

The Dependency Studies Project

Study and Analysis on Dependency Governance

Evolution of French Colonialism
A Political and
Constitutional Analysis

Carlyle G. Corbin



BAKU
INITIATIVE
GROUP

Baku 2024

ABOUT BAKU INITIATIVES GROUP

The Baku Initiative Group (BIG) is a non-governmental organization with international scope. The establishment of non-governmental organization was announced on July 6 in Baku during the international conference "Towards the Complete Elimination of Colonialism", which took place within the framework of the ministerial meeting of the Coordination Office of the Non-Aligned Movement, chaired by the Republic of Azerbaijan. The activities of the BIG are based on international norms and principles, advocating to fight against colonialism and neo-colonialism, and protecting and promoting human rights, a fundamental principle in the decolonization process. The main objectives of the BIG are to support the struggle against colonialism and neo-colonialism, as well as to promote the warranty to the protection of fundamental rights and freedoms of people who have suffered and continue to be affected by the detrimental effects of this dark page of our humanity.



The organization is dedicated to the people subjected to colonialism all over the world, especially the last French colonies (Corsica and French overseas territories - New Caledonia (Kanaky), French Polynesia (Maoi Nui), French Guiana, Martinique, Guadeloupe, Wallis, Futuna and Saint Martin in the Caribbean Islands, South America, the Pacific, and the Indian Oceans, allows all interested parties to exchange views on the consequences of the colonial policy of France in the respective countries.

The conference became a good opportunity to reflect upon how some nations still suffering from colonial and neo-colonial practices should respond to the multifaceted challenges, and restitution of appropriated cultural heritage by colonial powers and produce valuable ideas towards their solution.



The first event abroad on the theme "Decolonization: Silent Revolution" was conducted by the BIG in New York, at the United Nations head-quarters on September 22, 2023.

Supporting people struggling for independence within the framework of fundamental principles of inter-national law and protection of their fundamental rights and freedoms for raising their voice at the highest level, BIG organized the following inter-national conference on "Neocolonialism: Violation of Human Rights and Injustice" in Baku, the Republic of Azerbaijan on October 20,

2023. The conference was attended by representatives of 14 countries, as well as French overseas territories — French Guiana, Martinique, Guadeloupe, New Caledonia (Kanaky), French Polynesia (Maoi Nui), Corsica and Wallis and Futuna.



"Decolonization: Women's Empowerment and Development" was the 4th international conference organized by the BIG on November 21, 2023, in Baku. The participants of the conference were more than 40 representatives from 18 countries representing different continents including independence and nationalist movements of French Guiana, Martinique, Guadeloupe, New Caledonia (Kanaky), French Polynesia (Maohi Nui), Corsica and Wallis and Futuna and ambassadors in Azerbaijan of different countries.

As a continuation of the series of events organized by the BIG, an international conference on the theme "Neocolonialism: Human Rights, Peace and Security" was held on December 14, 2023, at the UN Headquarters in Geneva, Switzerland. So, the international event coincides with the date of adoption of the Declaration on Granting of Independence to Colonial Countries and Peoples according to resolution No. 1514 (XV) of the United Nations General Assembly on December 14, 1960. Representatives of 22 countries, including the last colonies of France - French Guiana, Martinique, Guadeloupe, New Caledonia (Kanaky), French Polynesia (Maohi Nui), Corsica and Wallis and Futuna which suffered and are still suffering from the colonial policy of France, those of the former French colonies Senegal and Algeria, representatives of non-governmental organizations, foreign media workers, and diplomatic representatives, as well as participants from other countries got together using the BIG in Geneva.

Co-organized by the Parliamentary Network of the Non-Aligned Movement (NAM), the BIG, and the NAM Youth Organization, an international conference on the theme "Decolonization dialogues: Legacy, challenges and progress" held on December 22, 2023. The international conference was dedicated on the occasion of the 63rd Anniversary of the Declaration about the Granting of Independence to Colonial Countries and Peoples on the topic of "Decolonization Dialogues: Legacy, Challenges, and Progress". The main goal of the conference was to create a platform for solving this global problem. As the most memorable figure in the history of colonialism, France was criticized for continuing its colonial policy in 13 overseas territories, ignoring the calls of international organizations, grossly violating the fundamental norms and principles of international law, and displaying double standards. Decolonization: The Awakening of the Renaissance was the 7th international conference organized by the BIG in Istanbul, Türkiye, on February 24, 2024. 2-day conference convened a total of 50 representatives from 13 countries and 4 international organizations, the vast majority of which represent the overseas territories that are still under French colonial rule such as French Guiana, Martinique, Guadeloupe, New Caledonia (Kanaky), French Polynesia (Maohi Nui), Corsica and Wallis and Futuna, as well as the Union of Comoros (France still keeps under occupation the island of Mayotte, which is internationally recognized territory of the Union of the Comoros).

This conference was a landmark beginning to reshape historical narratives, usher in a new era in international relations, and ignite change by addressing the effects of French colonial policy. Moreover, this event played a significant role in discussing the consequences of French "Orientalism" colonial and neo-colonialist policy and the steps aimed at them. The conference consistently focused on amplifying the voices of people in countries affected by colonialism and neocolonialism to the global community.



An international scientific conference on "Embracing Diversity: Tackling Islamophobia in 2024", dedicated to the 2nd anniversary of the International Day to Combat Islamo-phobia jointly organized by Baku International Multiculturalism Center, the Center of Analysis of International Relations, the G20 Interfaith Dialogue Forum, and the Baku Initiative Group on March 8-9, 2024. The conference focused on several subtopics such as the importance of an intersectional approach in the fight against Islamophobia. A scientific conference themed "New Caledonia: History, contemporary challenges and expected future" was held in the Parliament of Azerbaijan (Milli Majlis) on April 18, 2024. The key objective by holding the conference is to provide a comprehensive

platform for examining and discussing New Caledonia's historical context, current socio-political and economic challenges, and potential future developments.

International Conference entitled "Decolonization path: consequences of assimilation and its impact on the realization of human rights" organized by the BIG was held on April 30, 2024, in Vienna, Austria. The Vienna Conference featured discussions on eliminating inequalities within and between countries, as well as addressing sustainable development issues. The event's central theme was a critique of the colonial powers' deliberate policy of cultural assimilation, advocating for its complete eradication. Another remarkable event during the conference was that the political party Tāvini Huira'atira in French Polynesia and the BIG signed a memorandum of understanding aimed at exploring the prospects for the development of relations and expansion of cooperation.

May 30, 2024, the BIG successfully convened another highly impactful conference themed "The right to decolonization of French Polynesia - challenges and perspectives" in the Parliament of Azerbaijan (Milli Majlis) in Baku. The key objective of the conference is to provide a platform for comprehensive analysis and discussion on the legal, political, and socio-economic challenges facing French Polynesia's decolonization process.

BIG organized a conference themed "Towards Independence and Fundamental Freedoms: C24's Role in Ending Colonialism" dedicated to the fight against colonialism at the UN headquarters in New York, on June 20.

The conference was held as a part of the annual meeting of the Special Committee - C24, created with regard to the implementation of the UN Declaration on the Granting of Independence of Colonial Countries and Peoples.

The conference brought together officials from the territories colonized by France and the Netherlands, as well as representatives from Corsica, French Guiana, Guadeloupe, Martinique, Maohi Nui (French Polynesia), Kanaki (New Caledonia), as well as Saint Martin, Bonaire, and over 40 officials, leaders of independence movements, decolonization experts, MPs and researchers

from the United States, France, Brazil, the Union of the Gambian Islands and the Netherlands.

The Baku Initiative Group consistently demonstrates unwavering solidarity with people living under colonial and neocolonial rule and unequivocally commits to supporting their struggle for freedom and independence.



"France should not be thought of as synonymous with "freedom".

Its history is filled with the suffering and struggles of oppressed peoples worldwide".

Sadly, it continues violence in its colonies even today.



EXECUTIVE SUMMARY

- This report reveals how French colonized and currently ruling these territories. De facto there is no real power of local people.
- France's way applied in Ma'ohi Nui and Kanaky through referendums is not fair
- France is biased and refused to implement UN resolutions.
- As colonial power France still not respecting its commitments.
- France's policy based on denial doesn't let people in its colonies make their own decisions about self-determination, as it's supposed to under international law.
- Report outlines colonialism, the way especially how France applies it today, including illegal migration aiming the change of electorate

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France established colonies in various oceans for several reasons:

-

kilometers. France has rights to exploit marine resources, including fishing, oil, gas, and minerals, within its EEZ.

