Chapter: I
Understanding Right to Self-determination

Introduction:

In the recent years the nation-states are witnessing ethnic upsurge almost all over. India is no exception and the state of Manipur in the India’s Northeast is one of the most volatile areas. There are scores of militant groups involved in armed upsurge using the latest and most sophisticated weapons. Apart from them there are several civil society organizations in the state who are engaged in self-determination movements. These movements are not necessary violent and do not stand by the conviction of secession. The present study is an attempt to document the trends of self-determination movements in Manipur in the last one century or more. The main thrust is, however, laid on the study of recent movements. The study also tries to look into the roots of the problem rather than drawing conclusion from the manifest episodes.

Primarily the concern for right to self-determination is embedded in the issue of human rights. Human rights are rights held by individuals simply because they are part of the human species. They are rights shared equally by everyone regardless of sex, race, nationality, and economic background. They are universal in content. Across the centuries, conflicting political traditions have elaborated different components of human rights or differed over which elements had priority. The manifold meanings of human rights reflect the process of historical continuity and change that helped their present substance and helped form the Universal declaration of Human Rights adopted by the General Assembly of the United Nations in 1948 (Ishay 2004). Here an attempt will be made to elucidate the theoretical premise of the concept of right to self-determination.

The right to self-determination, a fundamental principal of human rights law, is an individual and collective right to “freely determine… political status and [to] freely pursue… economic, social and cultural development”. The International Court of Justice (ICJ) refers to the right to self determination as a right held by people rather than a right held by governments alone (Parker 2000). The right to self-determination is a right which
reflects the importance given to communities, collectives and families in many societies and the general inherent communal quality of humans. The purpose of the protection of this right is to enable these communities as communities to prosper and transmit their culture as well as participate fully in the political, economic and social processes, thus allowing the distinct character of a community “to have this character reflected in the institutions of government under which it lives”. It also forms part of the empowering process of human rights. Thus the right protects people from being subject to oppression by subjugation, domination or exploitation because, as the African Charter makes clear, “nothing shall justify the domination of a people by another” (McCorquodale 1994). It is also seen as a right of dominated peoples to achieve equality in relation to those who dominate them.

The right to self determination is indisputably a norm of jus cogens. Jus cogens norms are the highest rules of international law and they must be strictly obeyed at all times. Both the international Court of Justice and the Inter-America Commission on Human Rights of Organisation of American States have ruled on cases in a way that supports the view that the principal of self determination also has the legal status of ‘erga omnes’. The term “erga omnes” means “flowing to all”. According, ergas omnes obligations of a State are owed to the international community as a whole: when a principle achieves the status of erga omnes the rest of the international community is under a mandatory duty to respect it in all circumstances in their relations with each other (Parker op. cit). Similarly Halim observe that, the right to self-determination is considered jus cogens, and a part of customary international law that imposes binding obligations on all nation states. It is considered not simply a principle of international law, but rather an affirmative right of all peoples. It is seen as a prerequisite to any genuine enjoyment of any of the human rights. But despite notable recognition of the right to self-determination, there is still a great deal of disagreement among states, and among international scholars, as to the scope and parameters of the right to self-determination, as well as who, exactly, is entitled to such a right (Halim Moris No Date).
It has been estimated that there are about 5,000 discrete ethnic or national groupings in
the world and the most of the armed conflicts at the moment are between groups in a state
or between a group and the state. Resolution of these armed conflicts- and those who are
yet not armed conflicts-may depend on concerning the right of self-determination. While
every state has the obligation to “promote the realization of the right of self-
determination” and “the duty to respect this rights in accordance with the provisions of
the United Nations Charter”, there is concern about international peace and security if the
right of self-determination is exercised by all who claimed it (McCorquodale op. cit).

The two important United Nations studies on the right to self determination set out
factors of a people that gives rise to possession of right to self determination: a history of
independence or self rule in an identifiable territory, a distinct culture, and a will and
capacity to retain self-governance (Parker op. cit).

Evolution of Right to Self Determination:

The concept of right to self-determination mainly ascended after the formation of nation-
states. The French Revolution spread the idea that the nation has a right and an identity of
its own. Sovereignty was lodged squarely in the nation. The rise of nationalism coincided
with the growth of some democratic ideas and sentiments. "Liberty, Equality, Fraternity".
National honour, national self-determination, popular and national sovereignty were
inescapable components of the doctrine of nationalism. The revolt of the Americans
colonies has been a renewed wave of nation–state making, but in place of a feudal
monarchy the unifying power has been the will of the people, or at least of the political
consciousness classes, though a part has been played in this movement by military
powers such as Piedmont and Prissia (Cobban 1969). An important and influential factor
with respect to the emergence and historical development of the concept of self
determination is formed by the phenomenon of communities refusing to consent, or
accept any longer, the exercise of power over them by the ruler or government of group
consciousness and political awareness, these communities repudiated the rights of an elite
or an “alien” people to determine for them and without their consultation their fate, their
destiny, and their political, cultural, social and economical status. It is this claim of people to govern themselves which find expression in both the American and French Revolutions. These revolutions were based on natural law theory insofar as they reflected a rejection of the Divine Rights of Kings (Raic 2002).

The Divine Right of Kings, which had been the chief political gospel of the early modern period, received a mortal blow from the French Revolution. It was replaced by the Divine Right of the People. Under the influence of the new national and democratic ideas, the people ceased to be an atomic dust of individuals: it took shape and form, becomes a whole, was called Nation, endowed with sovereignty, and identified with the state. The revolutionary theory that a people had the right to form its own constitution and choose its own government for itself passed into the claim that it had a right to decide whether to attach itself to one state or another or constitute an independent state by itself. The effect of revolutionary ideology was to transfer the initiatives of state making from the government to the people. Nation states had formerly been built up, in the course of centuries, from above, by the influence of government: henceforth they were to be made much more rapidly from below by the will of the people. The logical consequence of the democratization of the idea of the state by the revolutionaries was that nationalism took the form of the theory of national self-determination (Cobban op. cit).

John Locke had asserted as early as 1667 that the people were supreme and that government was fiduciary. In his Essay Concerning Toleration he declared that the authority of magistrates was to be exercised only for the ‘good, preservation and peace of men in that society’ and that their conduct must in consequence be governed by this standard alone. The importance of civil liberty, natural rights, and popular sovereignty was also emphasized by other English political philosophers of this period, including James Harrington, Algernon Sidney, and John Milton, in The Tenure of Kings and Magistrates, noted that the ‘power of kings and magistrates is nothing else, but what is only derivatives, transferred and committed to them in trust from the people, to the common good of them all, in whom the power yet remains fundamentally, and cannot be taken from them without a violation of their natural birthright. Harrington in his work
Oceana, sought to envisage a model common wealth. He emphasized that civil liberty would be absolutely fundamental to such a commonwealth, and that its laws would derive from reason, and receive the consent of all. Liberty and equality would be guaranteed by the fundamental law or constitution (Musgrave 1997).

For those who are skeptical about the achievement of the western civilization are correct to point out that current notion of morality cannot be solely with European history. Modern ethics is in fact indebted to a worldwide spectrum of both secular and religious traditions. thus, the concept of progressive punishment and justice were professed by Hammurabi’s Code of ancient Babylon; the Hindu and the Buddhist religions offered the earliest defense of the ecosystem; Confucianism promoted mass education; the ancient Greeks and Romans endorsed natural laws and the capacity of every individual to reason; Christianity and Islam each encouraged human solidarity, just as both considered the problem of moral conduct of war (Ishay op. cit). The Loyumba Shinyen of Manipur is worth added in the list.

The history of self-determination is believed to begin with the Peace of Westphalia in 1648 (Ved P. Nanda No Date). The term Peace of Westphalia refers to the two peace treaties of Osnabrück and Münster, signed on May 15 and October 24, 1648, respectively, and written in French, that ended both the Thirty Years War in the Holy Roman Empire (today mostly Germany) and the Eighty Years War between Spain and the Republic of the Seven United Netherlands. The treaties involved the Holy Roman Emperor, Ferdinand III (Habsburg), the Kingdoms of Spain, France and Sweden, the Dutch Republic and their respective allies among the princes and the Republican Imperial States of the Holy Roman Empire. The Peace of Westphalia resulted from the first modern diplomatic congress and initiated a new order in central Europe based on the concept of state sovereignty. The regulations became part of the constitutional laws of the Holy Roman Empire. The Treaty of the Pyrenees, signed in 1659, ended the war between France and Spain and is often considered part of the overall accord (wikipedia). “Westphalia” is often used as short hand for a system of equal and sovereign states; and the peace treaties of Westphalia, concluded in 1648 at Münster
and Osnabrück and ending the Thirty Years’ War, are sometimes said to have established the modern concept of sovereign statehood. Hills, a prominent American public law scholar, sets out to claim the constitutional arrangements of the Peace of Westphalia for the liberal tradition. His essay “Federalism as Westphalia Liberalism.” adduces Westphalia as a model and successful historical example for one particular kind of federalist constitutional structure (Benjamin 2007).

The concept of self-determination originally developed throughout Europe and the United States in the eighteen and nineteen centuries. In essence, self-determination is understood to occur whenever a people freely determine its own political status. In Western Europe and the United States the notion of self-determination drew its inspiration primarily from Enlightenment ideas of popular sovereignty and representative government. Because it was based upon the principles, self determination in the Western Europe context was democratic, ongoing, and universal in character. In Central and Eastern Europe, on the other hand, the notion of self determination was based primarily on the nineteenth century phenomenon of nationalism. This means that in Western Europe and the United States the concept had a political orientation which generally did not take ethnic considerations into accounts, whereas in Central and Eastern Europe the concept was much more strongly linked to ethnic and cultural factors (Musgrave op. cit).

