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VERBATIM RECORD OF THE SIXTEEN HUNDRED AND SECOND MEETING

Held at United Nations Headquarters, New York,
on Monday, 12 May 1986, at 3 p.m.

President: Mr. RAPIN (France)

- Examination of the annual report of the Administering Authority for the year ended 30 September 1985: Trust Territory of the Pacific Islands (continued)
- Organization of work

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The meeting was called to order at 3.15 p.m.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1985: TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1888) (continued)

The PRESIDENT (interpretation from French): I call first on

Mr. Tosiwo Nakayama, President of the Federated States of Micronesia and Special Representative in the delegation of the Administering Authority.

Mr. NAKAYAMA (Special Representative): I wish to thank the Council for this opportunity to appear before it. It is always an extreme honour and pleasure for my Government to review with this Council conditions in the Federated States of Micronesia and the needs and desires of our people.

Mr. President, before I proceed with my testimony I should like to congratulate you and the Vice-President on your election to the leadership of the Council. We wish you both a successful and gratifying term of office.

With the Council's permission I should now like to introduce the principal members of our delegation. Because of the unique importance of this session to our people, representatives from our National Congress and each of our States have accompanied me here today.

First I should like to introduce Speaker Bethwel Henry, who is heading a delegation from the Congress of the Federated States of Micronesia, then the Heads of our State delegations: Speaker Ambros Senda of the Pohnpei State Legislature, Speaker Thurston Siba of the Kosrae State Legislature, Vice-Speaker Kenchy James of the Truk State Legislature, and Vice-Speaker Mike Kigimnang of the Yap State Legislature. Finally I should like to introduce Andon Amaraich, who is the Secretary of External Affairs, and Epel Ilon, who is the representative of the Federated States of Micronesia in Washington, DC. Mr. Amaraich has also served with great dedication and foresight for a number of years as our chief political-status negotiator.

(Mr. Nakayama, Special Representative)

I and my colleagues have had the honour of addressing this Council many times during the long years of our trusteeship. Throughout those years the Council has seen us slowly and painstakingly develop our governmental institutions and has witnessed our social and economic progress. Today we have fully functioning self-government under our own national Constitution. All of these achievements are probably unprecedented, given the fact that we came to the trusteeship almost totally undeveloped and as diversified peoples which had been subjugated by colonialism and devastated by war.

Each year for almost 40 years now the Council has received detailed accounts of the transformation that has brought us to where we are today, at the threshold of terminating the trusteeship and taking an increasing role in the community of nations. That is why I am here today to ask that the Council, which has played such a vital role in our history, now carry out its ultimate responsibility: to recognize that the trusteeship has served its purpose.

As in past years, I could lengthen this statement considerably by detailing the progress which continues in our country at a quicker pace than ever before. The fact is that some years ago our social and economic conditions progressed to a point at which, while still below our needs, they could best be advanced outside the confines of the trusteeship.

(Mr. Nakayama, Special Representative)

It will be recalled that at recent sessions we referred to our functioning self-government and expressed the hope that we were making our last appearance before the Council. The delay, as the Council knows, has concerned only our need to bring to final completion the details of the future relationship that we have chosen with the United States of America. Those details have now been made final, with the result that as of this moment no further basis exists for the maintenance of the trusteeship status for the Federated States of Micronesia.

The Constitution of the Federated States of Micronesia became effective on 10 May 1979. Pursuant to that Constitution, our governmental institutions promptly came into being and our representatives were chosen in free elections. Since that time our trustee, the United States, has steadily relinquished to the Federated States of Micronesia Government the former functions of the trusteeship Government, so that today the United States maintains only minimal oversight, pursuant to its obligation to this body. The Government and people of the Federated States of Micronesia today are making their own decisions with regard to their future in all areas, including economic development, health, education, laws and law enforcement, revenue generation and even external affairs. While we are still far from a condition of economic self-sufficiency, we are dedicated to a goal during the immediate post-trusteeship period of narrowing that distance as much and as rapidly as possible. We believe we have in the relationship of free association with the United States the best approach to pursuing our goal.

It is perhaps appropriate that I should refer to the elusive nature of the term "self-sufficiency". In the modern world all nations are becoming interdependent, and in that sense less than totally self-sufficient. While we cherish traditional values in our society, we also know that our future, and more importantly that of our children, lies in peaceful co-operation with other

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countries of our region and the world. Thus, the ultimate measure of our "self-sufficiency" will not necessarily be what we receive from external resources but, rather, how well we achieve a balance between what we receive and what we shall be able to contribute, utilizing all forms of our resources.