- **Strategic Military and Naval Bases:** Colonies in different oceans allowed France to establish strategic military and naval bases. This helped protect its trade routes and assert its global presence.

- **Cultural and Religious Expansion:** France sought to spread its culture, language, and religion to other parts of the world. The importation of Jesuit missionaries with the aim of converting the indigenous peoples to the Roman Catholic Church,

- **National Prestige:** Having a vast colonial empire was seen as a symbol of national prestige and power.

EXCLUSIVE ECONOMIC ZONE CLAIMED BY FRANCE

Extensive maritime domain results from France's numerous overseas territories and the geographic dispersion of its territories across 4 oceans.

Components of France's EEZ:

- **Metropolitan France:**

EEZ includes maritime areas off the coast of mainland France.

- **Overseas Regions and Departments:**

Guadeloupe, Martinique, French Guiana, Réunion, and Mayotte.

- **Overseas Collectivities:**

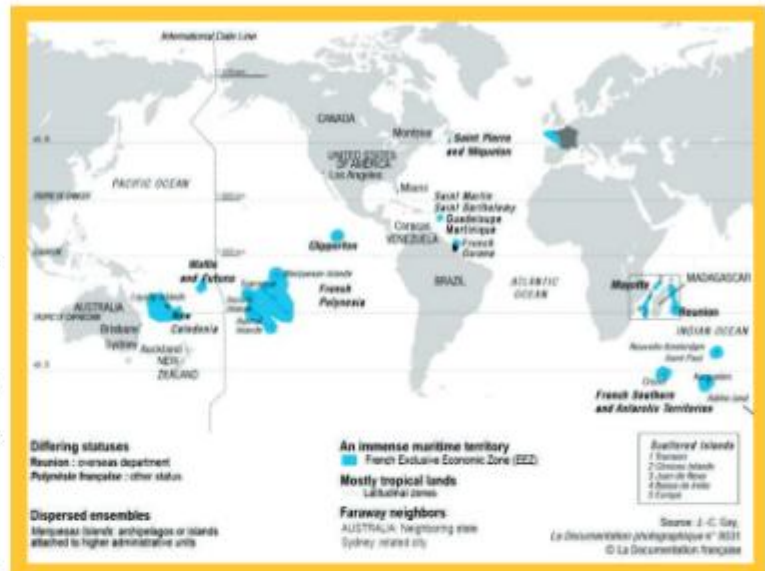
French Polynesia, New Caledonia, Saint Pierre and Miquelon, Wallis and Futuna, and others.

- **Scattered Islands in the Indian Ocean:**

Tromelin, Glorioso Islands, Juan de Nova, and others.

- **Antarctic and Sub-Antarctic Territories:**

French Southern and Antarctic Lands (TAAF) and the Kerguelen Islands.



THE FRENCH EMPIRE IN THE NEW WORLD

- The indigenous Kalinago (Caribs) resisted French occupation by refusing to work on plantations created on their stolen land.
- Consequently, in 1685, King Louis XIII issued the Code Noire, authorizing the capture of Africans for slave labor in Martinique and across the French Caribbean colonies.



HISTORY OF FRENCH COLONIALISM

- 1635: Initial French colonization. French settlers first arrived in Martinique and Guadeloupe.
- 1643: Colonization of Guyane. France expanded its colonization efforts to Guyane.
- 1648: Shared colonization with the Netherlands: France and the Netherlands jointly colonized Saint Martin and Saint Barthélemy.
- 1660 Carib expulsion. French forcibly expelled the indigenous Kalinago (Caribs) from Martinique. King Louis XIV claimed Martinique in 1658. French invasion in Martinique was strongly opposed by the indigenous Kalingo (Carib) inhabitants who were ultimately defeated in battle with the imposition of French colonial rule to follow.
- 1664: Establishment of Saint-Domingue and French East India Company. France founded the colony of Saint-Domingue (Haiti) and French East India Company to compete in trade in Asia. Colonies in the Indian Ocean like Île de Bourbon (Réunion) were also established.
- 1667: First French trading post in India. France established its first trading post at Surat, India.
- 1673: Establishment of Chandernagore. France established the township at Chandernagore near Calcutta, and later at Yanam (1723), Mahe (1725), and Karikal (1739). France merged their colonies into a single state known as the Indochinese Union, or French Indochina
- 1674: Acquisition of Pondicherry. France acquired Pondicherry from the Sultan of Bijapur.
- 1718: Colonization of Île Royale. France founded a colony on Île Royale (Mauritius).
- 1756: Colonization of the Seychelles. France established a colony on the Seychelles.
- 1883: Treaty of Hue. The Treaty of Hue granted France full control over Vietnam.
- 1897: Paul Doumer becomes General Governor. He reorganized French Indochina's administration, forming monopolies on opium, salt, and alcohol to finance colonial governance.

FRANCE'S SLAVE TRADE

- Monopoly of the slave trade was at first assigned to the French West India Company in 1664 and then transferred, in 1673, to the Senegal Company
- Thus, the advent of the trans-Atlantic slave trade and chattel slavery linked Africa and the Caribbean in the French exploitation of indigenous peoples from the two regions
- A new form of Post-Emancipation Colonialism (PEC) was initiated in the Caribbean colonies constituting significant political inequality.
- Indigenous Kalinago (Caribs) had continued to resist the occupation of their island by refusing to work as laborers on the French sugar and cocoa plantations



SLAVE TRADE ROUTE OUT OF AFRICA



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ETHNIC CLEANSING BY FRANCE

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FRENCH COLONIALISM ON VIETNAMESE

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CRUEL CRACKDOWN IN VIETNAM DURING FRENCH COLONIALISM



- French colonialism in Vietnam was brutal. Political dissent was met with repression, with subversive materials confiscated and activists imprisoned or executed. Violence escalated post-World War II, with French forces killing 6,000 Vietnamese in Haiphong in 1946. Battle of Dien Bien Phu in 1954 marked the end of French rule.
- French rule led to severe exploitation, famine, and death. The best farmland was taken by colonialists, causing famine that killed 2 million Vietnamese during World War II. Conditions on rubber plantations and mines were likened to slavery, with 12,000 workers dying at one Michelin plantation between 1917 and 1944.
- France's colonial history is marked by oppression and violence, affecting millions across its vast empire.

COLONIAL CONFLICTS BETWEEN FRANCE AND OTHER COLONIAL POWERS

In the mid-1700s, a series of colonial conflicts between France and Britain led to the temporary downfall of much of the first French colonial empire. These conflicts included:

1. **War of the Austrian Succession (1744-1748)**
2. **Seven Years' War (1756-1763)**
3. **War of the American Revolution (1778-1783)**
4. **French Revolutionary (1793-1802) and Napoleonic (1803-1815) Wars**
 - As a result, Britain conquered New France, most of France's West Indian colonies, and all French Indian outposts. While the peace treaty restored some of France's Indian outposts and Caribbean islands like Martinique and Guadeloupe, France lost its influence in India and North America, with most of New France going to Britain, except Louisiana, which was ceded to Spain.
 - During the French intervention in the American Revolution, France regained Saint Lucia but lost its richest colony, Saint Domingue (Haiti), due to a massive slave revolt led by Toussaint l'Ouverture and later Jean-J. Dessalines, which resulted in Haitian independence in 1804.
 - After the Napoleonic Wars, France recovered several colonies but lost others, such as Saint Lucia, Tobago, the Seychelles, and Mauritius, to Britain. France continued its colonial expansion in Africa and the Pacific, establishing protectorates and annexing territories. This expansion significantly impacted the indigenous populations through changes in governance, land ownership, and social structures.

FRENCH COLONIALISM ON POLYNESIAN ISLANDS

- In the Pacific, French expansion included the annexation of Polynesian islands. By 1842, France had declared a protectorate over the Windward and Leeward Islands, consolidating them under French control by 1889. This led to the imposition of French law and customs over Tahitian norms, resulting in significant changes in land ownership and governance, often disadvantaging the indigenous population. The 1880 treaty with Tahitian chiefs, which was supposed to respect local customs, was largely ignored as France institutionalized its colonial governance.
- During the Franco-Tahitian war (1844-1846) and the subsequent war in the Leeward Islands (1888-1897), France further cemented its control. French law took precedence over local customs, and traditional courts lost their authority, leading to the dispossession of many indigenous landowners. Annexation and subsequent imposition of French governance had long-lasting impacts on the social and economic structures of French Polynesia.
- French colonial rule was characterized by exploitation and repression, with native populations often subjected to harsh conditions and significant cultural disruption.



