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DECOLONIZATION



A publication
of the United Nations Department of Political Affairs,
Trusteeship and Decolonization

No. 18
June 1983

ISSUE ON ST. KITTS-NEVIS

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MAP OF ST. KITTS-NEVIS

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I. BASIC INFORMATION ON THE TERRITORY

St. Kitts and Nevis belong to the Leeward group of Caribbean islands. The total area of St. Kitts and Nevis, which are separated by a strait 5 kilometres wide, is 261.6 square kilometres. The capital of the Territory is Basseterre, located on the island of St. Kitts.

St. Kitts has a total land area of 168.4 square kilometres, with its highest point, Mt. Misery (an extinct volcano), reaching 1,155 metres. The central area of the island is mountainous and covered with forests. The island is well watered and fertile, with most of its slopes cultivated in sugar cane; the lower slopes are suitable for general agricultural production. The climate is cool and healthful, drier than most West Indian islands.

The island of Nevis has an area of 93.2 square kilometres, with its highest elevation being about 1,066 metres. It is a volcanic island and conical in shape. The upper slopes of Mount Nevis are forest clad. The lower slopes are suitable for agricultural production and stock raising. Nevis enjoys a climate similar to that of St. Kitts.

The preliminary results of the census taken in 1980 showed a total population of 44,404 (St. Kitts, 35,104 and Nevis, 9,300), almost all of whom were of African or mixed descent.

II. HISTORICAL OUTLINE

The recorded history of St. Kitts (also known as St. Christopher, the Carib name of which was Liamuiga, "The Fertile Isle") and Nevis began with their discovery by Christopher Columbus in the course of his second voyage in 1493. From that time until the early seventeenth century, sovereignty over the area was claimed by Spain. Although information on the indigenous people of the islands is generally sketchy, the early inhabitants were thought to be Indians, mainly of the Arawak and Carib tribes, who had migrated from South America. The indigenous people lived on until the violent process of colonization drove them to their extinction.

During the sixteenth century, Spain's West Indian empire and its wealth aroused jealousy among the French, Dutch and English, who initially encouraged privateers to attack Spanish ships on the high seas in order to capture treasures and to weaken Spain's domination of the Spanish-American region and the West Indies.

The first English contact with the island of St. Kitts took place in 1622 when Thomas Warner, a prominent English adventurer, on his return journey from Captain Roger North's Guiana expedition, landed on St. Kitts. 1/ He liked the island so much that he sailed to London to secure patronage and money in order to start a settlement on the island.

He returned to St. Kitts in 1624 with about 45 companions, 2/ thus marking the beginning of English Colonization of the West Indies.

In 1625, a group of French settlers under the leadership of Pierre d'Esnambuc arrived in St. Kitts 3/ and, in agreement with Thomas Warner, began to live on the island. Since the English had already settled in "the middle coastal strips", the French were given "the northern and southern extremities", which later caused friction between the two groups. Encouraged by the new opportunity, d'Esnambuc sailed for France in 1626 in search of patronage for his settlement, which he received from Cardinal Richelieu who appointed d'Esnambuc Governor of the colony. 4/

St. Kitts soon came to be known as the "Mother of Antilles" as settlers from there moved to other islands. 5/ In 1628, some Englishmen moved from St. Kitts to settle in Nevis and in 1632 others moved to settle in Montserrat and Antigua.

In the beginning, the settlers were constantly attacked by the Indians until the English and French, by their joint action, drove them out of St. Kitts in 1629. In the same year, a Spanish attack ravaged the settlers who, however, finally defended themselves against the attack. Other conflicts soon developed when the interests of trade brought clashes among the European Powers - the Dutch, the French and the English - whose primary incentive for settlement was profit making. During the years of conflict over trade, the small islands in the West Indies changed hands from one Power to the other. From the time of the first settlement, St. Kitts was captured by the French and recaptured by the English on a number of occasions until the island was finally ceded to Great Britain by the Treaty of Versailles in 1783. 6/ Since that time, St. Kitts-Nevis has remained a British colony.

The early settlers, whose number included indentured servants, Royalists, Irish prisoners of war and noblemen escaping from their creditors, were smallholders who sought to make their living in the new world. 7/ They started to grow food for themselves and tobacco, cotton, spices, logwood and later, indigo, for export. 8/ The pattern of the economy changed when sugar plantations were introduced in the middle of the seventeenth century. As the sugar plantations and exports began to earn good profits, the smallholdings were replaced by larger ones and the indentured labourers by African slaves, whose number increased with the size of the holdings. Between 1650 and 1836, the number of slaves in St. Kitts increased tenfold. 8/

In 1651, the Commonwealth Government of England passed the Navigation Act so as to enlarge the "English trade on the high seas" and thereby to curb the activities of the Dutch traders who were offering European goods at lower prices, longer credit terms and cheaper freight rates. 9/ In 1660, the restoration Government upheld the act and further enlarged its provisions. In the same year, the British Government abolished the proprietorship which had allowed noblemen to rule colonies

with the help of prominent members of the landed class and assumed a greater interest in the affairs of the West Indian colonies. In the next year, a royal proclamation assured the settlers that they would be "free denizens of England and ... have the same privileges to all intents and purposes as our free-born subjects of England". 10/

By the end of the seventeenth century, the sugar planters and merchants had become men of substance and power, forming the ruling class of the Territory. They often challenged the Governor and insisted that he forward for royal assent laws passed by the House of Assembly, which they dominated as the providers of the government purse.

In the eighteenth century, when the sugar industry dominated the life of St. Kitts, the slaves far outnumbered the freemen. Because the numerical strength of the slaves sometimes gave rise to fear among the white population, many laws were passed to restrict the life of the slaves, who were often subjected to harsh treatment. Even when the Emancipation Act became law in 1833, the conditions of the former slaves were not significantly improved since they were required by law to serve an apprenticeship of six years for field workers and four for others. As a result, some of the former slaves revolted against the new restrictions on their lives. According to one account, martial law had to be proclaimed in St. Kitts and a number of former slaves punished before the apprentices would work. 11/ However, another account provided in 1838 indicated that the former slaves in St. Kitts would "do an infinity of work for wages". 12/

The vast socio-economic change brought about as a consequence of emancipation, together with absenteeism of planters, made it difficult for the old system of government to continue in many parts of the British West Indies. In the latter half of the nineteenth century, St. Kitts-Nevis became a Crown Colony, with the British Government assuming direct control of the executive. The power and responsibility of the Government passed into the hands of the Governor who administered the Territory with the help of a group of professional civil servants. The change also established a nominated Legislative Council which replaced the old House of Assembly.