Even now, I am proud to say that our comparatively new country has already earned a strong measure of respect and recognition within the Pacific region. Within the limit of our abilities we are participating in a number of regional discussions and negotiations, not just as observers but as active participants, and in a few cases as leading participants. One could offer a number of reasons for our regional acceptance, but standing out among them would have to be the fact that we moved swiftly under our Constitution to demonstrate our unity of purpose, our responsibility in Government and our experience, which long predates our actual emergence as a constitutional federation. While we join our brothers within the region, together with other countries in the world, with an attitude of appreciation and respect, we hope to contribute to that association a very real sense of international responsibility.

I should like now to say a few words about our choice of free association with the United States. You, Mr. President, and other representatives here are probably quite familiar with our history during the years of the trusteeship. To refresh the memory of others who have not followed our path so closely, let me say first that the idea of pursuing a unique form of free association as a post-trusteeship status for our country originated with the Micronesian people. One of the very first activities of the newly constituted Congress of Micronesia in the mid-1960s was to create a broadly representative Commission, which for several years carefully evaluated every conceivable future status option. This Commission visited many different countries and discussed with officials of their Governments

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the ramifications of different political choices ranging all the way from independence to colonial status. The conclusion was that no other precise parallel could be found which would meet the needs of our people. The closest parallel was a relationship which in several cases had been termed "free association" but which would need to be tailored substantially to meet our goals. Based on the Commission's report, the Congress of Micronesia appointed a successor body, called the Joint Committee on Future Political Status, which was directly to pursue negotiations on free association which would meet four fundamental principles. These principles were: first, that sovereignty in Micronesia resides in the people of Micronesia and their duly constituted Government; secondly, that the people of Micronesia possess the right of self-determination and may, therefore, choose independence or self-government in free association with any nation or organization of nations; thirdly, that the people of Micronesia have the right to adopt their own Constitution and to amend, change or revoke any Constitution or Government plan at any time; and, fourthly and finally, that free association should be in the form of a revocable compact terminable unilaterally by either party.

The negotiations with the United States commenced in 1969. In 1975 a referendum in the Trust Territory reaffirmed strong popular support for free association in conformity with the four basic principles. The negotiations were finally completed in 1982, when my Government and the United States Government signed the Compact of Free Association. In the interim, the process of self-determination within Micronesia brought into being the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau and the Commonwealth of the Northern Mariana Islands. The records of this Council reflect the fact that each of these developments was based upon a valid exercise of self-determination.

(Mr. Nakayama, Special Representative)

Based on the signing of the Compact of Free Association in 1982, the document was subjected to exhaustive scrutiny within the Federated States of Micronesia at virtually every level of our society. An extensive education programme was conducted and ultimately there was an overwhelming approval of Free Association, not only by our Congress and State legislatures as required by our Constitution, but also in a nation-wide plebiscite observed by the Council.

The United States Government, pursuant to its constitutional requirements, approved the Compact in January of this year. Subsequently our Congress and State legislatures reaffirmed the desire of the people of the Federated States of Micronesia to terminate the trusteeship and enter into Free Association with the United States.

My purpose in describing this process has been to place on record in the Council in unmistakable terms the fact that our people carefully, thoughtfully and with full awareness have made clear political choices. This long process has been both deliberate and peaceful throughout.

I will not prolong these remarks. My message and that of my countrymen to the Council is simply put. The Federated States of Micronesia exist today as evidence of the wisdom of those who originally conceived the trusteeship. It stands also as evidence that the Trusteeship has served its purpose, and that fact must be recognized without further delay.

In closing I am honoured to express the enduring gratitude of my people to all those who have carried out so diligently the work of the Council over so many years. They have helped us to achieve that which we wanted most - the chance at long last to chart and steer our own course. We will do so wisely, I hope, but with a keen awareness that we are not alone on the ocean. That knowledge will comfort us, but it will also charge us with a heavy responsibility to be good seamen. Thanks to you, and to our forebears, this is a responsibility we understand well. May we all make peaceful journeys together.

The PRESIDENT (interpretation from French): I call now on His Excellency, Mr. Lazarus E. Salii, President of the Republic of Palau and Special Representative in the delegation of the Administering Authority.

Mr. SALII (Special Representative): Let me begin, Sir, by extending to you and to the other members of the Council the appreciation of the Government and the people of Palau for the courtesy you have extended to Palau to address this body. I extend our congratulations to you on your election as President of the Council for what may yet turn out to be an historic session. I also salute the outgoing President, Mr. Maxey.