NON-INDEPENDENT PACIFIC (2024)

Non Self-Governing Territories (NSGTs)	Autonomous
American Samoa (US)	Cook Islands (NZ)
Guahan (Guam) (US)	Niue (NZ)
Kanaky(New Caledonia) (Fr.)	Northern Mariana Islands (US)
Ma’ohiNui (French Polynesia) Fr.)	
Wallis and Futuna (Fr.)	
Pitcairn (UK)	

COLONIAL CONTROL IN THE SOUTH PACIFIC

UN-PFII Report highlighted the harmful effects of colonization and the doctrine of discovery on indigenous peoples. It urged states to reject these doctrines, which have been used to deny indigenous peoples their human rights. The report emphasized the importance of self-determination and decolonization for Pacific indigenous peoples, showing the links between the doctrine of discovery and colonization.

In 1800s, European powers competed for control over Pacific islands, exploiting natural resources and subjugating indigenous communities. By the late 1800s, foreign powers had gained sovereignty over most Pacific islands, often focusing on resource exploitation. This was justified by the dehumanizing perspective of the doctrine of discovery.



Source: TEARA-The Encyclopedia of New Zealand (2023)

<https://teara.govt.nz/en/interactive/36846/colonial-control-in-the-pacific>

Pacific region's unique history of colonization and its ongoing effects offer important lessons for achieving the goals of UN decolonization resolutions. The division and assimilation efforts by imperial powers have deeply affected the cultures of Melanesia, Micronesia, and Polynesia.

SECOND COLONIAL EMPIRE

Second French colonial empire began around 1830 with France's invasion of Algeria. Around the same time, France also took control of Cochin-China (southern Vietnam, including Saigon) and made Cambodia a protectorate. In 1848, Second French Republic was established, and the new Constitution declared Algeria and the colonies as French territories to be governed by special laws.

After Franco-Prussian War of 1870-1871, France expanded further in Indochina, acquiring Tonkin and Annam (parts of present-day Vietnam) in 1883. These territories, along with earlier conquests, formed French Indochina, which later included Laos (1893) and Kwang-Chow-Wan (1900). France also established a concession in Shanghai in 1849, which lasted until 1946.

Third Republic's Constitution in 1875 ensured political representation for territories like Algeria, Martinique, Guadeloupe, Réunion, and the French Indies in the French Senate. In the late 19th and early 20th centuries, France continued to expand its empire, making Tunisia a protectorate in 1881 and gaining control over large areas of northern, western, and central Africa.

By 1911, France had also made Morocco a protectorate and received international mandates to govern present-day Syria, Lebanon, Togo, and Cameroon.

During World War II, various parts of the French colonial empire were occupied by rival powers: Japan took Indochina, the British took Syria and Lebanon, and the US and British forces took Morocco and Algeria, while Germany occupied Tunisia. These territories were returned to France after the war in 1945. However, post-war colonialism was met with strong independence movements, leading to France's withdrawal from Indochina in 1954 and the independence of most African colonies by 1960.

CRIMES IN ALGERIA



French withdrawal after a brutal occupation, costing over 1.5 million Algerian lives.

Algerian independence struggle was particularly brutal, ending with France's withdrawal and Algerian independence in 1962 after a conflict that killed over 1.5 million Algerians.

This period is often called the 'collapse' of the Second French Colonial Empire, but it might be better described as a 'retrenchment'. France retained several island territories in the Caribbean, Pacific, and Indian Ocean under different forms of Dependency Governance (DG) after 1946.

INJUSTICE AND BIASED APPROACH BY UN

In 1947, France unilaterally removed its colonies from the UN list, citing the Constitution of the Fourth Republic enacted in 1946.

This move by France disrupted the international legal mandate on self determination, hindering the intended full and complete decolonization of French dependencies and other similar colonies.

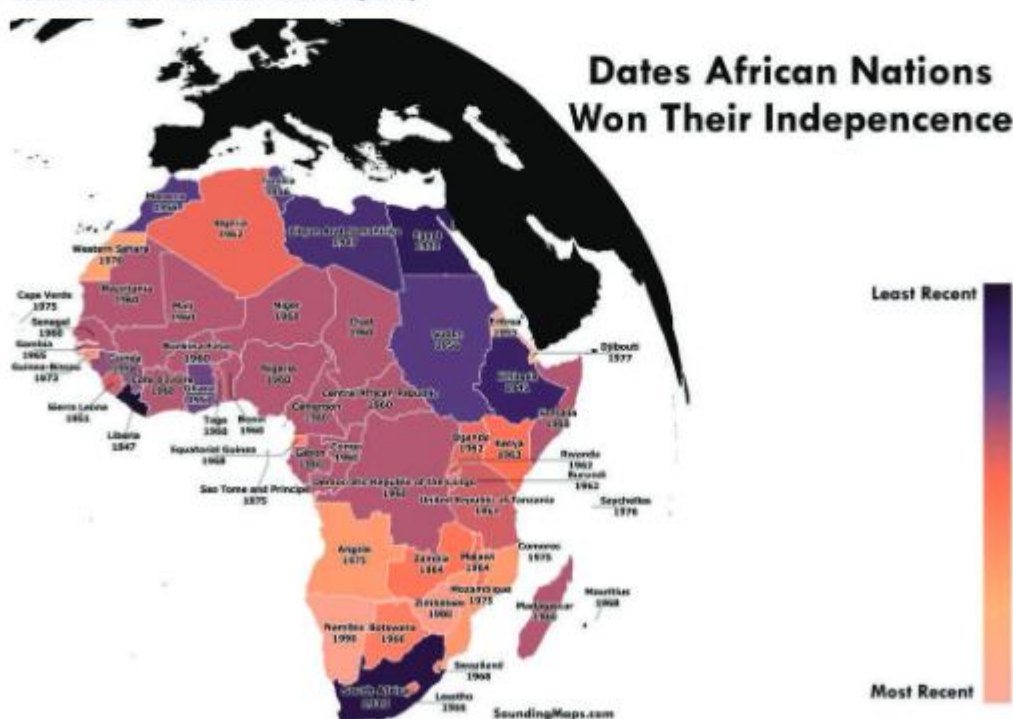


DATES OF INDEPENDENCE OF FORMER FRENCH COLONIES IN AFRICA

La Constitution du 27 octobre 1946

Former Colony	Date of Independence	Former Colonial Power
Algeria	5th July 1962	France
Benin	1st August 1960	France
Burkina Faso	5th August 1960	France
Cameroon	1st January 1960 1st October 1961	France Great Britain
Central African Republic	13th August 1960	France
Chad	11th August 1960	France
Comoros	6th July 1975	France
Congo, Republic	15th August 1960	France
Côte d'Ivoire	7th August 1960	France
Djibouti	27th June 1977	France
Gabon	17th August 1960	France
Libya	10th February 1947 24th December 1951	Portugal UK/French Mandate
Madagascar	26th June 1960	France
Mali	4th April 1960	France
Mauritania	28th November 1960	France
Morocco	2nd March 1956 7th April 1956	France Spain
Niger	3rd August 1960	France
Senegal	4th April 1960	France
Togo	27th April 1960	France
Tunisia	20th March 1956	France

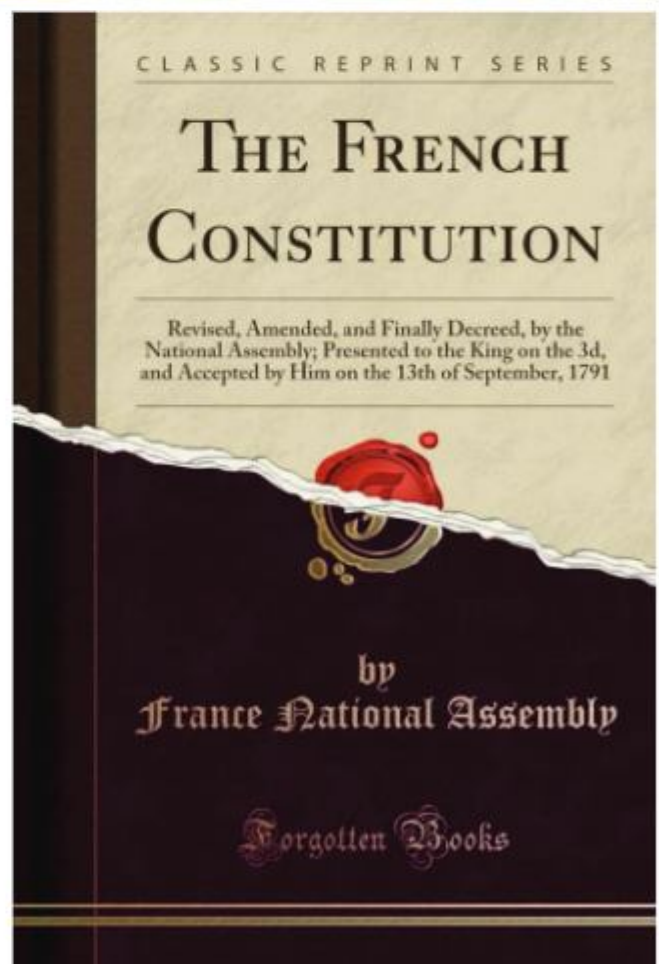
Source: Africa Volunteer Network (2024).



