

7. The involvement of non-sovereign territories in maritime security cooperation

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- Strategically, the non-sovereign territories of the Pacific are pivotal to colonial maritime and security strategies. These territories, focused on their own strategic priorities for development and self-determination, can clash with colonial priorities, creating tensions and regional vulnerabilities.
- Prioritising the autonomy and voices of Pacific non-sovereign territories is crucial. Ensuring their active participation in maritime security initiatives can enhance regional stability and foster more inclusive and equitable ocean governance. Addressing historical wrongs and promoting collaborative decision-making will lead to a more resilient maritime security environment.



Beginning in the 1960s, the process of decolonization led to the emergence of independent Pacific Island states, including those who entered into free association arrangements with the United States and New Zealand. This wave of decolonization did not reach the shores of all Pacific Islands, however. As a result, there are multiple non-sovereign territories in the region administered by metropolitan powers. These include Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa —United States (which illegally annexed the Kingdom of Hawai'i as a State); Ma'ohi Nui (French Polynesia), Kanaky (New Caledonia), and Wallis and Futuna—France; Tokelau—New Zealand; Pitcairn Island—United Kingdom; Rapa Nui—Chile; and West Papua—Indonesia.

Some of these islands are officially on the United Nations' list of non-self-governing territories, and thus have a clear pathway in international law to exercise self-determination. Others, however, have been either removed from the list or were part of a trust territory after World War II. The unifying thread for all these islands is their lack of sovereignty and subsequent lack of complete foreign affairs power to engage in maritime security cooperation and governance to their fullest extent.

These territories have often endured the environmental and human costs of nuclear testing, military activities, and now climate change. Contemporary maritime security strategies, such as strategic denial and EEZ claims by colonial powers, projected

from Pacific non-sovereign territories, place these territories in a position of being drawn into a foreign policy which they did not craft or have final say over. Rather, this foreign policy is crafted and executed by their administering power. The response from the diverse peoples of the Pacific non-sovereign territories to the escalating geostrategic contest in the region ranges from protests within Guam on the proposed establishment of a 360-degree missile defense system, the continued push for independence in Kanaky, and the welcoming of US military tourism in the CNMI. To understand maritime security, cooperation, and governance, it is insufficient to exclude the non-sovereign territories in the

analysis. The strategic and economic priorities of colonial powers can conflict with their responsibilities to the people of non-sovereign territories. This dynamic complicates maritime security cooperation with these territories, requiring careful and respectful navigation of their unique circumstances. The future of maritime security and the Pacific's regional ability to navigate this future is being shaped by activity or lack of activity within the non-sovereign Pacific.

The Pacific Islands Forum's **2050 Strategy for the Blue Pacific Continent** has a commitment by leaders to 'protect our sovereignty and jurisdiction over our maritime zones and resources'.²¹⁷ The presence of non-sovereign territories in the Pacific arguably complicates this commitment.

First, as ultimate sovereignty over foreign policy does not lie with these territories, these pockets of non-sovereignty will impede a true regional approach to maritime governance, while providing metropolitan powers with more influence. While these powers are trying to 'partner' with the Pacific on maritime issues, the holding of territories is anything but 'partnership.' Non-sovereign territories are places where these powers can largely act unilaterally and push their own agenda for the Pacific Islands region. No treaties need to be signed with non-sovereign territories. This creates a tension. Building up a 'partnership' in a region while simultaneously holding places of unilateral action diminishes the integrity of this partnership from the start, and thus jeopardizes genuine maritime

security cooperation. As Jackson notes, 'the Non-Sovereign Pacific is actively at risk, and the Independent Pacific Nations will remain far weaker than they could be so long as their neighbors are denied the same political status they enjoy'.²¹⁸

Second, the exclusive economic zones generated by the non-sovereign territories add a significant amount to their overall EEZs. In the case of France, for example, 'Metropolitan France has only 340,290 km² of EEZ in Europe, but its overseas dependencies add 11 million km² of EEZ worldwide. Of France's 11,000,000 km² of overseas EEZ, more than 7 million are located in the Pacific'.²¹⁹ Furthermore, lawful maritime boundaries are the fundamental basis of the peaceful order of the oceans. In this context, France's desire as a



credible leader on maritime issues in the region is undermined by the claims by France and Vanuatu to the Matthew and Hunter Islands.²²⁰ While some non-sovereign territories have agency regarding resource management, colonial powers have emphasized that they have ultimate sovereignty over territory EEZs.