I should like also to express my Government's appreciation to the Honourable David Gore-Booth, Chairman, and Mr. André Rocher, Vice-Chairman, and the other members of the Visiting Mission to observe the February 1986 plebiscite in Palau, including the representatives from our Pacific neighbours of Fiji and Papua New Guinea, the Honourable Raj Singh and the Honourable David Anggo, and from the United Kingdom the Honourable Hugh Mortimer, as well as the representatives of the Administering Authority.

I should like now to introduce the other members of the delegation from Palau. Heading the group from the National Congress is the Honourable Speaker Santos Olikong. We have also with us Minister John Ngiraked from my Cabinet; Victorio Uherbelau from my staff; delegates Minami Ueki, Florencio Yamada, Surangel Whipps, Joseph Kintol and Mariano Carlos. We were accompanied also by the following staff members: Mr. Joseph Chairez from the House of Delegates; Mr. Haruo Willter on my staff; Mr. Norio Ubedei, also from my staff; Mr. Hersey Kyota on the staff of the House of Delegates, Ms. Lorie Nelson from my staff and Mr. Michael Mirando, also from my staff.

I am here to bring the greetings of the Republic of Palau, to express the wishes of its people and finally to offer you their thanks. In the nearly 40 years since the United Nations Trust Territory of the Pacific Islands was established,

many Island leaders have made this trip, appeared before you and reported on the progress and problems of the Trusteeship. It speaks well of them, and well of you, that this period is now ending, that it is ending peacefully, ending honourably, with an agreement that reflects credit on the people of Palau, the Government of the United States and the Trusteeship Council of the United Nations.

Seventeen years have passed since leaders of the Congress of Micronesia declared their intention to negotiate a relationship of Free Association with the United States. We foresaw a relationship that, while satisfying our wishes - and yours - for self-government would also enable our islands to enjoy the continued protection, support and friendship of our Administering Authority, the United States. Such an agreement was not easily reached. There were difficult matters to be resolved with the United States and crucial issues involving laws, lands and finances. Among island groups in Micronesia there was a troubling, often painful, time of testing that resulted in the division of the Trust Territory into the Commonwealth of the Northern Marianas, the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau. Then, too, within Palau, in the minds and hearts of every Palauan there were other questions to be answered. Those were the hardest deliberations of all. For the first time Palauans were asked to make a choice about their lives and their children's. Pride in Palauan culture, identity and language had to be weighed against our interest in and need for access to the outside world. The love of our land had to be reconciled with the need for change and challenge. It was a time of hard choices. Three times our Constitution was voted on. Three times this Compact of Free Association was voted upon as well. There was turmoil in our islands. There was even tragedy, some of it unnecessary, some of it perhaps inevitable. But Palau has come through knowing that we have not only survived, we have succeeded. And our success is that of a small group of islands that has managed to negotiate an equitable partnership with a world Power.

(Mr. Salii, Special Representative)

On 25 April 1986 I had the pleasure of certifying the Compact to His Excellency President Ronald Reagan of the United States. By that certification the President was officially advised that the Compact had been approved by the people of Palau in the manner prescribed by the national congress of Palau, the Olbiil Era Kelulau, and in conformity with our national Constitution. Today it is my distinct honour to bring the same message to the members of this Council. Palau has completed its part in the process of terminating the trusteeship and becoming self-governing in free association with the United States.

The Compact of Free Association between the United States and the Republic of Palau is now being reviewed by the United States Congress. I assume - and I hope my assumption is correct - that the Compact will be submitted to this Council in a matter of weeks, and without major revisions. On behalf of Palau, 72 per cent of whose voters favoured the Compact when it was presented to them last February, I urge that the Compact be promptly approved by the Administering Authority without delay and without amendment without the prior consent of Palau, and by this Council and the United Nations at large after the United States Congress has given its own approval to the Compact.

In asking the Trusteeship Council to respect our people's wishes and not to delay or deny them I recognize that there may be those in Palau, in the United States and in the Trusteeship Council who would have preferred us to have made another choice. There were, and there still may be, some Americans who would have wished that we had chosen a closer, permanent tie, that of a commonwealth or a Territory. Some people might have preferred an indefinite continuation of the Trusteeship. And there are others who have argued tenaciously, eloquently, for outright independence. We have no quarrel with those people. We appreciate their concern. We have taken their views into account. That is why the Compact of Free

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Association is open-ended. That is why it is unilaterally terminable. That is why it allows for movement and permits change. But now it is time to say that, just as we have heard out our critics, just as we respect their wishes, we ask them and we ask the Council to respect our wishes, approve this Compact, terminate the trusteeship and bring these long years of negotiations to an end.