KEY PERIODS OF FRENCH DEPENDENCY GOVERNANCE



- Constitution (1791)
- Constitution of French First Republic (1793)
- Constitution of Year III (Napoleon I) (1795)
- French Monarchy (1804-14/15)
- Constitution of French Second Republic (1848–1852)
- Constitution of Second French Empire (Napoleon III) (1852-1870)
- Constitution of French Third Republic (1870–1940)
- Constitution of French Fourth Republic (1946–1958)
- Constitution of Fifth French Republic (1958–present)



FRENCH 'COLONIAL CONSTITUTIONALISM'

First French Republic (1792-1804)

French Constitution of 1791 excluded the colonies, stating that "the French colonies and possessions in Asia, Africa, and America are not included in the present Constitution." The 1793 Constitution didn't mention the colonies, but the 1795 Constitution assigned their governance to the 'Directory' of five members. This Directory had the authority to appoint public functionaries and special agents in the colonies, except for Île de France and Île de la Réunion.

Second French Republic (1848-1851)

The 1848 Constitution of the Second Republic codified the consolidation of French colonies, declaring "slavery cannot exist upon any French territory" (Article 6). This period saw the abolition of slavery across the French empire and a complex integration of the colonies into the French political system. For instance, Algeria was declared French territory but its non-European inhabitants were not granted French citizenship. Thirteen seats were allocated in the National Assembly for representatives from the colonies, though representation was not proportional.

Second French Empire (1852-1870)

Referendum in 1851 led to the 1852 Constitution, establishing Second French Empire under Napoleon III. French Senate regulated the colonies' governance, a system which continued until the Third French Republic.

Third French Republic (1875-1940)

The 1875 Constitution allowed colonies to elect a senator to the French Senate, including Algeria, Martinique, Guadeloupe, Réunion, and French Indies. Despite this, the representation was grossly disproportional. By 1931, a small number of deputies and senators represented the vast population of the French empire. This period also saw the establishment of colonial institutions with limited power, as the French governor held significant authority.

Fourth French Republic (1946-1958)

Post-World War II, the 1946 Constitution granted French citizenship to natives of the colonies but under specific conditions. Colonies of Guadeloupe, Martinique, Réunion, and French Guiana were annexed as départements d'outre-mer. Constitution created the Union Française, integrating the colonies into a structure that ostensibly promoted equality but maintained French dominance. Territorial Assemblies were established with limited power, and significant authority remained with the French governor. The period saw significant discontent and calls for decolonization.

Context of French Colonial Governance

French colonial governance evolved from exclusion to complex integration into the French political system, often maintaining a significant power imbalance. The colonies' representation in French governance structures was limited and disproportionate, with French state retaining significant control. These arrangements reflected attempts to legitimize French colonial rule while facing growing demands for equality and decolonization.

INTERNATIONAL MANDATE FOR SELF-DETERMINATION

The 2013 report on Ma'ohi Nui (French Polynesia) by the Dependency Studies Project (DSP) focused on international rules for self-determination, as outlined in the UN Charter and other agreements. These rules emphasize political equality under international law.

UN Charter of 1945 established self-determination and decolonization as fundamental principles. UN resolutions aim to address democratic issues in territories not fully self-governing, with UN Decolonization Committee calling decolonization its 'unfinished agenda' in 2005. Support for political equality also comes from International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic and Social Rights (ICESR), both recognizing self-determination as a basic human right. Convention on the Elimination of Racial Discrimination (CERD) also supports this right, alongside declarations on non-intervention and friendly relations among states.

In 2019, UN Special Rapporteur Doree Tladi affirmed that self-determination is universally recognized, citing precedents like the 1995 International Court of Justice (ICJ) decision on East Timor and the 2019 ICJ opinion on the Chagos Archipelago.

The 2013 Ma'ohi Nui report stressed the importance of UN resolutions in achieving true self-determination, especially for territories like French Polynesia prematurely removed from UN oversight. While many regions have gained self-governance through independence or other means, some still face democratic challenges. The report advocates for clear criteria to assess self-governance.

Professor Edward McWhinney's UN analysis highlighted how the 1960 Decolonization Declaration influenced global political progress, leading to self-government in Polynesia, Melanesia, and former African colonies, though many Caribbean territories remain under colonial administration.

CESSATION OF INFORMATION TRANSMISSION ON FRENCH COLONIES TO UN

In 1946, UN General Assembly listed 74 territories that were not self-governing. These included French territories like French Guiana, Martinique, and New Caledonia. France said that their future status could only be decided by France.

In 1947, France stopped sending updates to UN about these territories, removing them from UN oversight. This happened before UN fully developed standards for self-governance, which were established in the 1960 Decolonisation Declaration.

UN Charter requires that territories achieve a Full Measure of Self-Government (FMSG). In 1953, UN decided it, not the countries in control, would determine when a territory had achieved FMSG. Resolution 742 stated that self-government could be achieved by freely associating with another state on equal terms.

France's action in 1947 to unilaterally remove its territories from UN oversight was premature. It was based on the mistaken idea that simply renaming colonies to departments or territories fulfilled their international obligations. This move was also influenced by a colonial mindset, reflecting the racial attitudes and administrative decisions.

It took almost 40 years for UN to review these prematurely delisted territories. Kanaky (New Caledonia) and Ma'ohi Nui (French Polynesia) were put back on the UN list of non-self-governing territories in 1986 and 2013, respectively. Other French territories like Wallis and Futuna, Guadeloupe, and Martinique remain in a state of "dependency periphery."

NON-TRANSMISSION BY FRANCE OF INFORMATION ON MA'OHU NUI (FRENCH POLYNESIA) TO THE UN (2013 TO 2023)

- No information is transmitted to UN on any of the other French-administered territories which are not on the formal UN list of Non Self-Governing Territories.
- Despite detailed legal and scholarly discussions, France, claim that the Decolonisation Declaration and other UN decolonisation resolutions are non-binding and optional.

France consistently ignores the UN Charter's mandates to:

1. Advance Non-Self-Governing Territories (NSGTs) to full self-government (Article 73b).
2. Provide annual updates on the decolonisation process (Article 73e).

Administering Power	Year	Transmission of Information
France	2013	No information transmitted
France	2014	No information transmitted
France	2015	No information transmitted
France	2016	No information transmitted
France	2017	No information transmitted
France	2018	No information transmitted
France	2019	No information transmitted
France	2020	No information transmitted
France	2020	No information transmitted
France	2021	No information transmitted
France	2022	No information transmitted
France	2023	No information transmitted
France	2024	No information transmitted

Note:
The information transmitted to the UN by France with regard to Kanaky(New Caledonia) promote colonial reform rather than decolonization.

MODERN DEPENDENCY

New Caledonia / Kanaky has voted to remain part of France



2018 referendum

Yes 43%

No 57%

2020 referendum

Yes 47%

No 53%

2021 referendum*

4%

No 96%

*Boycotted by
pro-independence groups



Source: Adapted from map of Oceania by Júlio Reis, Wikimedia

Summary of the Constitutional Changes and the Loi-Cadre Defferre:

- Fourth Republic's constitution was a mix of unitary and federal elements, aiming to transform the empire into a consensual union. The 1956 Loi-Cadre Defferre sought to decentralize the Union Française, providing a framework for reforms to be implemented at France's discretion. This law intended to give overseas territories unprecedented power and financial responsibility, paving the way for eventual decolonization.