In the nineteenth century, Nationalism was the mobilizing factor for the independence movements in the Balkans and those fighting for the unification of Germany and Italy. The European and North American empires to legitimize the process of colonization also utilized it. However, since the Bandung Conference in 1955, the mood about nationalism has changed. The Process of Third World decolonization and the struggle of some "new nations" for independence have given fresh credibility to the word nationalism (Seiler 1989). At the most general level, nationalism refers to an awareness of membership in a nation (potential or actual), together with a desire to achieve, maintain, and perpetuate the identity, integrity, and prosperity of that nation. In approaching the subject of nationalism it is analytically useful to distinguish nationalist ideology and nationalist movement. The
former refers to self-conscious attitudes and feelings toward the nation; the latter suggests social and political processes that seek to fulfill these attitudes and feelings. The nationalist movement signifies the action and organization component of nationalism: it refers to an actual historical process, energized and motivated by a set of ideals (Mostafa & Cynthia, 1969).

The influence of the ideas underlying these two revolutions (French and American) has been significant with regard to the development of the concept of self-determination. The idea that the people are the source of all legitimate governmental power and that therefore, to be legitimate, state authority must be based on the will of the people, clearly has a close link with the concept that a people has the right freely to determine its political status. The French Revolution led to the overthrow of the feudal social and political order; monarchial authority was replaced by the doctrine of popular sovereignty. The revolution claimed that government should be based on the will of the people, not on that of the King. The established institution were abolished and replaced by direct representation of the people. In this respect, the *Declaration des Droits de l’Homme et du Citoyen* which was adopted by the *Assemblee nationale* on 26 August 1789 has been characterized as the embodiment of the Revolution. The French Revolution was strongly influenced by the Jean-Jacques Rousseau (*contract social* and the *volontee generale*) ‘contractual school of thought’ who came to be generally accepted in the seventeenth and eighteenth centuries. It was maintained that a necessary requirement for a State with a common legislature and government to come into being was an agreement to that extent made by a collection of individuals. These ideas can be traced back to the Renaissance with its emphasis on the individual personality of the human being and the almost unlimited right of self-determination of the individual. The important element added to this thinking by revolutionary political thought, was the conception of government as a manifestation of the democratic will, and the identification of the State as sovereign with the people. In addition, the plebiscite as a means of determining the political fate of a territory was an invention of the French Revolution. In spite of all these, French Revolution did not lead to French Republic (Raic op. cit).
Although the debate about the definition and application of self-determination originated and evolved with the disintegration of empires within and beyond Europe, it resurfaced whenever a group sought full participation in the community of states. During the First World War and in its immediate aftermath, both V.I. Lenin and U.S President Woodrow Wilson advocated the adoption of self-determination of peoples as a principle to guide international relations. Lenin promoted its application to ethnic or national groups; colonial peoples; and populations subject to territorial redistribution. He argued that all ethnic groups, not only those under colonial domination, should be able to freely determine their own fate, either through secession or autonomy within a federation, even through force of arms. Similarly, Wilson vowed that peoples should not be ‘bartered about … as though they were mere chattels and pawns in a game’. However, for the US President Self-determination was the right of all peoples to choose their form of government, through peaceful, democratic means and not armed struggle. The principle had an essentially internal character and was subject to the principle of territorial integrity. His draft provision on self-determination, included in the Covenant, required future territorial redistributions to be made with full appreciation of racial, social and political considerations and ‘pursuant to the principle of self-determination’. Wilson’s draft article on self-determination was not inserted into the final text of the Covenant. This result reflected the significant resistance by the victorious powers to the universal application of self-determination. By way of a concession, those groups whose exercise of self-determination was thwarted were provided with other, more limited political, social and cultural rights in the form of minority guarantees (Ana 2008).

In the post war period the concept of the ‘people’ emerged as a distinct entity in international law. The meaning of the term ‘people’ as being entitled to the right of self-determination so the meaning of term ‘people’ is vital to the understanding and application of the right of self-determination. Kelsen argued that the references to ‘peoples’ contained in the United Nation Charter were simply references to states; this interpretation was not accepted. Instead, the concept of a ‘people’ was recognized as being distinct from that of a state. The decolonization definition is further circumscribed by paragraph 6 of Resolution 1514 (XV), which prohibits any impairment of the existing
territorial boundaries of non-self-governing entities. In other words, the ‘people’ are defined by the territory of the non-self-governing entity in which they find themselves. The manner in which the self-determination principle was legally applied during the decolonization term "peoples" period provides useful insights into the meaning of what self-determination entails for these peoples. The trend during this period was the entire inhabitant of a colonial territory to exercise the right to self-determination. An attempt to exercise self-determination on the basis of ethnic origin, language or religion was generally unsuccessful. Resolution 2625 (XXV) goes so far as to indicate that this right of peoples is in fact opposable to states, declaring that self-determination is a right of ‘all people’ and a duty upon ‘every state’. ICCPR further provides guidelines on the term ‘people’ that there was a consensus that the right was not confined to colonial peoples and could be invoke by all peoples. Moreover, the General Assembly has not limited its use of the term ‘people’ to colonial situations, but has also recognized a right of self-determination for many non-colonial peoples, including ‘the people of South Africa’ and ‘the people of Palestine’. In 1983 Sir Ian Sinclair, the Legal to the British foreign and Commonwealth Office, declared that ‘there is no international accepted definition of the term people’ (Musgrave op. cit).

V.I. Lenin and Right to Self Determination:

The road to a socialist revolution in Russia had been marked by Russian defeat in the 1905 war with Japan, spreading starvation, and a continuously intransigent autocratic regime. Discontent in Russia had been mounting at the end of the nineteenth century as peasant rebelled against landlords and workers organized strikes in factories. In 1905, the tsarist regime was further de-established by what become known as “Bloody Sunday Day” when a crowd of two hundred thousands men, women, children singing “God save the Tsar” gathered peacefully at the Winter Palace to ask for reforms. Fearful officials, who were left in charge of defending palace when the tsar fled, ordered troops to fire into the crowd. Several hundred were killed. To prevent the spread of rebellion, the tsar grudgingly offered some concessions, granting more right to property owners, a small fraction of the population. That proved insufficient (Ishay op. cit). After the Tsarist
The regime was overthrown and replaced by the Provisional Government of Alexander Kerensky in March 1917. There was an immediate change of policy towards the subject nationalities, evidenced by the declaration of the provincial government on 29 March 1917. The new policy led to the declaration of autonomy by several ethnic groups. The people of the Northern Caucasus established a separate union in May 1917, and the Ukrainians declared their parliament at Kiev autonomous in June 1917. The Finns declared the autonomy of their Diets in July 1917, while continuing to press, like the Poles, for complete political independence. On the other side, the provincial Government also wanted to pursue the war efforts and to honour the secret treaties which Russia had made with their allies. It therefore had to keep the various parts of the former empire under strict control, and consequently did not welcome these moves by the non-Russian nationalities. Unlike the Provincial Government, the Bolsheviks came out strongly in favour of self-determination, and even supported secession if desired by the ethnic group in question. They advocated the independence, not only of Poland, but for Finland and Ukraine as well. In a conference held in ‘of all the nations forming parts of Russia to freely secede and form independent states. This resolution reaffirmed the longstanding position of the Bolsheviks with regards to self-determination (Musgrave op. cit).

It was Lenin in particular who, already before 1917, had developed the theory of Bolsheviks ‘national self-determination. “The Russian Socialist Democratic Labour Party (RSDLP), in 1903, advanced as its immediate political task, the overthrow of the tsarist autocracy and its replacement by a republic based on a democratic constitution that will ensure: [A series of liberal democratic demands follows, including parliamentary government, universal suffrage, inviolability of person, equality before the law irrespective of sex, religion, etc.] recognition of the right to self determination for all nations forming part of the state”(Forman 1956). According to Lenin, Self-determination of nations exclusively meant the right of oppressed nations to political separation that is secession from alien oppressor bodies and nations and the formation of an independent national state. As such Lenin saw self-determination as a concept that was applicable to collectives only and not to individuals. It was a collective right. Oppression as a result of bourgeois nationalism was the principal constitutive factor for the right to self-
determination. Lenin made distinction between a right to secession and the resort to secession. Resort to secession would only take place “when national oppression and national friction make joint life absolutely intolerable and hinder any and all economic intercourse. In that case, the interest of capitalist development and of the freedom of class struggle will be best served by secession”. Lenin thus believed that secession would be a remedy of last resort. It was mainly to develop solely as a tool, a vehicle or a strategic concept for the realization of the integration of all nations, that is, a universal socialist community. Indeed, the creation of separate nation-states was by no means the ultimate object of the application of self-determination. In the first two decades of the twenty century primarily regarded self-determination as having three meanings or functions. First, self determination meant a right to secession that could be invoked by oppressed nations for the determination of their political destiny. Secondly, it was considered to be a right which the nation of all colonial countries were entitled to invoke against the imperialist powers. Finally, it was suggested as a concept that should be applied with regard to territorial conflicts between States where it should guarantee that no “state frontiers contrary to the will of the population” would be established Kings (Raic op. cit).