Although the new system brought efficiency in the administration and prepared the way for development of the Territory, it was found wanting in meeting the growing demands of the working class for a better quality of life.

The socio-economic situation in St. Kitts changed swiftly during the economic depression in the 1930s when the working class suffered severely from low wages and lack of work. They rioted on the streets, venting their economic, social and political grievances. The workers' movements gradually united to form an organization called the Workers League, which ultimately helped the labour leaders like Robert Llewellyn

Bradshaw to establish a Trade and Labour Union in St. Kitts in 1940. The new organization provided the platform needed for regulating labour disputes. It also became the political vehicle for labour leadership, which gradually sharpened the demand for more representation in the Government, although greater representation did not actually materialize until 1960 (see constitutional developments below).

III. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. Early constitutional arrangements

In the early days of colonial settlement, the British Crown granted letters patent to chosen noblemen with the title of Lord Proprietor, according them proprietary rights - quasi-feudal in nature - to colonial Territories. In 1627, the Earl of Carlisle was made Lord Proprietor of the then British colonies in the Caribbean, including St. Kitts-Nevis. The Lord Proprietor immediately appointed Thomas Warner, who was already in St. Kitts, as his Governor, with the right to nominate a council, from among the members of the landed class, which would advise the Governor on matters of administration and act as a court of appeal. The patent stated that the Proprietor had the power to tax colonies in such manner as he thought best and "to make such laws ... with the consent, assent and approbation of the freeholders of the said province, or the greater part of them". 13/ Therefore, under the patent, in addition to the Governor and his Council, there was also a House of Assembly elected by the free inhabitants. At the beginning, they conducted government business together but by 1650 the House of Assembly and the Council began to meet separately.

In 1660, the proprietary government was abolished and the colonial administration was based on the British system of government, with the Governor representing the Crown, a nominated Legislative Council (patterned on the House of Lords) composed of prominent settlers acting as an advisory body and a House of Assembly (patterned on the House of Commons) elected by free inhabitants. 14/

The arrangement came to be called the Old Representative System. Nominations to the Council were made by the Crown, usually on the recommendation of the Governor. The House of Assembly, being the representative body of large landowners and owners of slaves, exercised considerable legislative powers; and, since the Crown could not legislate in Council, the members of the Assembly practically dominated colonial affairs for over two centuries.

As head of the colonial Government, the Governor was guided by his commission and instructions which gave him vast executive and legislative powers, for no bill could become law without his signature. 15/ He could reserve bills for "the significance of His Majesty's pleasure" and the Crown had the right to disallow colonial legislation. 16/ Nevertheless,

the Governor had to exercise his powers with tact and delicacy since he was expected to maintain co-operation with the members of the Assembly, which enjoyed exclusive power to pass money bills.

In 1671, the Leeward Islands Act provided for the institution of a General Assembly of the Leeward Islands, with representatives from St. Kitts-Nevis, Antigua and Montserrat. 17/ The headquarters was in Nevis until 1698, when it was transferred to Antigua. Since the General Assembly did not have the full support of the influential representatives and since it had no financial powers, it confined its legislation to matters of defence, immigration and trade until it collapsed in 1798.

Although the original Constitution granted to the early settlers survived until about the middle of the nineteenth century, the Governor was frequently challenged by the members of the House of Assembly. 14/ For many years the Assembly, although elected, remained in the hands of large landowners who showed little responsibility towards the unrepresented majority. 18/ The abolition of slavery (1833), combined with the considerable need for social legislation and the spending of public money, further strained relations between the Governor and the Assembly members. Unlike the Crown colonies, the Governor of St. Kitts-Nevis could not order that legislation be provided and he had to depend on the Assembly members who were not enthusiastic about providing money for public services.

The unrepresentative character of the Assembly was reflected in the report of the Governor of St. Kitts for the year 1856, as follows:

"The population of the island at that time [1853] was 20,741, of whom only 166 were possessed of the elective franchise; 87 of this number were in one parish and 26 in another, leaving only 53 qualified voters in the remaining seven parishes to return 17 members. Out of 166 electors only 81 came forward to vote at a general election in 1853, and in 1856, 47 voters elected 22 members". 18/

Minor changes were introduced in St. Kitts-Nevis in 1857 19/ when a special Executive Committee, composed of one member of the Council and not more than three from the Assembly, was created to act as the mediator between the Governor and the legislature. The change took away the right of the Assembly members to propose money bills which, nonetheless, had to be passed by the Assembly. It also gave the Council members power to initiate money bills. 20/ Because its powers were not well defined, the Executive Committee's attempt to improve the Government soon came to an end.

In 1866, by an Imperial Act, important constitutional changes were introduced, including the replacement of the Old Representative System by the Crown Colony Government. Under the new Constitution, the House of Assembly gave way to the absolute rule of the Crown through its

appointed Governor and nominated Legislative Council. The Council consisted of civil servants as official members and planters and merchants chosen by the Governor as unofficial members. 21/ Nevertheless, the changes brought about by the Act did not affect the authority granted in the original Constitutions to the Leeward Islands, including St. Kitts-Nevis, to institute change by local acts, since the Crown had no power to legislate by order-in-council. The United Kingdom Parliament, however, was able to legislate on matters outside the authority of the local legislature. 18/

Administrative change came again in 1871 when the Leeward Islands (St. Kitts-Nevis, Antigua, Dominica, Montserrat and the British Virgin Islands) were unified to form a federation known as the Leeward Islands Federation, with a Governor, a Federal Council, a Superior Court and a Corps of Police. The Leeward Islands Act, which was passed in that year, faced "considerable objection from the islands, including even a show of force in Nevis". 22/ As a result, the Federation came into being as a loose entity without a common treasury.

Under the change, the Federal Council was composed of three official members and six unofficial members - one from each Territory. The Governor was expected to consult the Council, but he could act at his discretion.

The federal Government, although given only a limited number of areas of responsibility, namely law, the police force, prisons, education posts and currency and weights and measures, was obliged to obtain consent from each island before adopting any new measure. 23/

Although the Leeward Islands Federation lasted until 1956, Dominica was separated administratively in 1940 and joined with the Windward Islands, which at that time was administered under one Governor; the British Virgin Islands left the Federation in 1950.