Assemblies of the territories which had approved the Constitution (for their respective strategic reasons) were given four months to determine the specific governance arrangement pursuant to Articles 76-91 of the approved Instrument, with three options for consideration:

- Remaining in the overseas territory status
- Becoming an Associated State within the Communauté française.
- Becoming an overseas department (integration)

The Loi-Cadre provided limited self-government in French Polynesia but was short-lived due to France's plans for a nuclear testing facility after Algeria's closure. In contrast, African colonies progressed towards independence.

French Constitutional Referendum of 1958:

- In 1958, a referendum proposed a new constitution for the Fifth Republic, replacing the Union Française with the Communauté française. Most African members accepted statehood in association with France, except Guinea, which faced severe punitive measures for rejecting the proposal.
- Referendum saw overwhelming support in overseas departments despite significant abstentions, suggesting these departments had no right to self-determination. This was seen as a reward for their support, maintaining French presence.

NON-INDEPENDENT CARIBBEAN - 2024

Non Self-Governing	Semi Autonomous	Integrated
Anguilla	Aruba	Guadeloupe
Bermuda	Puerto Rico	Martinique
Br.Virgin Islands	Sint Maarten	Fr.Guiana
Montserrat	Curacao	Bonaire
Turks&Caicos Is.	St.Barts	Saba
U.S. Virgin Islands	St.Martin	St.Eustatius
Cayman Islands		San Andres

Source: The Dependency Studies Project, St.Croix, Virgin Islands 2024.

NON-INDEPENDENT PACIFIC - 2024

Non Self-Governing	Autonomous	Integrated
Amer.Samoa (US)	Cook Islands (NZ)	Bougainville (PNG)
Wallis&Futuna (FR)	Niue (NZ)	Hawaii (US)
Guam (US)	Micronesia (US)	Rapa Nui/Easter Is. (Chile)
N.Caledonia (FR)	Palau (US)	Hong Kong (PRC)
Tokelau (NZ)	Marshall Is. (US)	Macao (PRC)
Pitcairn (UK)		West Papua (Indonesia)
Fr.Polynesia		Norfolk Is. (Aust.)
N.Marianas (US)		Christmas Is. (Aust.)
		Cocos/Keelings (Aust.)

Source The Dependency Studies Project St. Croix irgin Islands 2024 .

FRENCH CONSTITUTIONAL REFERENDUM EFFECTS ON FRENCH POLYNESIA AND NEW CALEDONIA (1958)



- French Polynesia expected increased autonomy but faced intense French pressure during the referendum. Anti-constitution campaigners were arrested, and information was restricted. Despite these efforts, 35% of voters rejected the constitution, reflecting anti-colonial sentiments.
- French authorities strategically reduced local institutions and marginalized dissenting leaders in New Caledonia and French Polynesia, driven by interests in nickel mining and nuclear testing.
- Post-referendum, France established a nuclear testing program in French Polynesia, reversing the limited self-government. The decision to maintain overseas territory status promised autonomy but resulted in reduced powers under the French governor's control. In New Caledonia, similar aspirations for associated statehood were denied to maintain French economic interests in nickel mining.
- Referendum and subsequent policies illustrate France's effort to modernize its dependencies while retaining control. The new constitutional arrangements sought to maintain French influence, particularly in strategic areas like the Pacific, despite promises of autonomy.
- In French Polynesia (Ma'ohi Nui), France has ignored its legal obligations, adopting a colonial approach that violates the people's right to self-determination. Genuine decolonization, a fundamental human right, demands a thorough process, contrasting with France's historically manipulative and incomplete efforts.

INSTRUMENTS OF UNILATERAL AUTHORITY (IUA) FOR FRENCH TERRITORIES

After flawed referenda, Constitution of the Fifth Republic attempted French dependency modernization through colonial reforms, reflecting an assimilationist agenda. Article 72-3 of the Constitution recognized "overseas populations" within the French people, intentionally avoiding the term "peoples" to deny the legitimacy of indigenous identities and promote a unified French identity.

Territory	Instrument of Unilateral Authority (IUA)	Year
French Polynesia	Organic Act	2004
New Caledonia	Organic law (<i>Loi Organique</i> 99-209) to implement the Noumea Accord	1999
Wallis and Futuna	Law No. 61-814 Conferring on the Islands of Wallis and Futuna the Status of Overseas Territory	1961
Saint Martin	Organic Law	2007
Saint Barthélemy	Organic Law	2007

Dependency Studies Project, Saint Croix, Virgin Islands 2023.

Union Française was dissolved and replaced by the Communauté Française, consisting of:

- Metropolitan France
- French departments (Algeria, Sahara, Guadeloupe, Guyane, Martinique, Réunion)
- Overseas Territories (French Somali Coast, Comoros including Mayotte, New Caledonia, Wallis and Futuna, French Polynesia, Saint-Pierre and Miquelon)
- Associated States (Central African Republic, Congolese Republic, Côte d'Ivoire, Republic of Dahomey (Benin), Gabonese Republic, Upper Volta (Burkina Faso), Republic of Mauritania, Malagasy Republic (Madagascar), Mali Federation (Republic of Mali), Republic of Niger, Republic of Chad)

Communauté Française, established under Title XII of the Fifth Republic's Constitution, defined the political and administrative structure for French-administered territories, categorizing them into various territorial units within specified areas as outlined in organic laws as Instruments of Delegated Authority (IDA).

REPRESENTATION OF FRENCH POLITIES IN FRENCH NATIONAL ASSEMBLY AND SENATE (2024)

Article 74 states that a local assembly can amend a law if the French Constitutional Council finds that the law oversteps the local government's authority. Additionally, it allows the community to take measures to meet local needs, such as providing access to employment, regulating professional activities, and protecting land assets.

Article also permits local authorities to participate in state-retained powers under state supervision. Consequently, the three overseas departments have representation in the French National Assembly and Senate, and other French overseas territories also have designated representatives in both legislative bodies.

Polity	Representation	
	National Assembly	Senate
Guadeloupe	4 Deputies	3 Senators
Guyane	2 Deputies	2 Senators
Martinique	4 Deputies	2 Senators
La Réunion	7 Deputies	4 Senators
Mayotte	2 Deputies	2 Senators
French Polynesia	3 Deputies	2 Senators
New Caledonia	2 Deputies	2 Senator
Wallis and Futuna	1 Deputy	1 Senator
Saint-Martin	1 Deputy <i>(shared with Saint Barthelemy)</i>	1 Senator
Saint Barthélemy	1 Deputy <i>(shared with Saint Martin)</i>	1 Senator

The Dependency Studies Project (2022) and CIA Factbook, Britannica and territorial sources.

FRANCE'S DECENTRALIZATION EFFORTS

- By 1962, after a wave of independence in Africa, 11 French overseas territories remained in the Caribbean, Pacific, and Africa, including the four DOMs (Martinique, Guadeloupe, Guyane, and Réunion), along with the TOMs (New Caledonia, French Polynesia, Wallis and Futuna, Comoros, and French Somaliland).
- The 1946 Constitution created a distinction between "Overseas Departments (DOM)", governed by the principle of legislative identity, and "Overseas Territories (TOM)", which had more autonomy. This distinction was maintained in Articles 73 (DOM) and 74 (TOM) of the 1958 French Constitution.
- In 1982, the French Parliament aimed to give more autonomy to French DOMs with Law No. 82-1171, allowing these regions to elect regional councils. In 1983, Law No. 83-17 set up the election process for these councils. These laws were part of France's decentralization efforts, but the final decisions were still controlled by the French government. In 2000, the Loi d'orientation pour l'outre-mer allowed the DOMs to be consulted on political status changes through advisory referenda, with final approval needed from the French government.
- In 2003, further decentralization reforms reclassified the TOMs into two categories: collectivités d'Outre-Mer with autonomy and legislative specificity under Article 74, and collectivités with special status, including New Caledonia and Corsica. Despite these categorizations, international law still recognized New Caledonia and French Polynesia as Non-Self-Governing Territories under the UN Charter.

2003 AND 2010 REFERENDUMS IN MARTINIQUE

In 2003, referenda were held in Martinique and Guadeloupe to decide if they wanted to change their status from a département d'outre-mer (DOM) to a collectivité. Martinique narrowly rejected the change with 50.48% against it, while Guadeloupe decisively voted against it with 73% opposed. Saint Barthélemy and Saint Martin, previously parts of Guadeloupe, voted overwhelmingly to become collectivités.