The Bolsheviks came to power in October 1917 and immediately began to implement their policies of self-determination. On 15 November 1917 they issued the Declaration of the Rights of People of Russia. This guarantees “the right of self determination up to and including separation and the formation of an independent state, the abolition of all national privileges and restrictions, and freedom of national minorities to develop. To show the good faith, the Bolsheviks immediately recognized the independence of Finland. Fighting between the Bolsheviks and their opponents took place mostly in areas of Russia people by non-Russians. As a result of the policy of self-determination, these non-Russians peoples were often persuaded to support the Bolsheviks. In December 1917 the Bolsheviks entered into peace negotiations with the Central Powers at Brest-Litovsk. The principle of self-determination figured prominently in those negotiations. In the first plenary session, on 22 December 1917, Adolf Joffe, the head of the Bolsheviks delegation, proposed that there be no forced annexation of occupied territories and that all
nationalities be given the opportunity to determine their own political status by means of referendum. He further proposed that the rights of minorities be protected by special provision in those areas where there was more than one nationality. The Central Powers, well aware of the appeal of self-determination to the peoples of the region, made certain that the Treaty of Brest-Litovsk incorporated the principle of self-determination. The treaty, signed on 3 March 1918, imposed extremely severe conditions upon the Bolsheviks, forcing them to surrender large tracts of territory. In each instances of Russian surrender of Territory, the Central Powers invoked the principle of self-determination. The references to self-determination in the Treaty of Brest-Livovsk amounted to little more than lip service by the Central Powers. The treaty actually resulted in the exploitation of the people of Eastern Europe, who realized that real self-determination would be achieved only if Germany, Austria, and Turkey were defeated (Musgrave op. cit)

Woodrow Wilson and Right to Self-Determination:

The Wilson administration adhered to a policy of neutrality for almost three years after the war in Europe began—‘He Kept Us Out of War’ was the slogan of Wilson’s successful reelection campaign in 1916. He announced that the United States would follow its long-standing tradition and observes strict neutrality in the conflict (Manela, 2007).

Wilson was among the first to give the concept of Self-determination in the international relation and seeking to give it a substance. A fundamental element of Wilson’s conception of self-determination is firmly rooted in democratic thought as advocated in the context of American and French revolution. He developed the ideas which formed the core of his understanding of self-determination well before his famous fourteen speech of 8 July 1918, although, at that time, he referred to ‘self-government’ and not to ‘self-determination’. Although the fourteen points do not mention the concept of self-determination as such, it is generally accepted that six out of the Fourteen Points implicitly address the concept. Self-government according to Wilson meant that
ethnically identifiable peoples or nations should have the right to select their own *democratic* government. Democratic government, according to Wilson would be the only guarantee against oppression and conflicts, since only under a democratic form of government could a people (or nation) choose their own government, control the actions of the government, and ensure that it did not infringe upon the rights and interest of that people (Raic op. cit). Wilson began after February 1918 to substitute what would become his most famous and memorable phrase: the right of peoples to ‘self-determination’ (Manela op. cit).

It was not until 1914 that Wilson emphatically linked the concept of democratic government to the future of post-war Europe. In May 1916, he called for the establishment of a mechanism for international cooperation among sovereign states based on two related principles: one was that political arrangements, whether national or international, should be based on popular legitimacy or, in the phrase Wilson favored, ‘the consent of the governed.’ The second was that all political units constituted through such arrangements of consent should relate to each other as equals. ‘We believe,’ he declared then before a gathering of William Howard Taft’s League to Enforce Peace, ‘that every people has a right to choose the sovereignty under which they shall live’ and that ‘the small states of the world shall enjoy the same respect for their sovereignty and for their territorial integrity’ (Manela ibid). On 22 January 1917, in his so called ‘Peace without Victory’ address to the United States Senates, Wilson set out the principles upon which the peace between the belligerents in World War I- and in fact the world order-should stand. One of those principles was that “[n]o peace can last, or ought to last, which does not recognize and accept the principle that governments derives all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property” (Raic op. cit).

When the war reached its final stage, he realized that self-determination could be a useful political *tool* in the re-division of Europe after the war. The British Prime Minister Lloyd George supported the ideas on self-determination by proclamation that “government with the consent of the governed must be the basis of any territorial settlement in this war”.

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The justification for this policy consisted in the fact that these artificial empires were unnatural and therefore illegitimate political entities. The inevitable outcome of a consistent application of these ideas would be that a multiplicity of small states would be generated as a result of self-determination. But Wilson was prepared to accept that. As a matter of fact, this was the reason for the creation of an international organization which would have its task of ensuring the territorial integrity of these small States against external aggression. The Allied Powers were reluctant at first to support the principle advocated by Wilson openly. However, two important factors made the western European powers accept the principles of self-determination as a basis for the peace settlement. The first factor was the Russian Revolution and the Russian Provincial Government’s emphasis on self-determination as a basis for both peace with the Central Power and the solution of the national question in Russia. The other factor was the United States entry in the war in April 1917. At that time, Wilson ideas were well known to the other Allied Powers (Raic ibid.).

The various promises for self-government made by the Allies during the war in order to provoke passive and active resistance and hence internal destabilization of the Central Powers, constituted an important factor stimulating the disintegrative forces. Consequently, borders were drawn on the ground which did not correspond to the ideas of the Allies, and particular not to those of the United States. Wilson formulated self-determination as one of the cornerstone of world peace, he was well aware of the opposition against the concept (Raic ibid.). Because they feared that he ‘might lead the weaker nations against them,’ and this made him even more determined to go. Wilson no doubt imagined himself primarily as the defender of the ‘weaker nations’ of Europe—Belgians, Poles, Czechs—rather than those of the colonial world. Nevertheless, his impact on largely unintended audiences in the colonial world proved no less significant (Manela op. cit). He promised more than he delivered at the Paris Peace Conference which raised hopes in all corner of the world and consequently resulted in many minority groups being dissatisfied when they came to realize that they did not belong to the privileged category which was granted self-determination. The practice of a ‘double standard’ is also reflected in the fact that the concept of self-determination was not
applied to all the territories of the Allied Powers, because only the defeated States were credited with having subjugated their people. Political, strategic and economic interests and arguments often prevailed over self-determination. Communities which had been loyal to the Allied Powers, like the Yugo-Slavs, the Polish people, the Czechs and Slovaks and the Romanians to form their own states, while other claims could be ignored. Thus only German and Turkish “colonies and territories” were placed under the Mandated System of Article 22 of the League of Nation (Raic op. cit).

Right to Self-Determination as Universal Right:

League of Nation:

As war reached new levels of destructive powers and become global in scope, proponents of different ideologies proposed the need to create an international institution that could preserve world peace. During the devastating war and its aftermath, two opposed efforts to institutionalized human right emerged: The triumph of Bolsheviks in Russia, initially premised on internalized socialism, and nearly simultaneously establishment of the League of Nation and the International Labour Organization, predicted upon progressive liberal notions of human rights (Ishay op. cit). The League of Nations owed its origin to the terrible experience of the First World War. Even when the war was still going on, French and British plans were circulated which proposed a League of Nation as an instrument for the prevention of future war. These plans received strong support from the US president, Wilson (Rothermund 2006). General Smuts worked it out in a League of Nations plan, published under the title of "A Practical Suggestion, “and it was incorporated in the so-called American draft of the League of Nations Covenant. That draft was the primary basis of the so-called Miller-Hurst draft, from which the League of Nations Commission actually began work (Denys 1921).

Wilson had two great central ideas for peace when he came to Europe for the Peace Conference (i) the right of self-determination of peoples; (ii) the establishment of a world association of States. Wilson did not succeed in his effort to include the concept of self-
determination in the Covenant of the League of Nations. His draft Article 10 contained the principle of self-determination as the basis for territorial readjustments if such would become necessary “by reasons of changes in present racial conditions and aspirations or present social and political relationships”. This draft was rejected however. The final version of Article 10 of the Covenant made no reference to the principle; instead, it emphasized the territorial integrity of the members of the League (Raic op. cit).

The League of Nations was formally established on 10 January 1920 with a permanent headquarters at Geneva. There was an assembly, at which all members were represented, and a council which included four permanent members (Britain, France, Italy, and Japan, joined by Germany in 1926) and a number of other members elected by the assembly. It supervised the transfer of German and Turkish colonies to the victorious allies under the mandate system. After the First World War, the colonial territories of the defeated powers were distributed to the victorious allies, under the general supervision of the League of Nations, which set up a Permanent Mandates Commission. It was insisted that the mandated territories would move towards self-government (John 2002).

The various promise for self-government made by the Allies during the war in order to provoke passive and active resistance hence destabilization of the Central Powers, constituted an important factor stimulating the disintegrative forces. Consequently, borders were drawn on the ground which did not correspond to the ideas of Allies, and in particular not to those of the United States. Although Wilson had proclaimed national self-determination as though it were an absolute principle, in practice he could not prevent the inconsistent application of the principle by the Peace Conference. In other words, Wilson had promised more than he could deliver (Raid op. cit). As early as 1914, when the war had just begun, the British and French had concluded secret treaties on how to divide the German colonies of Togo and Cameroon among themselves. In April 1915 British, French, Russian and Italian representatives had signed a treaty in London which practically settled the fate of all enemy colonies. In May 1916 the Sykes-Picot Agreement determined the division of the Arab provinces between the British and the French. It was, of course, a secret pact, but it was made public by the Soviets after the revolution of 1917
when they found a copy of it in the archives of the Tsar. If Wilson had not appeared on the scene, all these treaties could have been implemented immediately after the war. Now they had to be put into practice within the framework of the League of Nations (Rothermund op. cit).

The various means Wilson offered for enforcing peace and social justice were, however, foreclosed. The United States failed to join the League of Nations, in large part because the Senate opposed yielding to an international organization its constitutional mandate to decide on US involvement in war. By the early 1930s, the League’s inaction in the face of open aggression by Italy and Japan revealed the difficulty of enforcing “collective security” by means of an international organization based on sovereign states. The war ultimately paralyzed the actions of the League, brought international Labour legislation to a standstill, and slowed the rectification of ILO standards (Ishay op. cit). The supervisory role of the League of Nations was of a peculiar kind as the League had not determined the territorial distribution of the mandates. The Treaty of Versailles did not mention the League and simply stated that the colonies of the defeated powers would be distributed among the victors. In-spite of the knowledge of implementing the secret pack of the victors, the League could not act except for exposing them to international criticism (Rothermund op. cit). The inability to construct a viable human right mechanism to secure either liberal or socialist rights in domestic and global politics during the interwar period a fertile soil for the spread of particularistic trends. Nationalist and real politik leaders soon exploited popular frustrations on the eve of II World War (Ishay op. cit).