In the meantime, although piecemeal and slow, reforms were taking place in the government structures of the Territories of the Federation. The period between 1936 and 1956 witnessed a number of constitutional changes which included, among other things, an elective majority in the Legislative Council; curtailment of the powers of the nominated members of the Legislative Council; an increase in the number of elected members in the Executive Council, where nominated members still remained the majority; the institution of the committee system, whereby certain elected members could chair the departmental committees of the Executive Council; and the conferment of adult suffrage. 24/

B. Introduction of the ministerial system

On 30 June 1956, the Leeward Islands Federation was dissolved by proclamation, so that each island of the Federation, including St. Kitts-

Nevis, could emerge as a distinct constituent unit in the larger British Caribbean Federation in 1958. Under the new constitutional arrangements, the office of the federal Governor was abolished and an administrator was appointed for each Territory. The new arrangement also provided for a ministerial system in St. Kitts-Nevis, as well as in the other Territories, in which three of the elected members of the legislature held ministerial portfolios.

According to the new arrangements, the Executive Council was recognized as "the principal instrument of policy" and the Administrator was required to accept the Council's advice unless he deemed it expedient to do otherwise "in the interest of public faith, public order or good government".

The Executive Council consisted of the Administrator, who presided; the principal law officer; the Financial Secretary; one member of the Legislative Council nominated by the Administrator; and four elected members of that Council, including the three ministers. The elected members had a voting majority and the Administrator had a casting vote.

The new arrangement did not affect the existing power of the Administrator relating to the following:

- (a) Full responsibility for financial matters, as well as for appointment, dismissal, retirement and promotion of civil servants;
- (b) Reserve legislative powers;
- (c) Power to make any emergency legislation which he deemed necessary to maintain public safety and order or to promote and maintain supplies and services.

C. Representative government

Further constitutional advancement for the small Territories such as St. Kitts-Nevis-Anguilla took place when, at a conference held in London in June 1959, the representatives of the Leeward and Windward Islands and of the United Kingdom agreed to the following:

- (a) The abolition of the post of Governor of the Leeward and Windward Islands;
- (b) An increase in the number of elected members of the Legislative Council, by two members;
- (c) A decrease in the number of nominated members of the Legislative Council, from three to two;
- (d) That the general direction and control of the Government

would be exercised by an Executive Council consisting of five unofficial members.

The Constitution as amended came into force in January 1960. ^{25/} It abolished the power of the Chief Executive to secure the enactment of a bill rejected by the Legislative Council. It also provided for the office of the Chief Minister, to be appointed by the Administrator. An elected member who in the opinion of the Administrator was best able to command the confidence of a majority of the members in the Legislative Council would be the Chief Minister.

Under the new Constitution, the Administrator was required to act on the advice of the Executive Council, except as otherwise provided, as for instance in the exercise of his powers to dispose of Crown or government lands and property, to constitute offices and make appointments, and in the exercise of his powers of pardon. The Administrator was not required to obtain the advice of the Executive Council in any case in which, in his judgement, the urgency of the matter required him to act before the Executive Council could be consulted; however, he was required to communicate to the Council his actions and reasons therefore. The Administrator could also act contrary to the advice of the Executive Council, "if in his judgement, he considers it necessary to do so in the interest of maintaining law or order in the West Indies, or in order to maintain the efficiency of the judiciary or the public service". However, he first had to obtain the approval of the Secretary of State, or in case of urgency, he had to report to the Secretary of State as soon as possible.

The Constitution vested the responsibility for the general control and direction of the Government in the Executive Council, which consisted of the Administrator who presided; five unofficial members (the Chief Minister and four other ministers) and an ex officio member, the principal law officer. The ministers were appointed on the advice of the Chief Minister from among the elected members of the Legislative Council, with the exception of the Minister without Portfolio, who was to be appointed from among either the elected or the nominated members of the Legislative Council.

The Legislative Council comprised 10 members elected on the basis of adult suffrage at the age of 21 years; one ex officio member, the principal law officer; and two members nominated by the Administrator. It was presided over by the Speaker, elected from within or outside the Council membership, who had a casting vote. The Legislative Council had the power to make laws for the peace, order and good government of the Territory.

D. Federation of the West Indies

Over the years considerable efforts were made to establish a federation in the West Indies. The United Kingdom Government repeatedly

stated that its aim in the Caribbean was the development of a federation, which would help the colonies to achieve economic self-sufficiency as well as international status as individual states. It partially succeeded in its efforts to develop the Leeward Islands Federation. Between 1945 and 1956, many conferences were held to discuss the idea for a closer association of all Territories in the West Indies. 26/ Finally, on the basis of an agreement reached at a conference held in London in 1956 by the participating Territories (Antigua, Barbados, Dominica, Grenada, Jamaica, Montserrat, St. Kitts-Nevis-Anguilla, St. Lucia, St. Vincent, and Trinidad and Tobago), the Federation of the West Indies came into formal existence on 3 January 1958, when its Governor-General was sworn in at Port of Spain, Trinidad.

Under the federal Constitution, the federal legislature was empowered to legislate with respect to any matter set out in an exclusive list and a concurrent list. 27/ The exclusive list included the borrowing of monies for federal purposes; defence; federal agencies and institutions; exchange controls; immigration into and emigration from the Federation; and the public service of the Federation. In fact, however, the legislative initiative of the federal Government was limited by financial and political reasons.

Both the territorial and federal legislatures were empowered to make laws for the Territory concerned on any matter included in the concurrent list, namely: civil aviation; aliens; audit of territorial public accounts; banking; census; conciliation and arbitration of disputes; criminal law and procedure; currency, coinage and legal tender; customs and excise duties; shipping and navigation; and taxes on income and profits, trade and commerce with countries outside the Federation. In the event of inconsistency between federal law and territorial law on any matter included in the concurrent list, federal law prevailed over the other. 28/

Legislation for the Federation by order-in-council could be enacted in the United Kingdom on matters relating to defence, external relations or the maintenance of the financial stability of the Federation. 29/

The executive authority of the Federation was vested in the Queen and exercised by the Governor-General on her behalf. A Council of State consisting of a Prime Minister and 10 other ministers was the principal instrument of policy for the Federation and advised the Governor-General in the exercise of his functions. 30/ The Governor-General acted in accordance with the advice of the Council except in certain specific instances. 31/

The Governor-General could delegate executive authority to the Governor of any Territory on any matter relating to that Territory and falling within the executive authority of the Federation. 32/ Similarly, the Governor of a Territory could entrust the Governor-General with responsibility for matters affecting the Territory concerned provided that the matter fell within the executive authority of the Territory.

The federal Constitution provided for a federal Supreme Court consisting of a Chief Justice and three other justices appointed by the Governor-General after consultation with the Prime Minister. There would be no appeal to the Privy Council from judgements of the federal Supreme Court, unless the federal legislature conferred the right of appeal by law.