I realize there are those who on examining the Compact will have reservations concerning its military aspects: the delegation of defence powers to the United States. To those objections I respond that few have lived with the consequences of war longer or pondered the implications of the concept of the strategic Trust Territory more deeply than the people who voted on this Compact. Others have fought on our lands; we have fought no one. We support the Compact in the hope that it will subtract from, not add to, the troubles in the world, troubles which never have been and never will be of our making.

One hesitates to use the word historic; it is best left to historians to determine the meaning of this day. But that does not prevent me from observing - and from celebrating - a participant's satisfaction that our work is almost done. For all the Council's past effort, its commitment and its concern it has our thanks. History has given Palau ample reason to be wary of foreign nations. That is the legacy of colonial rule. That is the result of war. Under the Council's guidance some of our reservations about outsiders were overcome. We found friends and partners in the outside world. We became, and we shall remain, a part of the world community. When the trusteeship ends, as I hope it very shortly will end, it will not be because it failed, but because it succeeded.

Glancing around this Chamber I see many people who have been involved in the operation and the conclusion of the trusteeship, many people from various islands and nations, my friends all of them, who looked forward to this day and moved us

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towards it. I confess there were times when I had my doubts. On many occasions I thought I would never see this day - and there were a few times when I thought no one ever would. Now the day has come and I say to the Council, thank you and farewell.

The PRESIDENT (interpretation from French): I call on His Excellency Mr. Pedro A. Tenorio, Lieutenant Governor of the Commonwealth of the Northern Mariana Islands, and Special Representative in the delegation of the Administering Authority.

Mr. TENORIO (Special Representative): I am honoured and privileged to appear before the Trusteeship Council on behalf of the Commonwealth of the Northern Mariana Islands. As we say in our islands, hafa adai, buenas yan saludos.

I wish also to convey to you, Mr. President, and to the Vice-President of the Council congratulations on your election.

Governor Pedro P. Tenorio has requested that I convey his greetings to the members of the Council and express his regrets that he is unable to be here with us today.

I have with me as special advisers and as representatives of the legislative branch of our Government: Senator Julian S. Calvo, President of the Senate; Representative Jose R. Lifoifoi, Speaker of our House of Representatives; Senator Herman R. Guerrero, minority leader of our Senate; Representative Benigno M. Sablan; Representative Edward M. Deleon Guerrero; and Representative Gregorio B. Sablan. Also with me today is our elected Resident Representative to the United States, Mr. Froilan C. Tenorio. We are accompanied by our advisers, Brenda Y. Tenorio, Herman T. Guerrero and Margaret Tudela, and our counsel, Daniel H. MacMeekin.

(Mr. Tenorio, Special Representative)

I should like also to acknowledge the presence here today of two officials of the United States Government who have been special friends of the Northern Mariana Islands over the years even though their duties do not directly concern the Northern Mariana Islands. They are Mr. Fred Zeder, the United States President's Personal Representative for Micronesian Status Negotiations, and Mrs. Janet McCoy, High Commissioner of the Trust Territory of the Pacific Islands.

(Mr. Tenorio, Special Representative)

Much of the progress that has occurred in our islands during our almost 40 years under United Nations trusteeship is attributable to the close interest and concern with which the members of the Council have followed our affairs. We thank you for that interest and concern. I am pleased to report that our progress has continued in the year that has passed since I spoke to you last May.

Later, I shall speak more of the Covenant under which we intend to become a Commonwealth of the United States. For the moment, I should like to speak of the agreement for additional funding that we have negotiated with the United States. As members of the Council may recall, our Covenant guaranteed us substantial funding for the first 7 years of the constitutional Government we established under that document. That first 7-year period expired last year. We have now negotiated an agreement for a second 7-year period which includes a substantial increase in the funds available to us for capital improvements. Those capital improvements will provide the essential infrastructure necessary to support our continued economic development.

Another key element in the newly negotiated agreement is the reduction of the size of our Government relative to the size of our economy. This we hope to accomplish by transferring to the private sector those Government functions that can be more efficiently operated by private enterprises. That funding agreement is currently ready for approval by the Congress of the United States.

Another milestone for us is the near completion of our Commonwealth Health Centre. We have experienced some delays, but we expect that the Centre will be staffed and able to receive patients by this autumn.

Under our Covenant a Commission, the Northern Mariana Islands Commission on Federal Laws, was established to examine the laws of the United States and recommend to the Congress of the United States which of those laws should apply to the Northern Mariana Islands and which should not. That Commission, of which I had

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the honour to be Vice-Chairman, completed its monumental task last August and submitted the second of its reports to Congress. Most of the recommendations in the Commission's first report to Congress have already been enacted into law by that body. We trust that the recommendations in the Commission's second report will be equally well received.

