territories, it is highly unlikely that the US will suddenly renounce its sovereignty over Guam. Thus, a more realistic solution to the issue is to assess the past successes of Guam’s people with regards to negotiating with the US, and to reuse those methods. Lobbying with the US Congress in the past eventually led to the signing of the Organic Act; with this in mind, delegates may consider proposing a medium to provide an avenue for both Guam and US representatives to engage in open discussion on the issue of political status, with the ultimate goal of resolving the issue. The committee may also pressure the US to act on Guam’s requests with haste and impartiality.

**Self-Sustainability**

Finally, another issue that can be addressed is Guam’s self-sustainability. Perhaps once the US sees that Guam can sustain itself without much required federal assistance and funding, the US may consider implementing changes to their federal-territorial relationship. Delegates may look into the issue...
of agricultural sustainability within Guam, which only produces around 10% of the food it consumes as of 2018. Research and development may be promoted in order to tackle issues such as invasive species, pests, the lack of soil nutrition, and insufficient domestic food supplies. In addition, energy security is also an important aspect to consider; as of 2008, Guam was nearly 100% reliant on fossil fuels. Delegates may look into ways to encourage energy conservation, innovative environmental initiatives, and incentives for renewable energy and energy-efficiency. Delegates may also encourage Member States or the UN to offer financial support or credible advocates and experts around the world to provide direct assistance or advice in the setup or execution of such programs within Guam. This may increase efficiency and efficacy, as well as reduce costs.

Bibliography


Appendices

Appendix I:

An article that summarizes the contents of the most recent UN Resolution on Guam, along with the US’ views on the situation.


Appendix II:

A useful link for UN Resolution (A/C.4/72/L.16) which was passed on October 30, 2017.


Appendix III:

An editorial wherein a Chamorro advocate shares her views on Guam’s sovereignty and the various obstacles that it currently faces.

http://www.thecampanil.com/guamssovereigntystrugglesattheunitednations/

Appendix IV:


https://www.nrel.gov/docs/fy13osti/59191.pdf