



COMMISSION ON DECOLONIZATION
Regular Monthly Meeting Minutes
October 1, 2024 | 3:00 p.m.

- I. Call to Order:** 3:07 p.m.
- II. Roll Call**
 - 1. Hon. Lourdes Leon Guerrero**
 - 2. Hon. Therese Terlaje (Absent)**
 - 3. Hon. Tina Muña-Barnes**
 - 4. Hon. Frank Blas (Excused)**
 - 5. Hon. Jesse Alig (Excused)**
 - 6. Hon. Eddie Duenas (Absent)**
 - 7. Dr. Michael Bevacqua**
 - 8. Dr. Mary Cruz**
 - 9. Dr. Kenneth Gofigan Kuper**
 - 10. Ty Whitaker**
 - 11. Victoria “Lola” Leon Guerrero**
 - 12. Dewey Huffer (Excused)**
 - 13. Other**
 - a. Roque Aguon
 - b. Clynton Ridgell, Deputy Chief of Staff, Office of the Governor of Guam
 - c. Joseph P. Taitano II, Pacific Daily News
- III. Approval of Minutes - Regular Monthly Board Meeting - September 3, 2024**
 - a. Motion by Vice Speaker Barnes to approve minutes subject to corrections.
 - b. Motion seconded by Governor Leon Guerrero.
 - c. Motion passed by consensus.



IV. Financial Report

a. Account balances

1. **Melvin Won Pat-Borja:** Reported task force balances at the end of Fiscal Year 2024. Statehood Task Force is at \$55,000. Free Association Task Force is at \$55,000. Independence Task Force is at \$31,500. Advised task forces to submit invoices in a timely manner for processing. All invoices received for the last transactions from the Independence Task Force have been processed or submitted for procurement to the Governor's Executive Management Office for procurement. COD will continue the same program to ask for task force budget plans at the beginning of the fiscal year in order to assist with the preparation of necessary paperwork.

V. Old Business

a. Plebiscite Update & Strategy Discussion

1. **Melvin Won Pat-Borja:** Reported that during last month's board meeting, the board requested that COD submit a request to the UN C-24. COD transmitted a letter to the UN C-24 Chairwoman, Her Excellency Menissa Rambally to petition for assistance to connect with a non-governmental organization (NGO) that would be willing to conduct a political status plebiscite. The received response was that there are no NGOs that are directly affiliated with the UN C-24. Senator Frak Blas Jr. asked COD to inquire with the UN C-24.
2. **Vice Speaker Barnes:** Asked about the UN Fourth Committee (C-4)
3. **Melvin Won Pat-Borja:** COD has not reached out to C-4, it will be on the task list for Guam's delegation to C-4 next week to ask for assistance.
4. **Governor Lou Leon Guerrero:** Stated that the board needs to have an extensive discussion on the strategy for a political status plebiscite. Requested that discussion regarding strategy should be dedicated to a future meeting. The route is clear for the board to have an NGO take on the plebiscite if the board decides that a native inhabitant vote should be conducted.
5. **Melvin Won Pat-Borja:** At the Speaker's request, COD wrote a letter to the Attorney General to clarify what the role of the Commission and the board is to determine the conduction of a plebiscite. The Attorney General provided a response stating that COD and the board would not be able to decide but are able to take a position. Historically, the board has been consistent on their stance on the native inhabitant vote. If the Legislature would decide to take on the plebiscite and adopt a new law, COD will comply. Until such time, the option to have an NGO conduct a plebiscite is still open. COD will continue to operate and educate. COD would not be able to fund the effort if an NGO conducts the vote.