Tourism continues to be the mainstay of our economy. We are enjoying another increase in the number of visitors to our islands. Our fledgling garment industry continues to grow, although its growth has been somewhat hampered by import quotas imposed by the United States.

I shall be briefer than usual today in focusing on the events of the past year because I want to spent somewhat more time than usual in focusing on what has yet to come, namely, the ending of this trusteeship.

Article 73 of the United Nations Charter provides that Members of the United Nations that assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government have an obligation in such territories

"to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples".

Article 76 of the Charter sets as one of the basic objectives of the Trusteeship System, under which the Northern Mariana Islands has been administered:

"to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely

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expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement".

Under Article 79 of the Charter, the Northern Mariana Islands have been governed by the Trusteeship Agreement for the former Japanese Mandated Islands. Paragraph 1 of Article 6 of that Trusteeship Agreement echoes Article 76 of the Charter. The United States, as Administering Authority, is required to promote our development towards self-government or independence as may be appropriate to our circumstances and consistent with our freely expressed wishes.

We, the people of the Northern Mariana Islands, have decided that self-government, rather than independence, is appropriate to our particular circumstances. The way in which we have freely chosen to govern ourselves is as a commonwealth of the United States. The essentials of our relationship with the United States are embodied in a document that we, over a period of years, have negotiated with the United States. That document, the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, was approved in 1975 by the unanimous vote of our Legislature. On 17 June 1975, 95 per cent of our voters cast ballots in a plebiscite in which the only issue was whether or not to approve the Covenant as the basic document for our future. More than 78 per cent of those voters cast ballots approving the Covenant. That plebiscite was conducted under the supervision of the Editor Emeritus of the Christian Science Monitor, the late Honourable Erwin D. Canham, and was observed by a Visiting Mission from the Trusteeship Council. In the following year the Covenant was approved by a Public Law enacted by the United States. There can be no doubt that the form of self-government set forth in the Covenant is consistent with the freely expressed wishes of our people.

Under the Covenant we have already adopted a Constitution of our own making which establishes our governmental structure. Our Government consists of separate

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executive, legislative and judicial branches. The executive power is vested in a popularly elected Governor, while legislative authority is vested in a bicameral, popularly elected Legislature. The powers of the Government are limited by a Bill of Rights.

On termination of the Trusteeship, our citizens will become citizens of the United States unless they choose instead to become nationals of the United States.

Under the Covenant we have the power to control our own borders. In general, the immigration laws of the United States do not apply to our Commonwealth, and we are not within the customs territory of the United States.

We receive financial assistance from the United States on a multiyear basis to assist in the development of our governmental and capital infrastructure to encourage economic self-sufficiency. We are entitled to receive from the United States a rebate of all Federal revenues raised in our islands, including Federal income-tax laws. In addition, we benefit from a wide variety of Federal programmes that are also available in the states of the United States.

Under the Covenant we have given the United States the responsibility and authority to manage our foreign affairs and defence.

Permanent title to all property of the Trust Territory of the Pacific Islands located within the Northern Mariana Islands will be vested in the Commonwealth of the Northern Mariana Islands on termination of the trusteeship. We have agreed to lease certain lands to the United States for a limited term in order that those lands may be used by the United States to contribute to furthering international peace and security. Our Government is fairly compensated for all such leases.

We are aware that there are some who argue that the Commonwealth arrangement with the United States is not a form of self-government and that, consequently, the goals of the Trusteeship System have not been met with respect to the Northern Mariana Islands.

(Mr. Tenorio, Special Representative)

We disagree. We are 14 small islands in the midst of the largest ocean on earth. Our population is smaller than that of most of the cities in the world. While others may think we should opt for independence like all of the earlier Trust Territories, we believe that the United Nations Charter and the Trusteeship Agreement under which we have been administered guarantee us the right to choose to link our small Commonwealth permanently to a larger and stronger nation. We have been administered by the United States for 40 years. Throughout that period we have come to know the American people and their form of government. We believe we have made an informed choice which will be of benefit to ourselves and to the future generations that inhabit our islands.

It is true that those of us who live in the Northern Mariana Islands will not have the right to vote for Senators or Representatives in the Congress of the United States or for the President of the United States. Those rights, under the Constitution of the United States, are founded on residence within the states of the United States. Under the Covenant, however, we will be citizens of the United States. If one of us chooses to reside in a state of the United States, as is our right under the Covenant, he or she will be able to vote for the President and members of Congress just as do any other United States citizens residing in that state.