**Mandated System:**

The mandate system began under the League of Nations as one of the best-attested ideas that has ever been officially realized on paper. During the war everybody was for it (Denys op. cit). The legitimacy of colonial rule was not challenged until decades after World War I, and the victorious colonial powers acquired considerable control over additional peoples by way of the Mandates System established in connection with the creation of the League of Nation. This was a lawfully incorporating the former colonial
peoples of the losing side of the World War I into the remaining colonial empires. The Mandates system rested on a variable fiction, depending on practices and classification given to a particular mandate. The administering states were accountable to the League for the well being of the colonized people as part of “scared trust of civilization”, as this latter idea was expressed in Article 22 of the Covenant of the League of Nations. Class A mandates were viewed as temporary, with the clear expectation that they would be replaced over time by political independence for the mandated peoples. Operationally, it seems evident that the mandated system was a holding operation, delaying decolonization to varying degree, depending supposedly on the relative capacity of a given society for self-rule. Yet the system also set in motion a process of self assertion that led eventually in every instance to political independence and full statehood (Falk 2000).

In reality the Mandate System was a compromise formula between the territorial ambitions of France, Japan and British Dominions and the ‘no-annexation’ policy of the United States which position was later explicitly supported by Britain. The Mandated System established so called “A”, “B”, “C” mandates. Each category corresponded to a certain level of autonomous government by the population of the Mandate itself-‘A’ being the highest category. The category awarded was in turn based on the degree of political maturity- to be determined by the Peace Conference- of the inhabitants concerned to govern themselves (Raic op. cit). ‘A’ contains territory such as the Arab provinces of the former Ottoman Empire which would get the right of self-determination for the foreseeable future. Class ‘B’ included almost all African colonies which would need considerable further development before they could stand on their own feet. Class ‘C’ was reserved for colonies which were supposedly completely unable to govern themselves and should be annexed by a developed nation. This class was constructed for German Southwest Africa which was then, indeed, annexed by South Africa but not excluded from supervision by the League of Nations. In addition, Class C also included some German colonies in the Pacific.
United Nation:

The triumph over fascist power politics at the price of tens of millions of lives launched a renewed effort to implement universal rights worldwide. The end of World War II, like the end of World War I, kindled new human rights projects, liberal in nature, like the Bretton Woods system and the Marshall Plan for Europe, exemplifying the conviction that international commerce was a key to peace. The establishment of United Nations (1945) also illustrated a potentially more practical approach to emphasizing this time enforcement by great powers (Ishay op. cit). The name "United Nations", coined by United States President Franklin D. Roosevelt, was first used in the "Declaration by United Nations" of 1 January 1942, during the Second World War, when representatives of 26 nations pledged their governments to continue fighting together against the Axis Powers. In 1945, representatives of 50 countries met in San Francisco at the United Nations Conference on International Organization to draw up the United Nations Charter. Those delegates deliberated on the basis of proposals worked out by the representatives of China, the Soviet Union, the United Kingdom and the United States at Dumbarton Oaks, United States, in August-October 1944. The Charter was signed on 26 June 1945 by the representatives of the 50 countries. Poland, which was not represented at the Conference, signed it later and became one of the original 51 member states. The United Nations officially came into existence on 24 October 1945, when the Charter had been ratified by China, France, the Soviet Union, the United Kingdom, the United States and a majority of other signatories. United Nations Day is celebrated on 24 October each year (un.org).

Soon after the World War II, as a nationalist tide rose across the Asian and African continents, Europe colonial powers initially resisted Roosevelt’s call for independence in the colonies. Yet the war had weakened Western imperial powers that maintaining offshore dominions in the face of anti-colonial struggle was becoming unbearable. Britain had already understood that eventually independence in India and elsewhere in Asia is inevitable. The war and Japanese imperialist inroads in Asia had intensified the anti-colonial struggle and abruptly accelerated the British timetable for departure. As colonial
resistance intensified, the French and Dutch followed Britain and abandoned heir Asian Possessions. In Africa, The Western powers (Britian, France, Belgium, Portugal, and Spain) clung more firmly to their possessions, delaying the decolonization process (Ishay op. cit).

**Instrument for Right to Self Determination:**

1. **United Nation Charter:**

Although self-determination was proclaimed by the United States and the United Kingdom during World War II in the Atlantic Charter, it was mainly because of Soviet pressure that self-determination was included in the Charter of the United Nations. The Principle of Self-determination is referred to twice in the Charter. Article 1(2) mentions as one of the purpose and principles of the United Nations. *To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measure to strengthen universal peace.* The second reference to self-determination is in Article 55(c), which is included in Chapter IX on “International economic and social cooperation”. Despite the fact that self-determination in the Charter is referred to ‘only’ as a “principle” and not as a legal right, its appearance in the conventional instrument establishing an international organization which will open to universal membership was a very important step in the evolution of self-determination into a positive right under international law. Although self-determination was not explicitly mentioned, the principle underlies Chapter XI (“Declaration Regarding Non-Self-Governing Territories”) and Chapter XII (“International Trusteeship System’) of the Charter of which Chapter XII may be seen as the substitute of the League’s Mandate System and having essentially similar purposes. Chapter XI on the other hand, laid down a rather new regiment on Non-Self-Governing Territories which were referred to as “territories whose peoples have not yet attained a full measure of self-government”. In this way, the scope of application of the notion of self-determination was substantially expanded in comparison to the League era. After the establishment of the United Nations, the Soviet Union and its communist allies continued
to demand decolonization by the western imperialist States in accordance with communist theory. It was supported by the Afro-Asian States. They also have increased their number in the United Nation, launched a diplomatic offensive in the Bandung Conference which was held in 1955 and which declares that “Colonialism in any manifestation is an evil which should speedily be brought to an end” (Raic op. cit).

**Non-Self-Governing-Territories:**

Until 1960, the General Assembly adopted a series of resolution in which efforts were made to asserting its authority with regards to Non-Self-Governing Territories listed by the colonial powers as Territories on which information had to be transmitted to the secretary-General in accordance with 73(e) of the Charter. The common characteristics of these territories were that they corresponded to somewhat classical notion of a colonial territory. An indication of what constitutes a Non-Self-Governing Territories as the subject of the right to self-determination was given in Resolution 1514 which defines a Non-Self-Governing Territory in principle VI as a “territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it”. Principle IV is supplemented by Principle V which lays down possible additional criteria for the determination of a Non-Self-Governing Territory which may be placed under the more general heading of ‘political subordination’. The application of the provision of Non-Self-Governing Territories was effectively limited to ‘overseas colonial countries and people ruled by alien white’ because of the requirement that territories must be ‘geographically separate’. Indeed, it should be noted that the rather strict definition set down in Resolution 1514 proceeded from the basic principle that “[t]he authors of the Charter of the United Nations had in mind that Chapter XI should be applicable to territories which were then known to be a colonial type”, although Chapter XI leaves room for Non-Self-Governing Territories after 1945 (Raic ibid).

The UN GA Resolution 52/78 of 10 December, 1997 has mandated the Special Committee for "the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence", "to formulate
proposals for the elimination of the remaining manifestations of colonialism" and "to recommend to the General Assembly the most suitable steps to be taken to enable the populations of those territories to exercise their right to self-determination and independence". The Special Committee at its 1484th meeting, held on 6 February 1998 has accepted to review the list of territories to which the Colonial Declaration of 1960 has applied. The Special Committee has continued its review of the list of Territories to which the Declaration is applicable and it also "intends to continue to review the list of Territories to which the Declaration is applicable (Revolutionary People's Front 1999). The United Nations has declared the years 2001-2010 to be the Second International Decade for the Eradication of Colonialism.

The limits envisioned for the application of the principal of self-determination by the United Nation are also illuminated in Chapter XI of the Charter, which addresses "Non-Self-Governing Territories". Article 73 asserts that the well being of a territory’s inhabitants is “paramount’, but implementation is essentially left in the hands of the administering state. In all instances, this vested legal authority is a European or North American State (with the exception of South Africa). Article 73(b) expresses a central commitment to encourage territories “to develop self-government’, but not necessarily national independence. Article 76(b), however, does anticipate “advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstance of each territory and its peoples and the freely expressed wishes of the peoples concerned”. Still, the normative content is ambiguous, due partly to the vague language (Falk op. cit).

Over the course of its first fifty years, the UN was quite successful in achieving the goal of decolonization. At its inception, the UN listed 72 countries as non-self-governing under Article 73 of the UN Charter. As of 2007, that number had dropped to just 16. Most of these territories have pursued the path of independence, the preferred outcome for non-self-governing territories. However, many remain integrated or in free-association with their metropolitan or administering powers, and many of the remaining 16 have formed some sort of unique relationship with those powers. The United
Kingdom, administering power for 10 of the remaining 16 non-self-governing territories, has argued that the UN’s definition of self-government is overly restrictive. It argues for a more expansive view of self-government that can take into account the variety of inter-governmental relationships it has set up with its overseas territories (Tauber 2008).