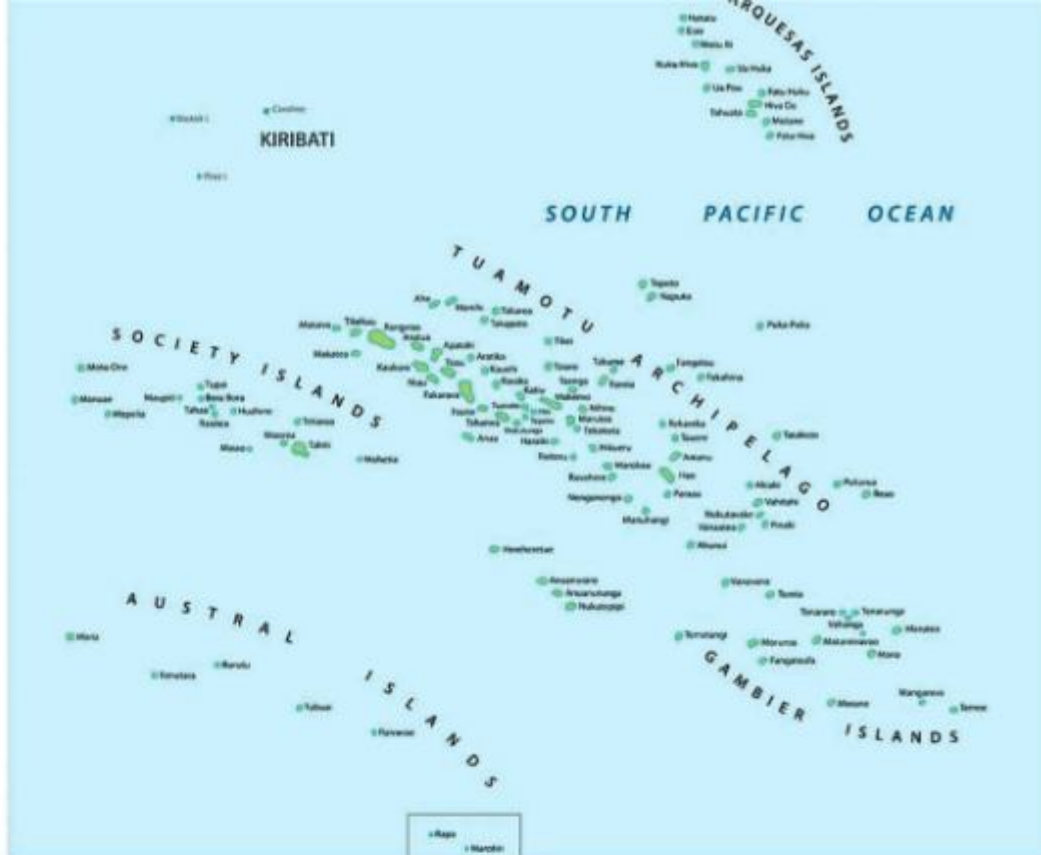
In 2010, another referendum in Martinique resulted in 80% rejecting the change to collectivité status. A similar referendum in Guyane was also rejected by 70% of voters. Guadeloupe did not hold a referendum due to political tension.

These referendum results suggested a lack of desire for political change, but there were allegations of external influence from France, including threats of reduced financial support.



**FRENCH
DEPENDENCIES AND
GLOBAL EEZ
CLAIMED BY FRANCE**

MA'OHİ NUI (FRENCH POLYNESIA)



For Ma'ohi Nui, the non self-governing nature of the political status remained intact in the wake of the 1958 referendum on the French Constitution and its entry into force. Since the territory had been prematurely de-listed by France from the UN list of NSGTs in 1947 there was no formal international process to examine and conform the prevailing colonial status of the territory.

THE 2013 ASSESSMENT OF MA'OHİ NUI (FRENCH POLYNESIA)

- In 2003, the status of French Polynesia was re-designated as an Overseas Collectivity following a constitutional review by France, but this did not alter the fundamental power relationship between the territory and France.
- 2013 UN Assessment noted that the power imbalance remained, with France holding substantial authority over matters - nationality, civil rights, justice, foreign policy, defense, public order, and the economy. France also controlled the electoral process, including voter eligibility and conduct of elections, which has historically impeded free and fair elections.
- Assessment concluded that the autonomy granted was administrative rather than political, which led to French Polynesia being reinscribed on the UN List of Non-Self-Governing Territories in 2013.
- Annual UN Working Paper on French Polynesia for 2024 emphasized that despite its special institutional organization, the territory does not have political autonomy but only administrative autonomy subject to French legislation. President of French Polynesia has limited representative functions, and local laws can be repealed by the French Council of State, underscoring France's ultimate decision-making authority.
- The 2024 Analysis highlighted France's non-compliance with its international obligations under UN Charter to advance French Polynesia towards self-government. The lack of genuine decolonization efforts by France has been a consistent concern, and only UN-overseen process would ensure the territory's progress towards full self-governance, countering France's efforts to legitimize the status quo dependency arrangement.



FRENCH COLLECTIVITIES IN THE PACIFIC - KANAKY (NEW CALEDONIA)

- The trials of Kanaky exemplify the prolonged application of French colonial policy, unresolved into 2024. Similar to Ma'ohi Nui, the 1958 referendum on the French Constitution saw New Caledonia vote to retain territorial status, anticipating future autonomy. However, in 1963, the loi jacquinot law reversed this autonomy. French High Commissioner Laurent Péchoux, having implemented similar measures in Côte d'Ivoire, spearheaded this reversal. He initiated a decade-long process of stripping self-government powers from New Caledonia, bolstered by the 1969-1972 nickel boom, which increased European migration and social friction.
- The 1981 reforms aimed to increase Kanak participation in political and economic life but maintained French rule by decree. A 1983 roundtable recognized Kanak claims to independence. The 1984 Lemoine Statute provided internal autonomy for five years, followed by a 1989 self-determination referendum, increasing Kanak representation and establishing a second legislative chamber reflecting Melanesian customary law.

KANAKY (NEW CALEDONIA) IN REGIONAL CONTEXT

As of mid-2024, New Caledonia faces a political impasse between France's push for continued or enhanced colonial reforms and indigenous Kanaks' demand for genuine decolonization and sovereignty.



MAP OF KANAKY (NEW CALEDONIA)

New Caledonia is a sui generis collectivity within the French Republic, governed under the provisions of part XIII of the (French) Constitution ("Transitional provisions pertaining to New Caledonia"). The French Minister of the Interior and Overseas Territories, supported by the Junior 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 ADMINISTERING POWER IN NEW CALEDONIA

- Administering Power in New Caledonia is represented by a High Commissioner, who exercises the authority of the French Republic. Under Organic Act No. 99-209 of 1999, France retains control over areas such as diplomacy, immigration, currency, defense, justice, and law and order. New Caledonia hosts military bases with around 1,450 personnel.
- Nouméa Accord established institutions to recognize Kanak identity, including eight customary councils and a Senate for consulting on Kanak matters. Accord committed to devolving powers in stages: immediately in areas like external trade and communication, and later in areas like education and local governance.
- In 2007, a French law ensured that only long-term residents could vote in the New Caledonia referendum, preventing new settlers from affecting the outcome. However, issues with the inclusivity of the voter list remained, underscoring the ongoing challenges in New Caledonia's self-determination process.
- A 2013 report to UN Special Committee on Decolonization highlighted issues with New Caledonia's electoral process, alleging France's attempts to maintain control by making the Kanak people a minority. Mass migration from French territories was seen as harming decolonization and self-determination efforts.
- Despite promises to stop migration, over 40,000 French nationals migrated to New Caledonia since the 1998 Nouméa Accord. The Accord's self-determination process, scheduled between 2014-2018, faced French resistance.
- French law in 2015 aimed to improve the referendum process by including an advisory committee and automatic voter registration. UN electoral experts assisted, but concerns persisted about the referendum's fairness. The 2018 referendum saw 43.3% support for independence, despite French attempts to influence the vote. The second referendum in 2020 saw increased support for independence at 46.4%.
- France scheduled the third referendum for December 2021, despite Kanak objections due to the COVID-19 pandemic. The Kanak community declared a mourning period and requested a postponement, which France denied. Consequently, the Kanaks chose non-participation in the third referendum.