As United States citizens residing in the Northern Mariana Islands, the majority of us who will not choose to reside in a state of the United States will not enjoy those rights. We are too small in population to be a State in and of ourselves, and we do not want to sacrifice our own self-government by becoming a small part of some larger, distant state of the United States. We have preferred to link ourselves to the United States in this new arrangement we have fashioned under the Covenant as a Commonwealth in political union with the United States.

(Mr. Tenorio, Special Representative)

While our relationship with the Government of the United States will differ from the relationship between the states of the United States and that Government, we believe our interests will be adequately protected.

First, even though the Trusteeship Agreement under which we are now administered will come to an end, the Northern Mariana Islands will continue to be the beneficiary of a Trust relationship with the United States. The laws of the United States respect the principle that whenever a "discrete and insular minority" does not have full access to the political processes that establish government policy, the Government owes an especial standard of care to that minority. We are in fact a discrete and insular minority and, as I have discussed, we will not under the Covenant have full access to the political processes that establish government policy. We are confident that termination of the trusteeship will not diminish our entitlement to that especial standard of care from the Government of the United States.

Secondly, we have entered into a mutually binding Covenant with the United States. The Covenant itself is protection against any arbitrary exercise of power by the United States. The relationship between the mutually binding character of the Covenant and our decision to merge our sovereignty into that of the United States is specified in the preamble to that document:

"This Covenant will be mutually binding when it is approved by the United States, by the Mariana Islands District Legislature and by the people of the Northern Mariana Islands in a plebiscite, constituting on their part a sovereign act of self-determination."

Thirdly, the Covenant itself provides a mechanism for the resolution of differences between our Government and the Government of the United States. Section 902 of the Covenant provides for joint consultations and the formulation

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of recommendations with respect to such issues. When I addressed the Council on behalf of the Northern Mariana Islands last year, I noted that we had thus far been unable to resolve a number of serious issues with the Administering Authority. Among those issues were: first, our right to control and manage marine and sea-bed resources within a two-hundred mile exclusive economic zone adjacent to our islands; secondly, our right to utilize labourers from other nations in developing our economy; thirdly, our right to export products into the customs territory of the Administering Authority without payment of duty; and fourthly, our right to payment of already adjudicated claims in favour of our citizenry for loss of life, personal injury, and loss of or damage to property as a consequence of the hostilities in our islands during the Second World War.

While those issues remain unresolved, I am pleased to report to the Council that the United States and the Northern Mariana Islands have convened mutual consultations on these and other issues pursuant to Section 902 of the Covenant and that preliminary discussions have recently taken place. I have every confidence that the United States will join us in a good faith effort to resolve these issues to our mutual satisfaction using the mechanism provided by Section 902.

Finally, perhaps the greatest protection of our right to self-government is offered by the people of the United States themselves. During the administration of our islands by the United States, we have not always been impressed with the ability of the people of the United States to design economic development ventures suitable for us or to construct public works projects that will withstand heat, humidity, salt air, and typhoons. What we have been impressed with, however, is the steadfast devotion of the people of the United States to the principle of self-government. We believe that steadfast devotion to the principle of self-government is the ultimate protection of our right to continue to govern ourselves pursuant to the Covenant.

(Mr. Tenorio, Special Representative)

Allow me to conclude by noting that we recognize that there are risks in sacrificing our sovereignty. But there are many risks of many types for a small Pacific archipelago such as ours. The risks must be faced and choices must be made.

We have evaluated the risks as we see them and we have utilized expert advice where necessary. We have examined the alternative courses of action available to us over many years. Further, we now have some experience with the choice we have made, as many of the Covenant's provisions came into effect in 1976 and 1978. To be sure, we have had disagreements with the United States in these years. Despite those disagreements, we remain resolved that the form of self-government under which we wish to live is as a Commonwealth in political union with the United States of America.

The trusteeship under which we have been administered has been in existence for almost 40 years. This is the last of the trusteeships established under the Charter of the United Nations. The time has arrived to shelve the studies, to end the debates, and to let us proceed with the form of self-government which we have freely decided is most appropriate to our circumstances.

Accordingly, without reservation, qualification, or condition, we ask the Trusteeship Council to terminate the Trusteeship Agreement with respect to the Northern Mariana Islands and allow us to proceed with the full implementation of our Commonwealth in political union with the United States of America.

The PRESIDENT (interpretation from French): I now call on Mr. Oscar DeBrum, Chief Secretary of the Government of the Republic of the Marshall Islands and Special Representative in the delegation of the Administering Authority.