The momentous and historic Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly on 14 December 1960 in its resolution 1514 (XV), “the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation”, which has been termed the Magna Carta of decolonization and which marks the beginning of the modern attitude to the subject and of the irreversible trend towards full decolonization (Espiell 1980). The following year, the General Assembly established the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (sometimes referred to as the Special Committee on Decolonization, or the "Committee of 24" because for much of its history the committee was composed of 24 members), which reviews the situation in non-self-governing territories each year and reports to the General Assembly (wikipedia). Resolution 1514(XV) is to Colonial Countries and Peoples widely regarded as one of the United Nations' most important contributions to the development of the legal right to self-determination. The Resolution affirms that "All peoples have the right to self-determination." It suggests that the right applies universally but in an earlier resolution as this is unlikely. The resolution does not attempt to clarify the specific legal content of the right, not does it identify the circumstances of its application and their outer limits. Indeed, one source of difficulty is that the generality of the resolution’s language can be read to support a wide range of aspirants seeking
political independence, even though leading government understood the language more narrowly—that is, in relation to colonial rule of formal character (Falk op. cit).

The General Assembly interpreted a similar phrase applying only to the inhabitants of NSGTs and Trust Territories. A similar meaning can be attributed to the phrase in Resolution 1514(XV). It provides some insight into the stipulates that immediate colonial steps shall be taken in the "Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence" to enable the peoples of these territories to enjoy complete independence. It seems that the inhabitants of these territories were referred to collectively as colonial peoples. The reference to "territories which independent" (emphasis added) amounts to a rejection of the Western thesis that certain territories in Eastern Europe were under a "new form of colonialism" and should have their Right to self-determination recognized. - It is clear that Resolution 1514(XV) with the right to self-determination of colonial is concerned only peoples. It can be regarded as an attempt to extend the category of peoples rather right to self-determination to this particular than, as is sometimes thought, declaring a right to self-determination for any group claiming to be a ‘people’ (Ana 2008). One day later, the General Assembly adopted Resolution 1514. Principles VII and IX of Resolution 1514 (Raic op. cit) emphasize that ‘free association’ should be result of a “free and voluntary choice by the people of the territory concerned” and ‘integration’ should be based on “the freely expressed wishes of the territory’s people”. Principle VI mentions three results on the basis of which it could be said that a Non-Self-governing-Territory had reached a full measure of self-government:

(a) Emergence as a sovereign independent State;
(b) Free Association with an independent State; or
(c) Integration with an Independent State.
III. The International Covenant on Civil and Political rights and International Covenant on Economic, Social and Cultural Rights:

Successive United Nations General Assembly (UNGA) resolutions and their gradual endorsement by the International Court of Justice facilitated the articulation of self-determination as a justifiable right. It was also in accordance with the wishes of the assembly expressed in 1952 that both the ICCPR and the ICESCR included the right of self-determination in their Common Article 1 (Cop & Dogan, 2005). Only in the aftermath of these developments was self-determination defined as a legally-binding, ‘human’ right. Common Article 1 of the International Covenant of Civil and Political Rights (ICCPR) and the International Covenant of Economic, Social and Cultural Rights (ICESCR) was approved by the UN General Assembly in 1966. Article 1 of the two International Covenants replicates the wording of UNGA Res.1514 (XV). With its inclusion in the International Bill of Rights, the right of self-determination (so-defined) moved away from the narrow colonial context, and apparently became of universal application to all peoples (Ana op. cit). The right to self-determination is set out in a common article 1. Article 1(1) provides: "All peoples to self-determination. By virtue of that have the right they freely determine their political status and freely pursue their economic, social and cultural development." Paragraph 2 of peoples freely graph 3 recognizes the right to dispose of their natural wealth and resources. Provision (3) adds that “[i]nadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence”. Para- provides that the parties to the Covenants, "including those having responsibility for the administration of Territories, shall promote Non-Self-Governing and Trust of self-determination, and shall the realization of the right, in respect in conformity with the " UN Charter. The ordinary meaning of the phrase "all peoples" suggests that the principle applies universally (Helen 1998).

As far as the International Covenants on Human Rights are concerned, the right to self-determination necessarily has political, legal, economic, social and cultural implications. The same formulation appears in paragraph 2 of resolution 1514 (XV). Hence the
International Covenants on Human Rights and the Declaration contained in resolution 1514 (XV), as well as many other United Nations resolutions, affirm and recognize the multifaceted, composite nature of the right of peoples to self-determination. Thus conceived, therefore, this right includes political, economic, social and cultural aspects (Espieill op. cit).


The Declaration was adopted by the General Assembly on 25th anniversary of the UN Charter. It recognizes the right of “all peoples” to self-determination. The ordinary meaning of these words suggests that the principle is universally accepted. The inclusion of the principle in a declaration which was intended to regulate the conduct of all States supports this interpretation. The Declaration was seen as a significant step in the codification and progressive development of these principles. To that extent that the Declaration recognized a right to self-determination for colonial peoples and people organized as States it can be regarded as a codification of the principle (Helen op. cit). This authoritative formulation significantly accepted the principle of self-determination (linked to notion of “equal rights of peoples”) as a constructive norm of international order in the cold war era, giving it moral, political and legal stature all at once. This approach was endorsed by Africa during the peak decade of decolonization, the 1960s, via the Organization of African Unity (OAU). In a 1964 resolution, and with frequent reiteration thereafter, the organization agreed that colonial frontiers, even if arbitrary and unjust, were to provide the only acceptable basis for delimiting sovereign states in Africa as colonial entities achieved independence. In effect, the African consensus on self-determination was intended to deny ethnic/tribal claimants any right of secession in the midst of decolonization, thereby validating an approach that could be given a more legalistic explanation by reference to the Roman principle of uti possidetis. The OAU’s fear was that the moment of independence would open up the continent of devastating civil strife, possibly producing a pattern of ethnically oriented states that had little chance
of coping with the challenges of modernity (Falk, op. cit). Due to the fact that 1970 Declaration passed with no vote against, and therefore it was adopted with a wide consensus, it is argued that this Resolution “can be considered as encompassing norms of jus cogens” (Cop & Dogan op. cit).


Although indigenous populations were originally considered by writer such as Vittoria, Grotius, Pufendorf, and Vattel to be distinct political entities with distinct territorial rights, their status was considerably eroded during the nineteenth century. By the twentieth century they were no longer considered as people at all (Musgrave op. cit). The degree to which such a right to self determination is currently part of international law remains uncertain and controversial. At the same time, there has been a notable evolution of political consciousness with respect to such a claim, as well as a process of acknowledgement within the United Nation system and on parts of the existing states. Also relevant is the contention by supporters of the claims of indigenous peoples that their exercise of the right of self-determination occurs within a “colonial” context, that such peoples have been severely “colonized” and are as entitled, if not more so, to self-determination as are those people that were formally categorized as “colonized”. It is too late to withdraw the aspect of self-determination and its applicability in the situation of indigenous people (Falk op. cit).

The first indigenous ambassador to formally approach the international community was Cayuga Chief Deskaheh, who set out for the League of Nations in 1923 as the representatives of the six nations of the Iroquois. It was followed by the protest for breaking of the Treaty of Waitanga (New Zealand, 1940), which guaranteed the indigenous Maori ownership of their land, T.W. Ratana, a Maori religious leader, traveled to London with a large delegation to petition King George for help, but he was denied access. He then sent part of his delegation to Geneva to approach the League of Nations, where they received similar treatment. The following year, 1925, Ratana himself
traveled to Geneva, but he, too, was denied access. The International Labour Organisation (ILO) then initiates the issue of indigenous people (UCM 2005) with its Convention No. 107 of 1957 which was replaced by the ILO Convention No. 169. In 1989 a committee of experts convened by the ILO recommended, in view of the claims to self-determination being made by indigenous populations, that substantiate changes be made to Convention No 107, which dealt with the right of indigenous and tribal peoples. The committee concluded that the aim of the convention, which sought to promote integration for indigenous populations, ‘no longer reflected current thinking’ and the indigenous populations, should be allowed ‘as much control over their own economic, social and cultural development’. This new aims were incorporated into ILO Convention No. 169, entitled ‘The Convention Concerning Indigenous and Tribal Peoples in Independent Countries’ (Musgrave). The heightened international concern over indigenous peoples generated through years of work was signaled by the U.N. General Assembly's designation of 1993 as "The International Year of the World's Indigenous People"50 followed by the pro- claiming of an "International Decade" on the same theme (Anaya 1996).

Indigenous peoples also have invoked procedures within the Organization of American States, particularly its Inter-American Commission on Human Rights (Anaya ibid). In response to the human rights violations, in 1970 the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities recommended that there be a comprehensive study on the situation of indigenous people, and in 1971 it appointed Special Rapporteur Jose Martinez Cobo to undertake the work. The report was commissioned in 1971 by the Sub-Commission on the Prevention of Discrimination and the protection of Minorities to study the problem of discrimination against indigenous populations, and completed in 1983. The report declared that ‘self-determination, in its many forms must be recognized as the basic precondition for the enjoyment by indigenous peoples of their fundamental rights and the determination of their own future’. It went to clarify that self-determination ‘constitute the exercises of free choice by indigenous peoples. The specific content of the principle was to be created by indigenous peoples themselves, but was not to include a right to secession (Musgrave op. cit).
The draft U.N. declaration goes beyond Convention No. 169, especially in its bold statements in areas of indigenous self-determination, land and resource rights, and rights of political autonomy. It is clear that not all are satisfied with all aspects of the draft declaration developed by the sub commission working group. Some indigenous peoples' representatives have criticized the draft for not going far enough, while governments typically have held that it goes too far. The Declaration on the Rights of Indigenous Peoples was adopted by the General Assembly Resolution 61/295 on 13 September 2007. Article 3 of the declaration stated that “Indigenous 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”.