Under the federal system, the Constitution would remain unchanged for the first five years of its coming into force and no conference would be convened within that period to review the Constitution. 33/ Soon after the Constitution came into being, however, the federal Government was subjected to severe criticism with regard to the extent and nature of its authority. Problems had also arisen concerning freedom of movement between the islands, control of income tax, methods of raising federal revenue and industrial development.

In September 1961, Jamaica withdrew from the Federation and Trinidad and Tobago did likewise in January 1962. On 31 May 1962, the West Indies Federation was dissolved by an order-in-council.

E. Proposed Federation of East Caribbean Territories

Following the dissolution of the Federation of the West Indies (which did not affect the Constitutions introduced in the federal Territories in 1960), a series of conferences and discussions was held between 1962 and 1964 on the possible establishment of a Federation of Eastern Caribbean Territories. On 1 November 1964, at a meeting of the Regional Council of Ministers (which later came to be known as the Council of Ministers of the West Indies Associated States) 34/ held at Bridgetown, Barbados, it was agreed that seven of the eight islands (Antigua, Barbados, Dominica, Montserrat, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent, Grenada having decided to leave the group) would join the new Federation and that they would possess internal self-government before the formation of the Federation. The draft scheme 35/ provided that the Federation would have a Governor-General; a bicameral federal legislature consisting of an appointed Senate and an elected House of Representatives; and a federal cabinet consisting of a Prime Minister and other ministers from among the elected members of the Legislature. The draft scheme also included, among others, a list of administrative and legislative powers to be exercised between the federal and unit Governments.

In a dispatch dated 22 March 1965, 36/ the United Kingdom Secretary of State for the Colonies transmitted the view of his Government to the heads of the territorial Governments on the proposed draft scheme. While he agreed that the proposed federation could offer the best prospect for a solution to the constitutional and other problems in the area, he noted that there should be further negotiations to resolve the disagreements on:

(a) the division of powers between the federal and unit Governments; (b) the exact method by which public revenue could be divided between the federal and unit Governments; and (c) the exact stages by which the federal Constitution could be brought fully into force, as well as the stages by which the units could obtain internal self-government within the federal framework. However, the Territories failed to reach an agreement on the scheme.

Subsequently, in order to meet the growing demands of the territorial Governments for early constitutional changes giving them greater control over their own affairs, the United Kingdom Government made new and comprehensive constitutional proposals which were published in a White Paper on 30 December 1965. 37/ The proposals were negotiated during February and May 1966, resulting in an enactment of the West Indies Act, 1967, which provided the basis for the new constitutions of the six Eastern Caribbean Territories, namely Antigua, Dominica, Grenada, St. Kitts-Nevis-Anguilla, St. Lucia and St. Vincent.

Under the new constitutional arrangements, each Territory would become a State in association with the United Kingdom, with full control of its internal affairs and with the right to amend its own Constitution, including the power to end the association and to declare itself independent. 38/ Such constitutional amendments would require a two-thirds majority in the legislature and a two-thirds majority of the votes cast in a referendum.

For as long as the Territories remained States in association with the United Kingdom, that Government would accept responsibility for their external affairs and defence, and the United Kingdom Parliament and the Queen-in-Council would have legislative power for the discharge of their responsibilities. Apart from these powers and responsibilities, and those relating to the application of the British Nationality Acts in the Territories, the United Kingdom Government would have no power to legislate for the conduct of their affairs. 39/

The head of the executive would be the Governor appointed by the Queen for a term of five years on the advice of the Secretary of State for the Colonies who would be guided in turn by the Chief Minister (or Premier) concerned. In addition, there would be a United Kingdom Government representative in the area responsible for the conduct of relations between the United Kingdom and the Territories. 40/

Safeguards for the preservation of democratic forms of government and for the protection of fundamental rights would be entrenched in the Constitutions of the Territories. A Superior Court, whose functions would include overseeing the observance and interpretation of the Constitutions, would be established for all the Territories. The President of the Court would be appointed by the Lord Chancellor of England. Citizenship would continue to be governed by the British Nationality Acts unless a Territory

established separate citizenship. 41/ The Territories would continue to be eligible to receive British aid, including budgetary assistance.

St. Kitts-Nevis-Anguilla became a "State in Association with the United Kingdom" on 27 February 1967 when the St. Kitts-Nevis-Anguilla Constitutional Order, 1967, came into force. 42/ Antigua became an Associated State on the same day, Dominica, Grenada and St. Lucia in March 1967 and St. Vincent in 1969. Although the Constitution, which today serves as the legal basis of the Government of St. Kitts-Nevis until its independence, retained the same governmental structure of separate executive, legislative and judicial branches as the 1960 Constitution, it replaced the Executive Council by a Cabinet of Ministers and the Legislative Council by a House of Assembly. The new Constitution gave the Associated State of St. Kitts-Nevis-Anguilla full internal self-government.

The Governor, as the head of the executive, is appointed by the Queen for a term of five years. 43/ Except as otherwise provided, he acts in accordance with the advice of the Cabinet. 44/ In the exercise of his power of pardon, the Governor is required to consult the Advisory Committee on the Prerogative of Mercy, consisting of a minister as Chairman, the Attorney-General and four other members appointed by the Governor after consultation with the Premier. 45/ The Cabinet is composed of the Premier (who is the leader of the majority party in the Legislature), other ministers and the Attorney-General (*ex officio*). It is charged with the general direction and control of the Government and is collectively responsible to the legislature. 46/

The new legislature, the House of Assembly, is provided with wide powers of legislation over internal matters in the Territory, including the power to alter any provision of the Constitution or of the Court Orders. 47/ It consists of nine members 48/ elected from single-member constituencies (7 from St. Kitts and 2 from Nevis) and three nominated members, two appointed on the advice of the Premier and one on the advice of the leader of the Opposition. 49/ The Constitution also provides for a Speaker to be elected by the members of the House of Assembly from among its members or from outside the Assembly. 50/

The Constitution provided for a Supreme Court of Justice for all Associated States, although its jurisdiction might extend to all interested Territories in the region. The Court had jurisdiction, among other matters, over constitutional issues, fundamental rights and freedoms and membership of the various legislatures. The legislature of each Associated State determined the jurisdiction of the Court in matters not specified in its constitution. Appeals from decisions of the Supreme Court or the Court of Appeals were to be referred to the Privy Council.