Mr. DeBRUM (Special Representative): As I was introduced to you this morning, I am the Chief Secretary of the Government of the Republic of the Marshall Islands.

(Mr. DeBrum, Special Representative)

Accompanying me this afternoon are Mr. Wilfred Kendall, who has been selected by our Government to represent us in the United States, and Mr. Carl Ingram who is a Special Adviser to the President and Cabinet of the Republic of the Marshall Islands.

On behalf of His Excellency, President Amata Kabua and the people of the Marshall Islands, we wish to thank you for the opportunity to participate once again in these historic sessions of the Trusteeship Council. In our remarks before the Council this afternoon we shall convey the wish of our Government that the trusteeship be terminated and that when the Marshall Islands again addresses the United Nations some time in the future it will be recognized as a sovereign nation among the other sovereign nations.

Before beginning our statement, we would like to congratulate you, Mr. President, on your election to this responsible post. Your term of office will see an important milestone in the political development of the Marshall Islands and the freely associated States of Micronesia, as well as the rest of our friends in the Pacific Islands. Our best wishes go with you. We would also like to convey to the outgoing President, Ambassador Maxey, the sincere appreciation of the people of the Marshall Islands for his interest and for the support he gave us as President of the Trusteeship Council last year.

The responsibilities of the Administering Authority for aiding our development during the years of the trusteeship were clearly spelled out in the United Nations Charter and the Trusteeship Agreement. Among these responsibilities were an obligation to maintain peace and security both internationally and within the Territory - and history will show the extent of the contribution we have made in shouldering that responsibility - to uphold law and order, to foster political development, to promote the economic, social and educational advancement of the inhabitants, and to guarantee fundamental human rights.

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That was a significant undertaking for the United States. Our statement today is testimony to the success of the relationship that has developed between the Administering Authority and the Marshall Islands Government as well as the freely associated States. The Administering Authority has helped us achieve the goals defined in the United Nations Charter. Our progress towards those goals was monitored and encouraged by the Trusteeship Council.

Under the trusteeship, the Marshall Islands has enjoyed a period of uninterrupted peace. Our citizens are law abiding, and their political liberties and rights are fully protected by our Constitution. Through self-determination, our nation has achieved self-government and political maturity, and we are progressing towards economic self-reliance. Our national programmes of health services and education also advance us towards self-reliance. The trusteeship has served the purposes for which it was established, and the Marshall Islands now stands ready for the Council to terminate the relationship defined in the Trusteeship Agreement for us and other freely associated States.

We feel that we should share with the Council some of the history of the political development that has taken place. This may be our last opportunity to do so. Let us now summarize in some detail the steps that have been taken towards self-government and political maturity.

When the United States took control of our islands in 1944 it assisted us in establishing democratically-elected local governments in the villages and islands. The legislature of the islands held its first sessions in the late 1940s. During the trusteeship, the Marshall Islands also participated in the Territory-wide political activities of the Council of Micronesia and the Congress of Micronesia. In 1978, the citizens of the Marshall Islands voted to convene a constitutional convention, and in 1978 the Constitution of the Marshall Islands was approved by

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the electorate in a referendum. The 24 municipal governments in the Marshall Islands operate within the framework of their local government constitutions. In the four decades of the trusteeship there has been a strong commitment by the Administering Authority and the Marshall Islands to establish democratic institutions.

At the same time, the Marshallese people have assumed increasing responsibility for the administration of their own country. There is widespread participation in the political process, with high rates of voter turn-out in local and national elections. Political issues are given broad discussion and are freely aired in the local press. On important political questions, interested citizens, whatever their viewpoints, are permitted to explain their views on the public radio stations. Visiting missions from the United Nations have observed that the major referendum elections on the questions of the structure of the Government of the Marshall Islands and the political status of the Government in relation to the Administering Authority have been decided by the voters after extensive debate and thorough and impartial programmes of voter education. When the Nitijela, our national legislature, convenes, its deliberations are broadcast live nationwide by the public radio station, with the result that the Marshallese public is very well informed on the issues facing our young nation.

Ever since the Constitution of the Marshall Islands came into effect in 1979 the Government has been autonomous in regard to both internal matters and its relations with other nations. For many years the Marshall Islands has been largely self-governing in the provision of Government services to its citizens. The Administering Authority has discharged its obligation to encourage the participation of the Marshallese people in their government and to give them a progressively increasing share in the administrative services of the Territory. As

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a result, our governmental institutions are fully developed and have assumed administrative authority over the Marshall Islands.