**Mode of Self-Determination:**

In the international literature on self-determination two main tendencies are at odds. The first is to hold the line against expanding the right of self-determination by insisting on a restrictive view of rights that must defer to the persisting relevance of territorial unity of existence state. As such, an unconditional limitation on the exercise of the right to self-determination is retained to preclude all claims with state-shattering efforts. The second tendency acknowledges and, to varying degree, validates recent state-shattering practice in a reformulated legal approach. It concludes that the character and scope of the right is more unsettled than ever, but is nevertheless expansionary at this point, evolving and contracting in response to pattern of practice. One element of this practice is the acceptance or rejection of new entities by the international community. This latter views takes due note of the degree to which diplomatic recognition and admission to the United Nations has been granted to federal units formerly encompassed as non-sovereign component of the Soviet Union and Yugoslavia (Falk op. cit).
Internal Self Determination:

Internal self-determination involved the linking of movement for cultural and political autonomy for distinct people with the right of self-determination. Internal self-determination relates to the relationship between a people and its own State or government and particularly to the implementation or realization of self-determination of a people within the State in which that people resides. Against this background, international self-determination can generally be described as a mode of implementation of political self-determination which denotes a right of a people to participate (a right to have a say) in the decision-making processes of the State. The degree of participation in the decision making processes does not have to be same in each and every situation, rather, as will be seen below, it may vary according to the specific circumstances of the case. However, on the basis of the raison d’être and objectives of self-determination, the right of participation would need to extend to those matters which may directly or indirectly affects the protection, preservation, strengthening or development of the cultural, ethnic, and/or historical identity—the “distinct character” in Brownlie’s words—of the people concerned. An important feature of internal self-determination is that this mode of implementation does not lead to the change of the external or internal boundaries of the state as it is does in the case of external self-determination (Raic op. cit).

External Self Determination:

External self-determination is the right of the people to be independent and free from outside interference. This right stems from the United Nations Charter, which forbids nation states from interfering with the territorial integrity of other nation states. External self-determination is a mode of implementation of the right of self-determination through the formation of an independent State, the integration in, or association with a Third State. This mode of implementation of self-determination by a people thus lead to a modification of the external boundaries of the State in which that people resides. It is this feature of external self-determination which forms an important distinction with respect to internal self-determination. The de facto re-establishment of the independence of an
already existing State by a people after that State has been under foreign occupation in
violation of international law may also be added. The right of self-determination of the
population of a State the territory of which has been annexed, as in the case of the
annexation by Iraq of Kuwait in 1990, neither is nor undisputed under international law.
In addition, there is no rule of international law, including the principle of territorial
integrity, which prohibits the entire population of a State from dissolving the State and
dividing its territory (Raic ibid). This application of external self-determination is seen in
the three main methods for exercising the right of self-determination mentioned in
General assembly Resolution 1514 (XV): “emergence as a sovereign independent
State;…free association with an independent State; or… integration with an independent
state”.

Exercising of Right to Self-Determination:

After the establishment of the United Nations, self-determination was primarily applied
as an anti-colonial concept. In most colonial situations it was clear that Wilson’s idea of
‘consent of the governed’ could not be realized unless the colonial people were given the
opportunity to choose their external political status. With the Soviet Union and its allies
as its principal supporters on the one hand- essentially repeating Lenin’s anti-colonial
ideas- and the Afro-Asian States on the other, self-determination evolved into a positive
legal right for the inhabitant territories, which entitled them to freely choose between
independence, integration or association (Raic ibid).

The United Nation which was established on human rights promise, soon betrayal its
founding principles like the League of Nations, as the western victors in World War II
sought to preserve their colonial possessions. Lenin’s early call for oppressed nationalities
to rise against their colonial masters would finally be loud and clear after the World War
II. National resistance against England, led by the two western educated Indian leaders,
Mahatma Gandhi and Jawaharlal Nehru yield an early victory in Asia in 1947. Further
decolonization in Asia was now imminent, Britain granted independence to Sri Lanka in
1947, Burma in 1948, 1957 to Federation of Malaya, 1959 to Singapore which was later
joined by Sarawak and North Borneo to form the state of Malaysia in 1963. In contrast, The French and the Dutch were holding more tightly to their colonial possessions. After a protracted Indonesian war for independence, which devastated on both sides, the Dutch finally recognized the fully independent Federation of Indonesia in 1949. In Indochina, the Vietnamese revolt against the French would take nine years to succeed. The long Vietnamese guerrilla war against the French occupiers culminated in the siege and defeat of French forces at Dien Bien Phu (1954), a battle in which two thousand French soldiers did, forcing the French Government to renounce its colonial claim on Vietnam (Ishay op. cit).

The decolonization process in Africa occurred more slowly than in Asia. African nationalists like Ghana’s leader Kwame Nkrumah made demands for self-determination to an increasingly sympathetic United Nation audience. The British had already decided that their economically underdeveloped African colonies were an economic and political liability, and they finally accepted nationalist leaders’ demands for self-governance. In the late 1950s bloodied by anti-colonial uprisings, the French and Belgians reached the same conclusion. In Algeria, however, the French refused any concessions to the nationalist movement. After eight year of bloody war French forces under General Charles de Gaulle withdrew in 1962, allowing Algeria to declare its independence. Another violent struggle for national independence in Africa took place against Portugal, under the dictatorship of Oliver Salazar, which stubbornly held onto its colonies in Angola and Mozambique. Worn out by the conflict in Angola, the Portuguese granted independence to their two colonies in 1975 (Ishay ibid).

**Afro-Asian Solidarity:**

The resistance to colonial rule in Asia and Africa give birth to the rise of Afro-Asian solidarity led by the Indian leader Jawaharlal Nehru. He invited representatives of various Asian nations to an Asian Relations Conference in New Delhi in March 1947. It was more of a solidarity meet and no resolution was passed. The second conference was to happen in China but could not hold as China was taken over by communist. Again in
January 1949, Nehru conveyed an altogether different conference in New Delhi which was exclusively devoted to the plight of Indonesia. Several Asian and Australia participated in the conference. Resolutions were passed which asked the Dutch to release the Indonesian leaders and to grant independence to Indonesia by 1950. The United Nations Security Council passed similar resolutions following the conference whose participants had thus made a mark as an international pressure group. It is interesting to note that similar action was not taken with regards to French in Indo-China. This was probably due to the fact that in Indo-China the communist were the vanguard of the anti-colonial struggle. By this time the Soviet Union was supporting communist movements in several countries and the Communists were perceived to be enemies of nationalists (Rothermund op. cit).

The Indonesian took the initiatives in convening the Bandung Conference devoted to Afro-Asian solidarity in 1955. Nehru was one of the key figures. The major achievement of those assembled at Bandung was that they demonstrated a common front against colonial rule and demanded rapid decolonization. Those who still live under colonial rule got the message and felt inspired by it. As the cold-war entered an intense phase, the leader who don’t want to involved with both side advocated by Nasser, Nehru and Tito for an Non-Align forum in 1956 at Brinoni, Ygoslavia. The first conference of the non-aligned was convened in Belgrade in September 1961. Nkrumah and Sukarno used the Belgrade Conference for denouncing the colonial rule and urging them to speed up decolonization. Nehru made a rather moderate speech, admonishing the non-aligned that they should remain non-align among themselves. The resolution passed by the conference were not hugely important; the only dramatic gesture was that Nehru and Nkrumah were sent as emissaries to Moscow and Sukarno and Keita to Washington in order to plead with the super powers to keep the peace. The Border war between India and China in October 1962 practically ruined both the Afro-Asian solidarity and non-alignment movement. Nehru was forced to ask the USA and Great Britain for military aid against China, which provoked criticism from Nkrumah. In subsequent year frantic efforts were made to hold a second Belgrade and Bandung but never happen. In 2005 to mark the golden jubilee of the Bandung Conference was held in Jakarta, Indonesia, represented by
the more than 100 head of the states which was most part of decolonized world and paid
their respect the message which had been propagated from Bandung fifty years
previously (Rothermund ibid).

**Decolonization Committee of the United Nation:**

Committee of 24 or, the ‘Special Committee on De-Colonization’ which was set up in
conformity with resolution no 1654 (XVI) of 27 November, 1961 of the U.N General
Assembly, monitors and supervises the de-colonization process of the dependent,
colonized people, nation, and countries. The full official name of the committee is the
Special Committee on the Situation with Regard to the Implementation of the Declaration
on the Granting of Independence to Colonial Countries and Peoples. The Committee of
24 monitors the speedy action of the decolonization process, informs the U.N. Security
Council of the developments and also determines when a territory becomes independent.
In 1982, the General Assembly requested the Committee, among others, to ‘make
concrete suggestion which could assist the Security Council in considering appropriate
measures under the Charter with regard to development in colonial Territories that are
likely to threaten international peace and security’. In 1985, The General Assembly
further entrusted the Committee by resolution 40/55, December 2, 1985 with functions to
speed up de-colonization process. The committee operates through its Working Group,
sub-committee on Petition, Information and Assistance, and the sub-committee on small
territories. The Committee takes resolutions, adopts consensus and decision. It involves
recognized National Liberation Movement bodies like SWAPO, ANC, and OAU in its
proceedings by giving them the observer status (Sanajaoba1996).