F. Secession of Anguilla

Anguilla, a British colony since 1650, became a part of St. Kitts-

Nevis in 1816. The Anguillans, who suffered from the lack of infra-structural development on the island, objected to internal rule by St. Kitts under the Constitutional Order, 1967. Soon after the assumption of associated statehood, they expressed their dissatisfaction with the new administration over the high cost of goods imported from St. Kitts and demanded separation of their island from the rest of the Territory. 51/ In June 1967, Anguilla unilaterally declared its independence. Challenged by Premier Bradshaw, Anguilla held a referendum on its continued association with St. Kitts-Nevis. The result of the vote, 1,813 to 5 in favour of independence, refuted Mr. Bradshaw's contention that the Anguillans wanted to continue their association with St. Kitts-Nevis.

After several unsuccessful attempts to reconcile their differences, the Anguillans reasserted their full independence in January 1969. At Mr. Bradshaw's request, the administering Power ordered troops into Anguilla in March. This was followed by the establishment of a Committee of Enquiry headed by Sir Hugh Wooding. The Committee recommended substantial local control for Anguillan affairs but within the Associated State of St. Kitts-Nevis-Anguilla. St. Kitts accepted the recommendations but Anguilla rejected them. 51/

In 1971, the administering Power established a separate administration for Anguilla under a Commissioner appointed by the Queen and assisted by a Council of seven elected members. In July 1972, Mr. Ronald Webster, then leader of the Council, sought absolute and final separation of Anguilla. 52/

In September 1974, the administering Power initiated a review of the constitutional status of Anguilla, which led to the introduction in February 1976 of new constitutional arrangements under which the island was allowed de facto status as a separate dependent Territory under the United Kingdom Government, while remaining de jure a part of the Associated State of St. Kitts-Nevis-Anguilla. On 19 December 1980, Anguilla formally withdrew from the Associated State. 53/

G. Move towards independence

The West Indies Act, 1967, establishing the West Indies Associated States, provides procedures by which any one of the Associated States or the United Kingdom might at any time terminate the association. Under section 10 (1) of the Act and its schedule, the territorial legislature was empowered to pass an independence constitution with a two-thirds majority, provided that it had been approved by a two-thirds vote in a referendum. If it was proposed to terminate the association in favour of a new association with an individual Caribbean country or federation, a referendum was not required. On the other hand, section 10 (2) of the Act provided that the United Kingdom Government might at any time terminate its association with an Associated State by an order-in-council. 54/

In early 1975, St. Kitts-Nevis-Anguilla, 55/ along with other Associated States, expressed their intentions to seek independence from the administering Power. In December, the heads of Governments of the Associated States, meeting at Basseterre, St. Kitts, adopted a resolution in which they noted, among other things, that the constitution of no other Commonwealth Caribbean country provided for a referendum as a prerequisite to independence and that the status of association could no longer serve the development and constitutional requirements and aspirations of the Governments and peoples of the Associated States. It was therefore resolved: "That the Governments of the Associated States approach the United Kingdom Government at the earliest possible date with a view to seeking the termination of the status of association with the United Kingdom in accordance with the provisions of section 10 (2) of the West Indies Act, 1967". During the same month, the Second Conference of Heads of Governments of the Caribbean Community (CARICOM), which was also held at Basseterre, adopted a separate resolution supporting the desire of the Governments of the Associated States to terminate the status of association and to proceed to full independence in accordance with section 10 (2) of the West Indies Act, 1967.

Subsequently, talks on the Territory's independence were held in London in April 1976, March 1978 and March 1979. At the end of the latter talks, it was announced that the representatives of St. Kitts-Nevis had agreed to study further the proposals made by the United Kingdom Government concerning the situation in Anguilla, which had created a serious impediment to the achievement of independence. During this period, dissatisfaction also surfaced in Nevis to the extent that it approached the Administering Power to secure secession from the State. After a further round of talks in London in December 1979, it was announced that St. Kitts-Nevis would proceed to independence in early 1980 56/ and that there would be a referendum 18 months after independence in which the issue of secession for Nevis would be put to the vote.

However, the general election held in February 1980 resulted in a change of Government and the transfer of power from a pro-independence Labour Party to a coalition of the People's Action Movement (PAM) and the Nevis Reformation Party (NRP), which declared on assuming office that it had no plans to rush into independence. 57/ The coalition Government stated that full independence was desirable only on the basis of a stronger economic position, substantial development and pledges from foreign donors. 58/ In early 1982, Premier Kennedy Simmonds indicated that his Government was preparing proposals for constitutional advancement in view of the significant progress made in the Territory's economy since his administration came to power in February 1980. 59/

On 26 July 1982, Premier Simmonds presented to the House of Assembly a White Paper on constitutional proposals for the independence of St. Kitts-Nevis by 1983. The White Paper which was made available to the public for

consideration, discussion and comments, proposed a federal type of constitution for St. Kitts-Nevis, which would give Nevis a large measure of autonomy while preserving the unity of the two-island State. In the first part, the White Paper explained the position taken by the PAM/NRP coalition Government on the question of independence. It stated that "in order that the two islands may enter upon independence under arrangements that would preserve their long historical association", the Government had "evolved a series of constitutional proposals which would confer a substantial measure of autonomy upon the island of Nevis while preserving its position as a component part of the State". 60/ These arrangements would be discussed with the United Kingdom Government at a constitutional conference, at which time the territorial Government could negotiate a suitable date in 1983 for the termination of the status of association by an order-in-council as provided by section 10 (2) of the West Indies Act, 1967.

Annex I to the White Paper contained provisions relating to Nevis, to be introduced at independence. According to the proposals, the island "would have its own administration, to be styled the Nevis Island Administration and a legislative body styled the Nevis Island Assembly". 61/ The main features of the proposed arrangements for Nevis were as follows:

(a) There would be a Governor who would appoint three elected members with exclusive executive authority for the administration of Nevis; 62/

(b) The Nevis Island Assembly would consist of five elected members and two nominated members, one on the advice of the majority party and the other on the advice of the minority party; 63/

(c) The Nevis Island Assembly, which would be automatically dissolved every five years, would have vast powers to make laws in matters relating to its internal affairs; 64/

(d) The Nevis Island Administration would be entitled to collect and retain the proceeds of any taxes, fees, dues, rates or other charges; 65/

(e) The Nevis Island Administration would have power to obtain grants and loans from internal and external sources, e.g., under international aid programmes; 66/

(f) Constitutional amendments subject to a referendum in the whole of the Territory would require the approval of two thirds of the votes cast in both Nevis and St. Kitts; 67/

(g) Nevis would have power to secede from St. Kitts, provided the consequences of such an action were adequately explained to the electorate for a period of six months before the holding of a referendum

at which two thirds of the votes cast were in favour of the separation of the two islands. 68/

Annex II of the White Paper contained an outline of the constitution to be introduced at independence. The proposals provided for a Federation of St. Kitts and Nevis, to be called the Federation of St. Christopher and Nevis, 69/ which would have its own constitution as the supreme law of the State. 70/ The Head of State would be the Queen, who would be represented by the Governor-General. 71/ The Premier would be called the Prime Minister. 72/ The present House of Assembly would become the National Assembly. Elected members of the Assembly would be called representatives and nominated members senators. 73/ The Supreme Court (which consists of a High Court and Court of Appeals) would be called the Eastern Caribbean Supreme Court when exercising jurisdiction in the State. 74/ An appeal would continue to lie from the decision of the Supreme Court to the Judicial Committee of the Privy Council.