6. **Governor Lou Leon Guerrero:** Asked about the Attorney General's opinion regarding authority for the plebiscite.
 7. **Melvin Won Pat-Borja:** The Legislature has authority to create policy that would allow for a vote as long as it adheres to the confines of the Ninth Circuit Court ruling. The government cannot be involved in a vote that limits access. If the board wants to have a more thorough discussion on plebiscite strategy then COD will be directed by the outcome. A letter could be drafted and sent to the Legislature on behalf of the board to assert a position, or a public hearing or a community meeting can be scheduled for community engagement regarding the vote to either have an NGO conduct it or to open the vote to all eligible voters. This issue can be set for the agenda for the next board meeting. If an NGO were to take on the vote, COD would only be able to assist in sharing resources that are public information.
 8. **Governor Lou Leon Guerrero:** Asked about how the NGO process is initiated.
 9. **Melvin Won Pat-Borja:** The NGO would organize and fundraise for the plebiscite. The NGO would set its own rules and publicize them. It would be pertinent for an NGO to connect with the United Nations and notify them about the plebiscite in order to get the United Nations to observe it which would give it some credibility. COD would not be involved in the whole process on the operation or administrative end. COD would continue to operate as a purely educational arm.
- b. Unrepresented Nations and Peoples Organization (UNPO) Membership & Updates
1. **Melvin Won Pat-Borja:** COD contacted Elysia Rezki who is assigned to Guam's case with the Inter American Commission on Human Rights. The update with Guam's case is that it is in the admissibility stage where the commission evaluates whether the petition meets the requirements under Articles 46 and 47 of the American Convention on Human Rights. The petition was shared with the US State Department and the US Permanent Mission to the Organization of American States. The US sent a 350 page response as the petition is now considered procedurally complete. If the case is admissible it will move on to the merit stage, where the Inter American Commission on Human Rights will evaluate the substance according to the relevant articles of the convention. The Inter American Commission on Human Rights is notoriously slow so by utilizing UNPO the impact regarding work on Guam's side is minimal. The outcome will be waited on for a while. If the board wants to continue utilizing UNPO or to invest other resources on this effort moving forward, COD will be happy to comply.



2. **Vice Speaker Barnes:** Stated that UNPO continues to be a positive support for Guaam. In the past year, the organization has gone through a lot of internal changes. There are other jurisdictions across the world that remain as colonies like Guam which are being supported and advocated for by UNPO. Senator Paul Strauss from Washington D.C. has been instrumental in getting Guam connected with UNPO.
3. **Melvin Won Pat-Borja:** Guam will continue to remain as a member of UNPO. The process for Guam's case will be slow, but there are other prospects with UNPO that are exciting. Governor Leon Guerrero was elected as a member of the UNPO Presidency. COD and Vice Speaker Barnes' staff have jointly attended several UNPO meetings.

V. New Business

- a. Free Association Task Force Recommendation
 1. **Melvin Won Pat-Borja:** Last month, COD received notice that Dr. Kenneth Gofigan Kuper was interested in taking on the position of chair for the Free Association Task Force. Task forces consist of volunteers, but they also have representation in the COD board. The Free Association Task Force has been inactive for quite some time, which weakens the work of COD and the other task forces when all three are not active and present. COD's rules within its legislation state that if a group of volunteers put together a membership list to include their chairperson and the Board recognizes them, they stand as a respective task force. After Dr. Kuper's address to the board, the board can take a vote to recognize Dr. Kuper as chair at which point the Governor will then make an appointment to fill the vacant member-at-large position.
 2. **Dr. Kenneth Gofigan Kuper:** The Free Association Task Force has not had leadership since the last chairperson resigned. The work of all political status task forces needs to continue. Petitioned the board to recognize himself as chair for the Free Association Task Force.
 3. **Melvin Won Pat-Borja:** Allowed board members to have discussion regarding Dr. Kuper's position.
 4. **Lola Leon Guerrero:** Inquired about a list of new members for the Free Association Task Force.
 5. **Melvin Won Pat-Borja:** Read a list of members provided by Dr. Kuper of proposed members and chair. The list of members include: Kenneth Gofigan Kuper, Peter Constantino, Nolan Flores, Ana Won Pat-Borja, Ed Alvarez, Makaelah Blas, and Kisha Borja Quichocho-Calvo.
 6. **Vice Speaker Barnes:** Thanked Dr. Kuper for stepping up to the plate for chair of the Free Association Task Force. Asked about the limit of membership and how others can join the task forces