The Revolutionary People's Front (RPF) of Manipur in 1996 has submitted a
Memorandum Submitted to the Secretary General United Nations and the Chairman of
the Decolonization Committee (Committee of 24) for granting and restoration of
independence and de-colonization of the State of Manipur from India (Revolutionary
People's Front op. cit).
Most of the Asian and African countries in the middle of the 20 century were former colonies and dependent territories ruled by a small number of colonial powers. Since the establishment of the United Nation, nearly 750 million people have exercised their right to self-determination, and more than 80 once-colonized territories have gained their independence. Only 16 Non-Self-Governing Territories currently on the list out of the 72 listed by the Committee for decolonization. Despite its obvious success in overseeing a dramatic transformation of the world’s political map, the United Nations goal of complete decolonization remains unfulfilled. To achieve this goal, the General Assembly has declared the years 2001-2010 as the Second International Decade for the Eradication of Colonialism. In its resolution, adopted on 8 December 2000, the General Assembly called upon Member States to redouble their efforts to achieve complete decolonization. The year 2000 marked the fortieth anniversary of the adoption of the United Nations Declaration on decolonization (UN 2005).

Figure No 1.1: World Map of 1945 and Today

Source: UN 2005

The Indian representatives to the U.N addressed the General Assembly on 20 November, 1991 urging upon the world body to work earnestly to eradicate the remaining vestiges of colonialism before entering the 21st century. He pleaded for the de-colonization of
Western Sahara, New Caledonia and the Malvinas, among others (Sanajaoba 1995). As the historical records speak, India had been consistently supporting the militant struggles of ANC, Vietnam, PLO, Bangladesh Mukti Bahini and nearly every de-colonization movement in the world irrespective of the methods the Non-State Entities resort to. In East Pakistan, India sent all her troops to liberate the Bengalis subjugated by their lawful government. But unfortunately the legitimate aspirations of the National Liberation Movements in his own continent are concealed from de-colonization (Sanajaoba 2002).

In the North-East India, the insurgents groups regional parties and youth unions, among others, had of late been claiming their right to self-determination in varying degrees and modalities on the grounds that for historical reasons, the North Eastern States, remained outside the Indian fold till the signing of the Yandaboo Treaty and that Assam had been economically, culturally and politically colonized by the Indian government. Manipur had enunciated on the ground by adopting armed struggle since 1948-49, its claim to exercise the Right to self-determination by stipulating the reasons that save during historical cataclysms and consequently after the disputed merger with India in 1949, it remained an independent country for two and half millennia. The national liberation movements in the entire North East of India which was sparked off by communist armed struggle in 1948-49 in Manipur and the subsequent Naga insurgency in 1950s, Mizo and Tripura in the 60s and had touch upon Assam in the late 1980s. Although Manipur movement share commonality with the national liberation movements elsewhere in the world but the Manipur’s claim to exercise her right to self-determination is clearly demonstrated by a host of politico-historical and legal justification that might not be conveniently refuted not contradicted lest an impartial international tribunal should decide the issue. Unlike Kashmir it is least known (Sanajaoba op. cit).

The National Liberation Movements which are recognized by International Law had, since the second half of the twentieth century, strengthened, catalyzed and expedited the world wide de-colonization process. Most of the people who have the right to self-determination but have not realized it are resorting to armed conflict to exercise it. Unfortunately many of the states involved in attempting to militarily obliterate the people
with valid self-determination claims try to reduce these conflicts as terrorism (Parker op. cit).

Wars of national liberation or the exercise of legitimate right of the people to self-determination are absolutely distinguishable from the so-called mindless religious fundamentalism or Terrorism. Similarly, the UN Charter lawfully empowers the states to use force for self-defense, if not for aggression. The use of force or, resort to armed conflict in conformity with the International Humanitarian laws does not ipso facto constitute the commission of an act of terrorism. Legitimate use of force or military means in the aforementioned legitimate cases and under qualification are not disallowed in international law. Terrorism does not happily fall in any of the legitimate cases, which are accorded sanctions under the law of the comity of nations. However, there are mixed armed conflicts and gray areas in such type of political violence and the state-parties or legitimate non-state entities (NSE) have to convince the world community that they do not commit terrorism by killing or injuring innocent civilians, non-combatants and hors de combat. Terrorism is a crime against humanity, whereas the legitimate exercise of Right to Self-Determination (RSD) is guaranteed by the UN laws and state practice since Woodrow Wilson enunciated the doctrine at the beginning of the 20th century, and VI Lenin crystallized RSD in proven ways. Revolutions are not terrorism, and the converse is not true. History gives testimony to this distinction (Sanajaoba op. cit).

The Revolutionary People's Front (RPF) and its army, the People's Liberation Army (PLA), which has been conducting an armed struggle since 1978, for the liberation of Manipur has declared its unequivocal intention to comply with all the provisions of Article 3 common to the four Geneva Conventions of August 12, 1949 on the 6th of August 1997 (Revolutionary People's Front op. cit).

The supporters of the groups fighting for the realization of national liberation may also be labeled or unduly burdened by laws against terrorism at the extremely serious expense of not human rights but rights under the Geneva Convention, other treaties and customary laws of armed conflict (Parker op. cit).
Conclusion:

The right of self-determination has matured along three distinct, often overlapping, and sometimes uneven and confusing paths: that of morality, of politics, and of law. The incorporation of self-determination into international law has consistently lagged behind advocacy based on aspirants of justice (moral considerations) and on political movements and their results (political consideration). This century has witnessed an ebb and flow in global attention to self-determination, but there has also been a discernable movement towards its legal acknowledgement and its application across an expanded spectrum of circumstances. As World War II came to an end there was a repetition of the split between Leninist and Wilsonian views, but it was not label in these terms. The Soviet Union supported those tendencies in international society that were challenging the colonial order. The European Powers, though weakened to various degrees by the devastation of war, remained committed to retaining their colonies, by force if necessary. The United States positioned itself in the middle, allied with European colonial powers in strategic and ideological respects, yet normatively sympathetic, in part because of its own historical legacy, to the claims of people seeking independence (Falk op. cit).

Self-determination after the World War I was deemed irrelevant where the people’s will was certain to run counter to the victor’s geopolitical, economic, and strategic interests. In the twentieth century the success or failure of assertion of self-determination was largely dependent on support from one or more of the Allied Powers. Therefore, from the point of view of positive international law, self-determination did not develop into a customary legal right which could be invoked by its holders vis-a-vis the parent State. This also holds true for the internal dimension of self-determination. Therefore it was a gift or a favour than a right (Raic op. cit). The dispensation of territories that belonged to the defunct empires-German colonies in Africa and the Pacific, Ottoman possessions in the Arab Middle East- was an important topic in the peace negotiation but the leading peacemakers had not intention of entertaining the claims for self-determination of the dependent peoples elsewhere, least of all those that ran against their own interests. As the outlines of the peace treaty began to emerge in the spring of 1919, it became clear that
such expectation would be disappointed and that outside Europe the old empirical logic of international relations, which abridges or entirely obliterated the sovereignty of most non-European peoples, would remain largely in place. The disillusionment that followed the collapse of this “Wilsonian moment” fueled a series of popular protest movements across the Middle East and Asia, heralding the emergence of anti-colonial nationalism as a major force in world affairs (Manela op. cit).

Similarly after the creation of United Nations, Self-determination is treated as “Jus cogens” and “erma omnes” but the situation is more or less similar with the early twentieth century. Karen Parker observed it as Imperfect De-Colonization. Even the UN de-colonization process overlooked many of the people and territories which are eligible for exercising right to self-determination. So the United Nations cannot eradicate colonialism if the people and territories which are left out by the United Nation system. The government of India had been preaching for decolonization all over the world in every platform but unfortunately the legitimate aspirations of the National Liberation Movements in his own continent are concealed from de-colonization. In 1991, Indian representatives to the U.N has re-affirmed India unwavering stand against the last vestiges of colonialism. The puzzle that pinches the conscience of the rest of the world is that India, in-spite of her consistent repudiation of colonialism, neo-colonialism and domination of people elsewhere is very much incapable of demonstrating to the freedom loving world that India never remains behind any country in conceding and by not with holding the Right to self-determination to the people, who for historical reasons, enjoy legitimate in claiming to exercise the universally approved right. Assam, Punjab, Kashmir, Nagaland, and Manipur, whose peoples had resorted to militant armed struggle against the Indian army, which they label and conceive as occupation army, purportedly claim this right (Sanajaoba op. cit).

Resolution of the extent of the exercise of the right of self-determination has been a vexed issue in the international community. Too frequently there has been resort to armed conflict as the means to resolve claims arising from the right (McCorquodale op. cit). The principle of self-determination has been reduced to a weapon of politics of avoidance.
The international community, therefore, has abandoned people who have the claim to the principle of self-determination (Parker op. cit). Self-determination has been domesticated to serve the interest of ruling classes. Its present state, in United Nations practice, is a bewildering complex of radicalism and conservatism (Kuper 1985).

The rights to self-determination has been continuously evolving conceptually and experientially in response to the pressure of events, geopolitical priorities, and the prevailing moral and political climate. This combination of factors tends to produce a confusing pattern of historically conditioned precedents, leaving considerable room for widely disparate interpretation bearing on legal doctrine (Falk op. cit). Similarly Raic op. cit observed that, if self-determination were confined to colonial situations, no discussion of different forms of implementation would be necessary, since only one form, that is ‘external’ self-determination, would be relevant. The ongoing character of self-determination is reflected in several relevant international instruments. In this respects, it seems noteworthy that a common feature of these instruments is that they all refer to “all people” and not merely to ‘colonial’ or ‘oppressed’ people as the holders of the rights of self-determination, a terminology which in itself denotes a universal and continuous character of at least some aspects of the right. There has been widespread acceptance that the right applies to the Palestinians; to the blacks in South Africa; to the blacks in former Southern Rhodesia; and to other territories such as Tibet. In the Treaty on the Final Settlement With Respect to Germany 1990, which was signed by four of the five permanent Members of the Security Council, it was expressly mentioned that the “German people” freely exercising their right to self-determination, have expressed their will to bring about the unity of Germany as a State”, despite the fact that neither East or West Germany was a colony (McCorquodale op. cit).