KANAK LEADERS APPEAL TO FRANCE

- Kanak leaders wrote an open letter to France before the third referendum, criticizing the French government's decision to maintain the December 12, 2021, date despite Kanak mourning customs. **They expressed disappointment in France's lack of respect and humanity and highlighted the negative consequences of this decision.**
- Kanak participation due to their boycott, resulting in a 43.9% turnout compared to higher participation in previous referendums. The Kanak community viewed the referendum as illegitimate and a continuation of colonial subjugation. This situation, they argued, reflected France's insensitivity to Kanak culture and priorities, further undermining the decolonization process and damaging France's international standing.
- The Kanak leaders, supported by Pacific governments and organizations, called for a delay in the referendum, citing the COVID-19 pandemic.
- **The French government's refusal to postpone the vote highlighted its disregard for the Kanak people's rights and traditions.**



POLITICAL GROUPS AND PARTIES IN NEW CALEDONIA

There are two principal political groupings and numerous small parties:

- **The Rassemblement pour la Calédonie dans la République (RPCR), which favours retaining a relationship with France**
- **The Front de libération nationale kanake socialiste (FLNKS), a coalition of parties that favour independence from France.**
- The constituents of FLNKS include the Parti de libération kanak (PALIKA), the Parti socialiste calédonien (PSC), the Union calédonienne (UC) and the Union progressiste mélanésienne; Elections were held in 1988.
- RPCR controls the Provincial Assembly of the South and, by virtue of its representation in the other two assemblies, half of the 54 seats in the Territorial Congress. RPCR members represent New Caledonia in the French National Assembly and Senate.
- FLNKS controls the provincial assemblies in the North and in the Loyalty Islands and has 19 seats in the Territorial Congress;



THE FRONT DE LIBERATION NATIONAL KANAK ET SOCIALISTE

- FLNKS has urged French President Macron to withdraw a draft constitutional law in parliament, but no immediate agreement has been reached. May 25, 2024, press release from the FLNKS emphasized calls for a high-level mediation mission and opposed proposed changes to unfreeze New Caledonia's voter rolls.
- French militarized responses to Kanak resistance have escalated tensions, including arrests of pro-independence leaders and raids on political party offices, prompting international calls for UN intervention.
- In response, FLNKS has put forward its own proposal for a political treaty that outlines a pathway towards decolonization and independence. This proposal, however, was rejected by France, underscoring a stark contrast in visions for the future of New Caledonia. FLNKS contends that France's maneuvers undermine the principles of the Matignon and Nouméa Agreements, agreements intended to ensure impartiality and fair governance in New Caledonia's political processes.
- Voter eligibility became contentious, with pro-French settlers and the pro-independence FLNKS at odds. French government clarified voting rights to those on the roll in 1998 with a ten-year residency, upheld by UN Human Rights Committee. Despite gaining observer status in regional organizations, the Kanak people felt excluded from power transfer and underrepresented.



MATIGNON ACCORDS

- Matignon Accords of 1988 were agreements between the Kanaks, French settlers, and the French government aimed at easing tensions in New Caledonia. They included a ten-year plan for institutional and economic development, an amnesty for those involved in the Ouvéa cave hostage incident, and provisions for a self-determination referendum in 1998. The accords established three provinces with elected assemblies, a Territorial Congress, and customary councils to protect Kanak traditions. They also sought equitable economic development and increased Kanak participation in governance.

FLNKS PRESIDENT ROCK WAMYTAN IN RESPONSE TO MATIGNON ACCORDS (1996):

«First and foremost, the legitimate and historical claim of the Kanak people is to sovereignty and independence. As the indigenous people of this country, having been colonized at one point in its history, the Kanak people has the right to exist as a 'specific' people; it has the right to emancipation and to choose its own destiny. The French Constitution, in article 75, recognizes this 'specificity.' In December 1987, the United Nations endorsed this international affirmation of the Kanak people's right to independence and also recognized FLNKS as the legitimate representative of that people.

FLNKS is not seeking independence but rather is requesting the French State to give the Kanak people the opportunity to exercise its right to its emancipation and sovereignty; We hope...to have in place by 1998 a free and sovereign State which would have a number of areas of competence constituting the principal powers of sovereignty, including international relations, immigration control and the control over natural resources. For a number of years, to be determined by negotiation, this would allow the French State to exercise competence in certain areas, such as security, public order, defense, currency, inter alia. These areas of competence would be restored to the new State according to a timetable;

FLNKS believes that the establishment of this State is a guarantee of peace and stability, and of genuine economic, social and cultural development for all inhabitants of this Territory. We are convinced that together we will at last be able to deliver New Caledonia from its 'colonial' context and steer it in the direction of progress and modernity at the dawn of this third millennium»

SHORTCOMINGS OF THE MATIGNON ACCORDS

1. Matignon Accords provided a framework for development and some degree of self-governance, but the powers transferred were limited and did not significantly alter the central control exercised by France.
2. The Accords were designed as a ten-year interim arrangement, leading up to a 1998 referendum. This did not provide a long-term solution to the issues of self-determination and autonomy.
3. While the Matignon Accords focused on economic and social development, they did not adequately address the political aspirations of the Kanak people for greater self-governance and independence.
4. Matignon Accords did not clearly outline the pathway to full sovereignty, leaving significant uncertainty about the future political status of New Caledonia.

NOUMEA ACCORDS

Nouméa Accord (1998) followed up on Matignon Accords, establishing a further twenty-year transition period aimed at transferring more governmental responsibilities from France to New Caledonia, excluding sovereign powers. It set a timeline for a referendum on full sovereignty between 2014 and 2018. Approved by 72% of voters in a 1998 referendum, the Accord also created institutions to recognize Kanak identity and culture and categorized powers into those immediately transferred, those to be transferred later, and shared powers. The Accord marked a significant shift toward greater autonomy for New Caledonia within the French Republic.

Key Differences:

1. Matignon Accords set a ten-year period ending in a 1998 referendum, while Nouméa Accord established a twenty-year transition with a referendum between 2014 and 2018.
2. Nouméa Accord provided for a more extensive and gradual transfer of powers to New Caledonia compared to the Matignon Accords.
3. Nouméa Accord emphasized recognizing and institutionalizing Kanak identity and culture more explicitly.
4. Nouméa Accord led to the creation of specific local laws ("lois de pays") and redefined New Caledonia's status as a sui generis collectivity, unlike the Matignon Accords.

Kanak people of New Caledonia are being marginalized by a policy of large-scale immigration from France and its overseas territories.

Despite promises made during the signing of the Matignon Accords in 1988 to curb migration, the influx has continued, exacerbating the demographic imbalance and threatening the decolonization process and the Kanak's right to self-determination and independence.

This strategy aims to dilute the Kanak population and impede their path to sovereignty. A 2014 UN Special Committee on Decolonization mission called on France to address these migration concerns.

ROCK WAMYTAN IN RESPONSE TO NOUMEA ACCORDS

It was “the historical responsibility of the (French) State, which must not fail in its task of decolonizing New Caledonia, since the State was not an arbiter but a party to the Nouméa Accord...(T)he Kanak people would no longer accept a process turning them into more and more of a minority in their own country; they would not remain indifferent to the planned elimination of their ability to exercise their right to self-determination as a result of an intentional policy of immigration by French nationals.

ARTIFICIAL MIGRATION AND ASSIMILATION OF KANAKS

Since the Nouméa Accord in 1998, over 40,000 French nationals have moved to New Caledonia, intensifying these issues. Nouméa Accord set a framework for a self-determination referendum, which faced challenges in voter registration and fairness, leading to UN involvement to ensure a just and transparent process.

Despite these efforts, concerns about the neutrality and fairness of the referendum remained, given France's control over the process.



FRENCH PRESIDENT E. MACRON CLOSED HIS EARS TO WIDESPREAD OPPOSITION

- Despite international calls for a fair and inclusive process, Macron has dismissed widespread opposition to the referendum. Instead, he has proposed replacing the Nouméa Accord—a foundational agreement for New Caledonia's political autonomy—with a new dependency status model. Central to this strategy are amendments to French laws and the constitution aimed at altering the demographic balance of the territory. By broadening the electorate to include more French settlers, Macron's government seeks to bolster support for the anti-independence camp, effectively sidelining the aspirations of the Kanak people for genuine self-determination.
- **Amidst these developments, accusations of foreign interference by French officials, including unfounded claims against countries like Azerbaijan, have further inflamed the situation. Such accusations have been dismissed as attempts to deflect criticism and undermine legitimate concerns raised by the Kanak people and their supporters.**
- As the situation in New Caledonia unfolds, international attention remains focused on upholding the rights of indigenous peoples to self-determination and resisting efforts to suppress their aspirations for independence. UN General Assembly's reaffirmation of support for decolonization underscores the global community's commitment to addressing colonial legacies and promoting equitable political processes in territories under colonial administration.