For those on the non-self-governing territory list, this colonial control is arguably contrary to international policy. The United Nations General Assembly adopted a resolution reaffirming that 'the natural resources are the heritage of the peoples of the Non-Self-Governing Territories, including the indigenous populations'.²²¹ This resolution has also called on these administering powers to 'take effective measures to safeguard and guarantee the inalienable right of

the peoples of the NGSTs to their natural resources'.²²² Yet, metropolitan powers have resisted this. Guam has made exclusive claims to its EEZ, utilizing relevant international law, yet the United States does not acknowledge Guam's claim, rather claiming it as US EEZ. Resolving these issues will be critical towards understanding how these powers truly view partnership with the Pacific. How they treat their colonial holdings is a litmus test for how they may engage overall in the region.

Also important to maritime security cooperation is how the non-sovereign territories in the Pacific Islands enables the metropole powers to: **a) Make a case for their presence in the Pacific;** and **b) Attempt to uphold a 'free and open Indo-Pacific.'**

First, the holding of territories in the region has been rhetorically used to justify metropolitan involvement in the region. Amongst this renewed competition with China, western powers use their colonial possessions as an anchor of their Pacific identity. The core document for US-Pacific Islands engagement, the Pacific Partnership Strategy, states, 'The United States is a Pacific nation, with its homeland including the Commonwealth of the Northern Mariana Islands, Guam, American Samoa, and Hawai'i'.²²³ France's Indo-Pacific strategy similarly emphasizes, 'With its overseas territories, France is an Indo-Pacific nation...President Macron underlined the essential role that the territories play in French strategy through regional cooperation'.²²⁴ Thus, these powers are using their colonial holdings in the region to justify their ramped up presence in the region.

Second, the non-sovereign territories are being used in the name of a 'free and open Indo-Pacific' to include military exercises. The United States, through its Indo-Pacific Strategy, places significant emphasis on non-self-governing territories for its maritime security strategy in the Pacific region. This strategy aims to maintain a free and open Indo-Pacific, by safeguarding crucial sea lanes and lines of communication, and countering the influence of competing powers. The United States is using Guam at the core of its Indo-Pacific strategy. This ranges from the opening of a new Marine Corps base, the use of

Guam for missile defense technology experimentation, and the host of partner militaries (such as the proposed bed-down of Singapore aircraft in the island). Guam, and the freely associated states in Micronesia, are being used for joint military exercises (such as Cope North) with ally and partner forces in order to 'enhance security and stability to maintain a free and open Indo-Pacific'.²²⁵ This is all occurring in the context of the CHamoru people of Guam not yet exercising the right to self-determination. As Kuper (2024) has argued elsewhere, 'A free and open Indo-Pacific cannot be fully accomplished without resolving the paradox of the United States maintain a modern-day colony'.²²⁶

The French also have military presence in their Pacific territories which they use for protection and surveillance of their territories, EEZ, and airspace. Yet, this presence in French territories also allows them to engage with other militaries and push their agenda for the region in Melanesia and Polynesia. For example, in summer 2024, the French hosted the 'Marara' military exercise, which hosted military personnel from 15 nations with the aim of increasing 'interoperability'.²²⁷ As their Ministry of Defense writes regarding French military presence in the territories, '[o]ur permanent capabilities and facilities... ensure the credibility of our presence, sustain our contribution to security and our support to our partners'.²²⁸ Similar to Guam, this happened in a territory (Ma'ohi Nui) that has a long history of fighting for self-determination. Thus, this strategic focus can sometimes overshadow the aspirations of non-sovereign territories in the region, whose goals for self-determination and development may be sidelined by security agendas.

To conclude, the Pacific Islands is a region where the pursuit of self-determination remains an ongoing process. The geostrategic strategies of colonial powers often rely on Pacific sites, resulting in the disregard for their obligations to these territories in favour of maritime security priorities. Efforts for decolonisation remain sites of instability within the Blue Pacific Continent. Reconciling and respecting non-sovereign territories and Indigenous peoples' rights is a critical component of the effective operation of maritime security cooperation.