The external right to self-determination was extremely popular during the 1960s and 1970s (in Asia, Africa, and Latin America). Today, claims of a right to external self-determination in reaction to the effects of the traditional form of colonization are virtually nonexistent. However, when we take into consideration the factors of foreign domination, as well as interference by one state over another, suddenly the number of
these claims begins to escalate. Today, unlike claims of external self-determination in a traditional colonial context, there is a rise in external self-determination claims originating from foreign domination of one state over another. However, the definition of foreign domination has been expanded to include nontraditional forms of domination. Today, foreign domination can be seen militarily (such as when troops of one country are stationed in another country), economically (when one country or group of countries economically dominates another), and culturally (a concept known to social scientists as cultural imperialism), where one country’s culture is imposed on another (Halim op. cit).

It must, however, be concluded that many intellectuals particularly from the third world countries are questioning the validity of UN resolutions on Right to Self-Determination since UN itself is considered to be undemocratic institution which operates at the behest of western powers. The very formation of the Permanent body of the UN Security Council with five western powers and China as its members, betrays the democratic character of the institution. It is therefore not surprising that the UN has frequently operated in a biased manner favouring the western interest. The study of self-determination movements hence merits many instruments and yardsticks. The present study of Manipur tries to trace the movements according to the standard approach.
Table 1.1: Chronology of exercising right to Self-determination:
Rothermund Dietmar (op. cit)
The Routledge Companion to Decolonization

Abbreviations: Com. = Member of the (British) Commonwealth of Nations; Conf. = conference; indep. = independent; occ. = occupy, occupied; Pres. = president; PM = prime minister; Rep. = republic

1914 (Aug. 1) First World War begins

1916 (May) Sykes-Picot Agreement. Secret British–French deal concerning Syria, Palestine, etc.

1917 (April 6) USA joins war British declaration: responsible government is the aim of future constitutional reforms in India (Nov. 2) Balfour Declaration. Jewish national home in Palestine (Nov.) Bolshevik revolution in Russia. Soviets publish Sykes-Picot Agreement and other secret deals.

1918 (Jan. 8) Pres. Wilson’s speech outlining 14 points, among them plea for the autonomy of the provinces of the Ottoman Empire, international control of colonies, establishment of League of Nations.

1919 (April 24) Constitution of League of Nations adopted

1920 League of Nations sanctions distribution of mandate territories among colonial powers. Non-cooperation campaign led by M. K. Gandhi (British India)

1922 (Feb. 28) Egypt indep., Head of State: King Fuad, PM S. Zaghlul.

1927 Congress of Oppressed Nations convened in Brussels by German communist H. Münzenberg, attended by many African and Asian nationalists, including J. Nehru

1930 (March–April) Civil Disobedience campaign (Salt March) led by M. K. Gandhi in India (July) Wheat price drops by about 50 per cent, impact of Great Depression noted in Africa and Asia; decline of prices of raw materials reduces value of colonies.


1932 (Oct. 3) Iraq indep., becomes member of League of Nations, Head of State: King Faisal.

1935 (Aug.) Government of India Act passed by British Parliament (Oct.) Italian troops
invade Ethiopia


1937 **Indian National Congress** forms governments in seven provinces (Hindu majority provinces), Bengal and Punjab (Muslim majority provinces) are governed by regional parties.

1939 (Aug. 23) Hitler–Stalin Pact (Sept. 1–3) Second World War begins (Oct.) Congress ministries resign in seven provinces of British India.

1940 (March 24) Session of the **Muslim League** in Lahore passes ‘Pakistan’ resolution, M.A. Jinnah expounds ‘Two Nations Theory’ (Hindus and Muslims).

1941 (March 11) American Lend-lease Act passed (supporting Allied war effort) (May) Brit. troops enter Ethiopia, Emperor Haile Selassi reinstated (June 22) Hitler launches surprise attack against Soviet Union (Aug. 14) **Atlantic Charter** signed by Churchill and Roosevelt (specifying Allied war aims) (Dec. 7) Japanese attack American fleet at Pearl Harbour (Hawaii), USA at war. Germany and Italy also declare war on USA.

1942 (Feb. 15) Japanese occ. Singapore (March 7) Japanese occ. Rangoon, Burma, also Indonesia, Philippines, Vietnam (April) Stafford Cripps, member of British war cabinet, flies to India, offers indep. after the war if **Indian National Congress** and **Muslim League** join a national govern- ment and support the war effort; the offer is rejected (May 29) S. C. Bose meets Hitler in Berlin; Hitler sends him to Japan (June 4) Americans defeat Japanese fleet near Midway Islands (Pacific) (July 9) **Indian National Congress** passes ‘Quit India’ Resolution, Gandhi, Nehru and other leaders are arrested before any action can be taken (Aug.) ‘August Revolution’ of Indian nationalists.


colonial rule in Korea and Taiwan (Sept. 2) **Ho Chi Minh** proclaims indep. Rep. of Vietnam.


**1948** (Jan.) Burma (Myanmar) indep. Rep., Pres. U Nu (Feb.) British inauguration of **Federation of Malaya** against wishes of Malays (Feb.) Ceylon (Sri Lanka) indep. (Dominion), Com., PM D. S. **Senanayake** (May) British relinquish mandate in Palestine, D. **Ben Gurion** proclaims Rep. of Israel, Jordanian troops occ. remaining part of Palestine.

**1949** (Feb.) Ceasefire agreement: Arab states and Israel (Sept.) Division of Vietnam: North Vietnam (Hanoi), Pres. **Ho Chi Minh**, South Vietnam (Saigon), Pres. (ex-Emperor of Annam) Bao Dai (Dec.) United States of Indonesia indep., Pres. **Sukarno**, PM M. **Hatta**.

**1950** (June 27) Korean War begins. Global rise of raw material prices enhances value of colonies.

**1951** Oman indep., Head of State: Sultan Said bin Taimur (Dec.) Libya indep., Head of State: King Idris

**1952** (March) K. **Nkrumah** de facto PM of Gold Coast (Ghana).


**1954** (April) G. A. **Nasser** seizes power in Egypt (May) Vietminh forces under General Vo Nguyen Giap defeat French at Dien Bien Phu (June) **Geneva Conference** on Indo-China.


fights against Algerian. **Front de Libération Nationale (FLN)**
(July) G. A. Nasser, J. Nehru and J. Tito meet on the Yugoslavian island of Brioni and initiate the **Non-aligned Movement**
(Oct. 23) Revolt in Hungary suppressed by Soviet troops (Oct. 30–Nov. 5) British, French and Israeli troops attack Egypt after Nasser’s seizure of Suez Canal in July 1956

1957 (March 6) Ghana indep., PM K. Nkrumah

(Feb.) United Arab Rep. formed by Egypt and Syria, Pres. G. A. Nasser
(July) Military coup in Iraq, General Qasim seizes power (September) Referendum in French African colonies on the new constitution of the Communauté Française (former Union Française) (September) Guinea indep., Pres. Sekou. Touré

1959 (Dec.) De Gaulle declares in Dakar, Senegal, that he is now prepared to accept French colonies which opt for indep. as members of French Community

(Jan. 10) PM Macmillan’s ‘Wind of Change’ speech, Accra, Ghana (Jan.) Congo Conf. in Brussels, Belgium (April) Rep. of Togo indep., Pres. S. Olympio
(June) The following African states attained indep.: Democratic Rep. of Congo, Pres. J. Kasavubu, PM P. Lumumba; Mali (incl. Senegal), Pres. M. Keita; Mauritania, Pres. M. O. Daddah
(July) Somali Democratic Republic (British plus Italian Somalia), Pres. A. Osman Daar
(Sept.) P. Lumumba (Congo) murdered in Katanga (Sept. 14) Organization of Petroleum Exporting Countries (OPEC) founded (Oct.) Nigeria indep. (Dominion), Gover- nor General N. Azikiwe, PM T. Balewa
(Nov.) Rep. of Ivory Coast, Pres. F. Houphouet-Boigny

1961 (Jan.) De Gaulle authorized by referendum to negotiate with Algerian nationalists
(Aug. 14) J. Kenyatta released from prison (Kenya) Northern part of Cameroon joins
Nigeria, southern part joins Rep. of Cameroon Jamaica votes in a referendum against Federation of the West Indies (April) Failed revolt of French army in Algeria, formation of Organisation Armée Secrète (OAS) by those opposed to De Gaulle (April) Sierra Leone indep., Com., PM M. Margai


British Honduras (later: Belize) attains internal self-government.


1969 (Dec.) Libya: Military coup, Colonel M. Ghaddafi; King Idris overthrown.


1973 Bahamas indep., Com., PM Lynden. Pindling


1976 Seychelles indep., PM James Mancham (July) Indonesia occ. East Timor, which was left by the Portuguese. Tonga indep. kingdom.


1981 Belize (Brit. Honduras) indep., PM George Price Antigua and Barbuda indep., PM Vere Bird.

1983 St Kitts and Nevis indep., PM Kennedy Simmonds

1984 Brunei indep., Head of State: Sultan Hassanal Bolkiah.

1986 Federated States of Micronesia indep., Compact of Free Association with USA Marshall Islands indep., Compact of Free Association with USA.


1990 (March 21) Namibia indep., Pres. Sam Nujoma

1994 Palau indep., Compact of Free Association with USA.

1997 Hong Kong transferred to Chinese Sovereignty.

1999 Macao transferred to Chinese Sovereignty.

2000 (June 13) Treaty of Cotonou (Benin): European Community extends associate
membership to 77 African, Caribbean and Pacific states.


2006 (May 21), Republic of Montenegro from the State Union of Serbia and Montenegro

2008 (February 17), Kosovo to be independent from Serbia