In addition, the proposals provided constitutional safeguards for fundamental rights and freedoms of the individual, 75/ as well as guaranteed freedom of speech, particularly in the National Assembly and the Nevis Island Assembly. 76/ In matters of legislation, the proposals provided that the power of the National Assembly to make laws for Nevis would not extend to matters within the exclusive competence of the Nevis Island Assembly under paragraph 23 of annex 1. 77/ However, provisions of acts of the National Assembly would have effect in Nevis if they related to external affairs, defence, national security or matters for which the Nevis Island Administration had signified its request or consent. 78/

With regard to citizenship, the proposals provided, among other things, that those persons who were ordinarily resident in the State before 19 December 1980 would be treated as if they had been born in St. Kitts-Nevis. In addition, the proposals provided for the granting of citizenship to a broad category of persons, including those who had been registered or naturalized while resident in Anguilla before 19 December 1980. 79/

In August 1982, following the publication of the White Paper, the opposition Labour Party expressed its objection to the independence plan and submitted a Green Paper on independence. 80/ Among its objections to the provisions of the White Paper, the most serious was the proposal to give substantial autonomy to Nevis. Believing that the Government had no mandate from the people for independence, the Labour Party subsequently demanded the holding of a general election before independence. It further claimed that its views were supported by some 10,000 people who had signed a petition against the White Paper, which was subsequently handed to the United Kingdom Minister of State for Foreign and Commonwealth Affairs when he visited St. Kitts in October 1982 (see below). 81/

On 5 October 1982, the House of Assembly unanimously approved the White Paper with minor amendments, which were made after the members of the

opposition Labour Party had staged a walkout of an earlier meeting.

Subsequently, the territorial Government requested the administering Power to arrange for talks on the independence of St. Kitts-Nevis in 1983. This was followed by a visit of Mr. Cranley Onslow, the United Kingdom Minister of State for Foreign and Commonwealth Affairs, to the Territory on 20 and 21 October 1982, to assess the political situation there. 82/

H. Independence constitution

In December 1982, a Constitutional Conference was held in London under the chairmanship of Mr. Onslow, "to discuss and finalize an independence constitution" and "to set the date for independence". The Conference, attended by the delegations of the territorial Government and the Opposition, agreed on the basic principles of a constitution for an independent St. Kitts-Nevis and that the Territory would become independent in September 1983. 83/ It was later decided that St. Kitts-Nevis would gain independence on 19 September.

Apart from the proposals concerning relations between St. Kitts and Nevis and, in particular, the establishment of the separate Legislature for Nevis, the territorial Government's proposals for the independence constitution were based largely on the terms of the existing Constitution of St. Kitts-Nevis which had been in force since 1967 and on those embodied in the Government's White Paper. 84/

The independence constitution provides inter alia, for the following:

(a) The islands of Saint Christopher and Nevis would be a sovereign democratic federal State which would be described as the Federation of Saint Christopher and Nevis or simply St. Kitts and Nevis. 85/

(b) There would be a parliamentary form of government with the Queen as the Head of State, represented by a Governor-General appointed by the Queen for a five-year term, with functions similar to those of the Governor under the present Constitution. 86/

(c) Executive power would be vested in the Queen and the Governor-General on her behalf, acting in accordance with the advice of the Cabinet. The Executive provisions would follow closely the provisions of the existing Constitution as to the appointment of ministers, the Cabinet, the Leader of the Opposition, the Attorney-General and the members of a Committee on the prerogative of mercy, as well as the control of public prosecutions. 81/

(d) Legislative power would be vested in a single chamber legislature to be known as the National Assembly which, together with the Queen, would constitute Parliament. The number of constituencies would

be increased prior to the next general election from seven in St. Kitts and two in Nevis to eight in St. Kitts and three in Nevis. There would be three nominated members in the Assembly: one appointed on the advice of the Leader of the Opposition and two on the advice of the Prime Minister. The Speaker need not be a member of the Assembly. A member of the Assembly must be a citizen 21 years of age or over. The minimum age for voters would be 18 years. 88/

The judicial provisions would continue to allow for constitutional questions to be referred to the High Court and for appeals on certain matters to the Judicial Committee of the Privy Council in London, in respect of decisions of the Court of Appeals. 89/

The constitutional safeguard for fundamental rights and freedoms would be maintained as in the present Constitution. In addition, the independence constitution expressly provided that where property had been compulsorily acquired, adequate compensation must be paid within a reasonable time and that no person would be subjected to discrimination by reason of birth out of wedlock. 90/

The constitution would incorporate provisions whereby St. Kitts and Nevis citizenship would automatically be acquired immediately on independence. It would grant citizenship to a broad category of persons, including those who already had "belonger" status under the existing Constitution. 91/

It was further agreed that provisions for the autonomy of Nevis within the Federation and for the secession of Nevis from the Federation would be entrenched in the constitution, including provisions for a separate administration and legislature for Nevis, which would have full responsibility for certain matters which are listed in annex 1 of the White Paper. The powers of the State Government and Legislature would not normally extend to matters for which the Nevis Island Administration and Assembly were responsible. 92/

The provision for Nevis to secede from the Federation would require the introduction and passage of a bill in the Nevis Island Assembly supported by a two-thirds majority of the elected members (initially five). This would subsequently need to be approved by a referendum in Nevis by not less than two thirds of the votes cast by the registered voters. Accordingly, the constitution would contain contingent provisions in the event of the secession of Nevis. 93/

IV. OTHER POLITICAL DEVELOPMENTS

In common with some other Territories in the West Indies, political parties in St. Kitts-Nevis had their origin in the labour organizations

that emerged out of disorders in the 1930s. The rise of labour to mass movement created political awareness among the masses and brought such leaders as Robert Llewellyn Bradshaw and M.C. Paul Southwell to national and regional prominence. These leaders organized the first political party in St. Kitts, known as Labour Party, with the help of the Trade and Labour Union. 94/

The Labour Party, based on mass support, became a powerful political force. It took up national issues and spoke about economic dissatisfaction in terms of political reforms. Its sustained demand for increased political responsibility paved the way for responsible government. The Labour Party remained a political force and won all elections held in the Territory until 1980.