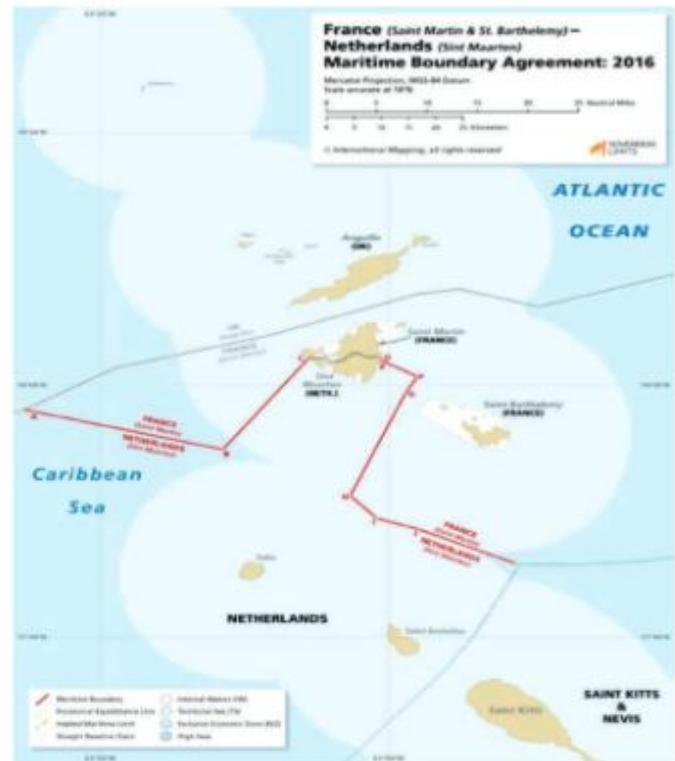
SAINT MARTIN / SINT MAARTEN / SAINT BARTHÉLEMY/

- Saint Martin and Saint Barthélemy, previously governed as dependencies under Guadeloupe by France, transitioned to collectivité status in 2007 following a 2003 referendum. This change allowed direct governance relations with France, independent of Guadeloupe.

- Saint Martin, originally inhabited by the Taino and later the Kalinago, saw European colonialism start with Spain in the late 15th century, followed by Dutch and French control by the 17th century.

- Slavery was prominent until abolition in the mid-19th century. The collectivité status gave Saint Martin an elected Conseil territorial and representation in French institutions.

- Saint Martin shares the island with Sint Maarten, part of the Kingdom of the Netherlands since 2010, highlighting enduring colonial legacies in the Caribbean.



SAINT BARTHÉLEMY (ST. BARTS)

1. Historical Background:

1. Occupied by the French in 1648.
2. Bought by the French West India Company in 1665.
3. Annexed by France in 1674.
4. Sold to Sweden in 1784 and prospered as a trade center.
5. Repurchased by France in 1877 and administered under Guadeloupe.

2. Political Structure:

1. Became a French collectivité in 2007.
2. Governed by a president of the 19-member Territorial Council.
3. Executive branch consists of an eight-member Executive Council elected by the Territorial Council.
4. Legislative and executive members serve five-year terms.
5. Includes an advisory Economic, Social, and Cultural Council.

3. Demographic and Economic Profile:

1. Small population primarily composed of European settlers and descendants.
2. Known for catering to wealthy French and European clientele.
3. Considered an enclave due to its economic and demographic characteristics.

MAYOTTE'S ANNEXATION BY FRANCE

Historical Context. Mayotte was part of the Comoros archipelago, which voted overwhelmingly for independence from France in a 1974 referendum (96% in favor).

Despite international condemnation and UN resolutions affirming the unity and territorial integrity of the Comoros, France, contrary to agreements and UN resolutions, organized a separate illegal referendum in Mayotte in 1976 after Comoros declared independence in 1975.

International Response:

UN Security Council discussed the issue but failed to adopt a resolution due to France's veto.

Organization of African Unity (OAU) strongly condemned France's actions, describing the referendum as an aggression against the Comorian people and a violation of territorial integrity principles.

UN resolutions from 1976 onwards condemned France's organization of illegal referendums in Mayotte in 1976 (8 February and 11 April), declaring them null and void.

The resolutions emphasized the violation of principles such as national unity and territorial integrity as per UN General Assembly Resolution 1514 (XV) on decolonization.

UN called for France to immediately withdraw from Mayotte, recognizing it as an integral part of the independent Republic of the Comoros.

Member states were urged to assist the Comorian government in defending its sovereignty and to pressure France to abandon its plans to detach Mayotte.

Despite numerous resolutions, France refused to comply and instead accelerated its annexation activities in Mayotte, including imposing French laws against Comorian culture and religion.

International bodies like the OAU and various UN resolutions repeatedly called for negotiations between France and the Comoros for the return of Mayotte.

CONTINUED FRENCH RESISTANCE BY MAYOTTE

- France's fait accompli strategy included holding another referendum in 2000 to solidify Mayotte's status as a French collectivité départementale. African Union (OAU) responded to France's actions with decisions and resolutions supporting the return of Mayotte to the Comoros, highlighting international consensus against French annexation.
- Condemnation of France's 2009 referendum and its annexationist actions leading to Mayotte's departmental status in 2011, in defiance of international calls for Mayotte's return to the Comoros.

Consequences and Resolutions:

The OAU resolution called for UN General Assembly consideration, highlighting the implications for regional peace and security.

Despite decades of international pressure and resolutions, Mayotte remains under French control, an overseas territory of France, maintaining a complex geopolitical status in the Indian Ocean with ongoing calls for multilateral dialogue and a fair roadmap for its return to the Comoros.

Call for Dialogue:

Calls for immediate dialogue between the Comoros and France to arrange for the return of Mayotte, and reactivation of the Ad-Hoc Committee of Seven on Mayotte.

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LA RÉUNION

Colonial History:

French colonization started in 1665, developing a plantation economy based on sugar and coffee using slave labor. The island's history includes periods of British control during the Napoleonic Wars.

Legal Status:

Annexed as an overseas department of France in 1946, maintaining regional and departmental councils with a Prefect representing French interests.

Political Dynamics:

Presence of the Parti Communiste Réunionnais advocating for political autonomy within France, including calls for nationalization of industries and agrarian reform.

Current Political Status:

Despite historical calls for autonomy or independence, there is limited support for secession from France in La Réunion.



Resolution	Against	Abstain
Information from Non-Self-Governing Territories transmitted under Article 73 e of the UN Charter	Israel, US	France, UK
Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories	Israel, US	France Central African Republic, UK
Implementation of the Decolonisation Declaration by UN agencies and institutions	Israel, US	France (plus 50 other abstentions)
Dissemination of Information on Decolonization	Israel, UK, US	France
Implementation of the Decolonisation Declaration	Israel, UK, US	France (plus 41 other abstentions)
Negative Impacts of the legacies of colonialism on the enjoyment of human rights (<i>Human Rights Council, 2021</i>)	none	France (plus 19 other abstentions)

Source: United Nations website 2024.

<https://documents.un.org/doc/undoc/gen/n23/393/03/pdf/n2339303.pdf?token=OC8BulVooYC7rRSRDp&fe=true>

SUMMARY

- France initially accepted UN oversight over its colonies' self-determination but quickly withdrew in 1947 by delisting them unilaterally.
- Kanaky and Ma'ohi Nui were eventually relisted by the UN after long opposition from France, which still resists UN oversight, particularly regarding Ma'ohi Nui.
- Territories like Guadeloupe, Martinique, and Guyane remain outside the UN self-determination process, despite UN and OAU resolutions calling for Mayotte's return to Comoros.
- France disregards formal cooperation with the UN on decolonization efforts, abstaining from key UN resolutions on decolonization.
- This stance undermines international efforts for self-determination, as shown by their voting patterns in the UN General Assembly in 2023, despite UN initiatives against colonialism.
- The dismissal of the relevance of international law to the global self-determination and decolonization processes, and the lack of respect for the territorial integrity of other states, is reflective of a propensity by the metropolises to consider the maintenance of their geo-economic and geo-strategic interests above adherence to international law. The resistance to the contemporary colonial project by the people of Kanaky should serve as a wake-up call.

As Frantz Omar Fanon stressed, "We revolt, because we cannot breathe."