7. **Melvin Won Pat-Borja:** There is no limit to the number of members, the law calls for an identified set of membership. In the case of Free Association, no existing member stepped up to take the role of chair.
8. **Vice Speaker Barnes:** Asked if members can recommend people for task forces.
9. **Melvin Won Pat-Borja:** Lola Leon Guerrero and Dr. Bevacqua are the point of contact for the Independence Task Force. If Dr. Kuper is recognized, he will identify his point of contact for membership intake. Former Senator Duenas and Mr. Hara and Dewey Huffer handle volunteers for the Statehood Task Force.
 - a) Motion made by Vice Speaker Barnes to recognize Dr. Kenneth Gofigan Kuper as the Chairperson for the Free Association Task Force and the proposed membership list.
 - b) Motion seconded by Governor Lou Leon Guerrero.
 - c) Motion passed by consensus.

VI. United Nations Updates

- a. United Nations Special Political and Decolonization Committee (UN C-4) - October, 2024
 - i. Statement

1. **Melvin Won Pat-Borja:** UN C-4 is convening October 7 through October 11. This session is open to public petition and community member or non-government organization petition. The latter is how COD will appear this year. The governor is allowed to participate as Guam's recognized head of state. She will be sending her designee, Deputy Chief of Staff Clynt Ridgell. COD will be petitioning and will be represented by Harmony Palaganas. COD is finalizing its statement and it will be shared with the board members for any suggestions or recommendations for revision. COD will be advocating for the adoption of the recognition of the Self-determination study that is in the C-24 draft. One of the new items which will also be included is a connection to the UN's recognition of sea level rise. There was a high level engagement meeting on September 25 which received unanimous support from the Pacific Islands Forum (PIF). Guam was not included in the engagement as it is not a UN member. This will be tied to COD's work with the C-24 and C-4 because the high sea level rise resolution from PIF recognizes ocean sovereignty. As islands start to experience sea level rise, the land mass of an island shrinks. PIF asserts that that island nations' EEZ should not shrink but be kept intact.



ii. Letter to the C-4-Updates

1. **Melvin Won Pat-Borja:** On September 6, Governor Leon Guerrero sent a letter to the previous chair of the UN C-4. The new chair is Sanita Pavluta Deslandes, the letter was sent prior to the change in leadership. In her letter, the Governor requested the reasoning behind the removal of language on militarization within Guam's annual resolution which has been in Guam's resolution since 2016. The response from C-4 was that it was removed during the C-24 session and that our inquiry would need to be directed with the C-24 chair. COD will engage C-24 about the removal during the C-4 session.

VII. COD Office Updates

a. Community Outreach

1. **Melvin Won Pat-Borja:** Outreach continues on COD's Challenge the Status Quo show on Wave 105.1 FM every Wednesday. Arrangements have been made with the station manager with the oncoming break for the show. In September, COD had some opportunities to conduct community presentations at GCC. Increasing engagement opportunities will be held at both UOG and GCC. COD will be participating in the upcoming senatorial forums hosted by UOG's Political Science Student Association (PSSA). The Ta Nã'i Ānimu art exhibit hosted by Micronesia Climate Change Alliance and Hita Litekyan will close officially on October 31. COD was invited to contribute and has a small community art exhibition section. The exhibit is free to enter at the Guam Museum. Dr. Bevacqua, who is the curator for the Guam Museum, was invited by the U.S. Virgin Islands to attend a conference in Atlanta that focused on Self-determination exhibits. Dr. Bevacqua attended with the agreement that he would commit to curating a Self-determination exhibit at the Guam Museum. COD will work with Dr. Bevacqua to provide information and to assist in curation.

VIII. Task Force Updates

a. Statehood

1. No updates.

b. Independence

1. **Lola Leon Guerrero:** The Independence Task Force had an opportunity to conduct community outreach at the Sand Fest on September 21 at Ypao Beach. The Task Force has continued steady programming through the Fanachu podcast and has recently produced new educational material to distribute at upcoming events. The chairs of the Task Force conducted a teach-in on land rights at the Guam Museum on September 28, hosted by the Micronesia Climate Change Alliance.

c. Free Association

1. No updates.



IX. Open Floor

- a. No discussion.

X. Adjournment

- a. Motion made by Gov Leon Guerrero.
- b. Seconded by Vice Speaker Barnes.
- c. Adjourned at 3:47 p.m.