In the 1956 election, the Labour Party won five of the eight legislative seats. In the next election held in 1961, it improved its position by winning 7 of 10 legislative seats. Of the three remaining seats, the United National Movement (UNM), an affiliate of the Labour Party, won two and an independent candidate was elected to the third. 95/

The last election before the Territory became an Associated State was held in July 1966, when 24 candidates contested the 10 elected seats. Out of the 24 candidates, 7 were nominated by the Labour Party, the governing party; 9 by PAM; 2 by UNM; and 6 were independents. At the elections, the Labour Party won seven seats, all in St. Kitts; PAM won two seats, one in Nevis and one in Anguilla; and UNM won a seat in Nevis. Consequently, all three parties were represented at the Constitutional Conference and all signed the report. 96/

The ruling Labour Party returned to office again in 1971 when it defeated the opposition PAM and NRP at the general election held in May. It captured all seven seats in St. Kitts but lost two seats in Nevis to PAM and NRP which secured one seat each. Anguilla, having unilaterally declared its independence from St. Kitts-Nevis, did not take part in the election. 97/

In December 1975, Mr. Bradshaw, who had been reappointed as Premier of the Territory in 1971, led his party to another victory in the general election, which was contested by the main political parties and three independent candidates. The election produced the same result in terms of the distribution of seats as that of the previous one.

In May 1978, when Mr. Bradshaw died, he was succeeded by Mr. Southwell, the Deputy Premier and Minister of Trade, Industry and Tourism. A year later, following the death of Mr. Southwell, Mr. Lee L. Moore, the Attorney-General and Minister of External Affairs, became Premier of the Territory.

From May 1979 until the next general election in 1980, the Labour Party held only five seats in the House of Assembly, having lost one of the seven seats to Mr. Kennedy Simmonds, the PAM leader, at a by-election

in January 1979, while the second seat had become vacant upon the death of Premier Southwell.

The last general election held in February 1980 (nearly one year before it was constitutionally due), resulted in the defeat of the Labour Party which won only four of the nine legislative seats. PAM, led by Mr. Simmonds, won three seats and NRP, led by Mr. Simeon Daniel, won two seats from Nevis. However, the Labour Party won 58 per cent of the votes cast in St. Kitts, compared with 42 per cent for PAM, while NRP won 84 per cent of the votes cast in Nevis, compared with 16 per cent for the Labour Party. Following the announcement of the election results, the leaders of PAM and NRP formed a coalition whereupon Mr. Simmonds was appointed Premier of St. Kitts-Nevis, and Mr. Moore Leader of the Opposition. 98/

V. ECONOMIC, SOCIAL AND EDUCATIONAL CONDITIONS

Since the early days of colonization, the economy of St. Kitts-Nevis has depended to a large extent on agriculture. In recent years, however, construction, tourism and government expenditure have also contributed to the economy. Manufacturing, other than sugar processing, plays a very minor role. The diversification of economic activity, although modest, has helped the Territory to achieve some gain in the gross national product at market prices which rose from \$US 30 million in 1977 to \$US 50 million in 1980. During the same period, the gross national product per capita rose from \$US 610 to \$US 920. 99/

Since its introduction in the seventeenth century, sugar has dominated agricultural production and in turn the economy of the Territory. Approximately 80 per cent of the arable land is used for sugar-cane, most of which is grown on large estates. The remainder of the arable land is used for the production of sea-island cotton and food crops (mainly sweet potatoes and yams, with some cabbages, carrots and tomatoes).

The production of sugar, which had fallen steadily since 1965 as a consequence of the excessively high stock of sugar which had depressed the world price, continued its downward trend until 1981, when production was 32,360 metric tons, compared with 34,750 metric tons in 1980. 100/ From the mid-1970s until 1981, production of sugar also suffered from the world economic recession on the one hand and the effects of smut disease, shortage of labour and abnormal rainfall on the other. Because of its position as the mainstay of the economy, the downward trend in the production of sugar has adversely affected the job market, raised the level of unemployment and resulted in reduced earnings for the Territory.

Agriculture on Nevis, on which more than half of the small farms in the Territory are located, is based almost exclusively on smallholdings.

The farms are used primarily for cotton, coconut, sugar-cane and vegetable production. Although cotton is the principal source of income for the farmers and the chief export from Nevis, its production has continued to decline owing to a variety of economic, agronomic and climatic factors. Nevis also has several coconut estates and live-stock farms. 100/

The territorial Government has for years sought to diversify agricultural production, particularly with a view to increasing food production for domestic consumption, since most of the food-stuffs are imported. In this respect UNDP agreed to provide \$US 500,000 for the development of the fishing industry in the Territory over a period of three years, starting in 1982.

In recent years, the territorial Government has given increased attention to providing the infrastructure needed for the development of tourism, a sector which is believed to have potential for economic growth. The number of tourists visiting the Territory increased steadily from 9,797 in 1968 101/ to 26,970 in 1978. 102/ In 1981, an expansion and renovation project at Golden Rock airport in St. Kitts was completed at a cost of \$US 13 million. The Government also concluded an agreement with British West Indies Airways (BWIA) in 1981 to extend its direct international services to the Territory, and in early 1982 Sun Jet International, a St. Kitts-Nevis registered airline, introduced two flights a week between Basseterre and Miami. 103/

In 1981, the Premier announced that a hotel condominium complex would be constructed at Frigate Bay in St. Kitts, an area which has been developed for a large-scale tourist facility. The announcement indicated that by 1986 there would be some 4,500 hotel rooms, compared with an estimated 500 in 1980.

As part of its programme for economic diversification, the Government has encouraged the establishment of small industries not dependent on local agricultural produce. A small industrial estate has been developed on the eastern side of Basseterre. The principal industry and largest industrial employer in the Territory is the sugar factory which started operation in 1912 and processes all the cane grown in the Territory. Other industrial concerns include a cotton ginnery, a brewery, a garment factory, a shoe factory and a factory to process edible oil and cattle feed. However, the smallness of their number and size and the nascent stage of their development have very much restricted their contribution to the Territory's economy. In addition, the Government's efforts to boost industrial activity by offering a tax holiday, duty-free import of building materials and repatriation of profits has not so far achieved any success. 104/ Consequently, imports have continued to exceed exports, owing mainly to the Territory's dependence on imported food-stuffs, other consumer items, fuel and other essential goods.

The Government's developmental efforts have been assisted by CARICOM, of which St. Kitts-Nevis has been a member since 1974. CARICOM came into being in July 1973 for the purpose of, among other things, the economic integration and co-ordination of foreign policy of its members. 105/ In pursuance of the basic economic objective, CARICOM established a Caribbean Common Market: (a) to strengthen, co-ordinate and regulate the economic and trade relations; (b) to encourage the sustained expansion and continuing integration of economic activities; and (c) to achieve a greater measure of economic independence and effectiveness for its member countries.

CARICOM, along with its associate institutions, especially the Caribbean Development Bank (CDB), the Eastern Caribbean Commission (ECC), the Caribbean Development Facility (CDF), the Technical Assistance Steering Committee (TASC) and the Caribbean Investment Corporation (CIC), has assisted and financed various capital projects in St. Kitts-Nevis, notable among them being the Basseterre deep-water port, a new terminal building at Golden Rock Airport, electrification, improvement of the road system and the water development scheme. CDB and CIC have also provided funds to the Territory for industrial developments such as a shoe factory at a cost of \$US 285,000.

In addition, St. Kitts-Nevis has received financial and technical assistance on a bilateral and multilateral basis from certain external sources, including the administering Power, the Governments of Canada, the United States of America, Venezuela and Trinidad and Tobago, the European Development Fund (EDF), and the organizations of the United Nations systems, notably the United Nations Development Programme (UNDP). Although the territorial Government has introduced several measures to strengthen its economic and financial positions, it is very much dependent on external aid to cover capital expenditure.

The Government of St. Kitts-Nevis continued to be a member in the East Caribbean Currency Authority (ECCA), established in 1965, which is responsible for the issue and management of a common currency for the Governments participating in ECCA. The unit of the monetary system is the East Caribbean dollar (\$EC), which was fixed to the pound sterling at a rate of \$EC 4.80 to £1. Following the rapid decline of the pound sterling in the international market, ECCA decided in July 1976 to sever the link with the pound sterling and to link the East Caribbean dollar to the United States dollar with a fixed parity of \$EC 2.70 to \$US 1.00.

In the social sector, the Territory has in recent years been pressed with unemployment problems. The economic recession and inflation, particularly in the industrialized countries, has made it difficult for the Government to solve this problem. In 1981, the Government increased the personal emoluments for workers in the public sector.

Education is free and compulsory for primary and secondary school students. 106/ There are 35 public schools, of which 19 primary and 4 secondary schools are located on St. Kitts and 10 primary and 2 secondary schools are on Nevis. These schools are wholly maintained by the Government. 107/ In the academic year 1978/79, there were 6,442 students in primary schools and 4,797 students in secondary schools. In addition, there were 1,441 students in 11 private schools.

With respect to higher education, students from the Territory attend the University of the West Indies, as well as universities in the United Kingdom, Canada and the United States, usually under government scholarships.

VI. ACTION BY THE UNITED NATIONS

A. Consideration by the Special Committee on Decolonization

St. Kitts-Nevis-Anguilla, as part of the Leeward Islands, was originally included in the 1946 list of Non-Self-Governing Territories 108/ to which the Declaration on the Granting of Independence to Colonial Countries and Peoples 109/ applied. In the 1962 list of Territories, 110/ St. Kitts-Nevis-Anguilla was listed as a separate Territory but in 1964, the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples developed the practice of studying the situation in St. Kitts-Nevis-Anguilla jointly with other small Territories, including those of the Leeward and Windward Islands. From 1967 to 1980, the Territory was considered along with the other Associated States. Since 1981, St. Kitts-Nevis, being the only Associated State, has been considered separately.

In a series of conclusions and recommendations between 1964 and 1967, the Special Committee reaffirmed the right of the people in St. Kitts-Nevis to self-determination and independence and reiterated the view that such factors as size, geographical location, population and limited natural resources should in no way delay the implementation of the Declaration with respect to the Territory.

The Special Committee has repeatedly requested the Administering Power to promote the development of closer ties between St. Kitts-Nevis and other small Territories in the region through the building of a common political, economic and social infrastructure in accordance with the wishes of the people.

The Special Committee has repeatedly emphasized that the administering Power should ensure that the people of the Territory are informed of the various possibilities available to them in accordance with the Declaration. 111/

Following the constitutional developments that had made possible the introduction of self-government in the Caribbean Territories (which became

States in association with the United Kingdom) including St. Kitts-Nevis, the Special Committee in 1968 stated that it regretted the refusal of the administering Power to co-operate with the Committee in its efforts to obtain more complete information on the Territories, including St. Kitts-Nevis. The Committee, considering that the information at its disposal had not enabled it to assess the actual situation in the Territory, requested the United Kingdom to enable the Committee to send a visiting mission to the Territory for the purpose of acquiring first-hand information on the situation in the Territory and of assessing the needs and wishes of the people. However, no visiting mission has been invited to the Territory.

B. Action by the General Assembly

The General Assembly considers the question of St. Kitts-Nevis each year in the context of its discussion of the report of the Special Committee. Beginning in 1965, when it first considered the question of St. Kitts-Nevis, and until 1970, the Assembly adopted a series of resolutions concerning the Territory, together with 24 other small Territories in the Caribbean, the Atlantic, Indian and Pacific oceans. 112/ By those resolutions, the Assembly, inter alia, called upon the administering Powers to implement without delay resolution 1514 (XV) and other relevant resolutions of the Assembly and in particular reaffirmed that questions of territorial size, geographical isolation and limited resources should in no way delay the implementation of the Declaration. It deprecated any attempt aimed at the partial or total disruption of the national unity and territorial integrity of the colonial Territories; urged the administering Powers to guarantee the rights of the people of those Territories to own and dispose of their natural resources; and called upon those Powers to reconsider their attitude towards receiving United Nations visiting missions to Territories under their administration.

From 1969 to 1972, the General Assembly considered the question of St. Kitts-Nevis together with the other Associated States. While noting the reports of the Special Committee relating to these Territories, the Assembly reaffirmed the inalienable right of the peoples of the Territories to self-determination and independence.

In 1969, the General Assembly, on the recommendation of the Fourth Committee, by a separate resolution, 113/ decided to transmit for the close attention of the Special Committee the records of the Fourth Committee 114/ covering the debate on St. Kitts-Nevis and the other Associated States 115/ and in particular the draft resolution submitted by Barbados, Guyana, Jamaica and Trinidad and Tobago, 116/ by which the Assembly would have recognized that the existing constitutional arrangements in the Associated States, including St. Kitts-Nevis, made provisions for them to terminate their relationship with the United Kingdom and to proceed to full independence as a separate State or in association