The Government of the Republic of the Marshall Islands, as an international entity, has also begun a dialogue to establish diplomatic relations in the Pacific region and the rest of the globe. Our Government has sought to promote friendship and economic co-operation with the United Kingdom, Germany, Denmark, Australia, Japan, Korea and the other island nations of the South Pacific. In the economic sphere, the Republic has negotiated fishing rights agreements, on mutually beneficial terms, with other nations. The Republic of the Marshall Islands continues to participate in the activities of multinational organizations, such as the South Pacific Commission, the Asia Pacific Parliamentarians Union, the United Nations Development Programme and the South Pacific Forum Fisheries Agency. This year we have also been admitted as an associate member of the Economic and Social Commission for Asia and the Pacific, for which we are very grateful.

Since 1969 the Marshall Islands has been involved in diplomatic negotiations with the Administering Authority over the question of the future political relationship between our two countries. We believe that the question has been satisfactorily resolved in the Compact of Free Association. Our success in those negotiations and in other diplomatic undertakings demonstrates the capacity of the Marshall Islands and the freely associated States to take their place among the sovereign nations of this earth and contribute to the free world.

There is another aspect of our political development that deserves comment - our Government's ability to uphold law and order and guarantee civil liberties to the residents of the Marshall Islands. We assure the Council that the people of the Marshall Islands and their Government have great respect for law. The

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judiciary is an independent and effective branch of our Government. The right to be represented by an attorney is guaranteed to residents of the Marshall Islands by our Constitution.

Philosophers might tell us that the responsibilities for maintaining both an orderly society and an open society are contradictory, yet our Government is committed to both order and liberty. That commitment was recently put to the test when several landowners at Kwajalein Atoll staged an illegal sit-in demonstration at the Kwajalein Missile Testing Range in an attempt to extort higher rental fees. I am informing you of this, Mr. President, because I know that the petitioners will be here to give their side of the story. They have the freedom to do so under our governmental system. The Government of the Marshall Islands found itself in the curious position of taking legal action against the protesters, while preserving their legal rights. On the one hand the Government was being urged to take speedy action to remove the protesters; on the other it was being challenged by some of its own citizens who were acting in defiance of the law.

We are pleased to report that our Government handled the situation with firm resolve. We took great care to follow established legal procedures and respect the rights of the protesters; at the same time, they were removed from the area where they were demonstrating illegally. Our Government will never back down from its constitutional duty as a Government of law, not men.

(Mr. DeBrum, Special Representative)

The political legacy of the period of trusteeship is our ability to maintain a society that is orderly and free, while respecting dissenting views. We have a Government that is democratic, autonomous and capable of establishing and maintaining relations with other nations. We stand before the Council in full political maturity.

I shall now make some brief remarks on economic development. Under article 6 (b) of the Trusteeship Agreement the Administering Authority accepted an obligation to promote the economic advancement and self-sufficiency of the Marshallese people. A comprehensive summary of the current economic situation is contained in the 1985 annual report to the United Nations on the administration of the Trust Territory of the Pacific Islands. We think it fair to say that the current economic situation is mixed and future prospects for the economy are quite promising. The Administering Authority has helped us so that we can help ourselves.

Our Government has sought to develop a larger private economic sector. In recent years the role of the Government in the economy has gradually diminished; at the same time there has been a strengthening of the private sector and an increase in our local revenue as a result of shifting our economic development more to the private sector. As a result, locally generated tax revenues now realized by my Government exceed the basic grant provided by the Administering Authority for the operation of my Government.

The primary goal of the 15 years of the Compact of Free Association is to promote economic self-sufficiency, largely through development of the private sector. To advance the achievement of that goal, for the period of the Compact 40 per cent of the aid provided to the Marshall Islands by the United States will be used for economic development. Details of the development projects are given in the five-year development plan which has already been submitted to the Council.

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One of the obligations of the Administering Authority was to develop fisheries, and there has been considerable progress in that area. The Marshall Islands currently benefits from a United Nations Development Programme (UNDP) fisheries project with the aim of promoting and developing the nation's marine resources. In recent weeks opening ceremonies have been held for a freezer/cold storage facility funded by the Government of Japan. Several private companies have begun joint-venture projects for the development of marine resources, including a pearl mariculture project and the culturing of giant clams. Also, mineral surveys have identified cobalt crusts within our exclusive economic zone. This has promising potential for future economic development in the Marshall Islands.

With regard to agricultural development, the Marshall Islands has traditionally given the greatest attention to the production of copra, and since 1977 has had its own factory for converting copra into coconut oil. Other crops have fared less well in the sandy soil of the coral atolls, although our Government continues to promote family gardening and has encouraged experimentation with vegetable production. Because of low prices on the world market, copra production and prices in the Marshall Islands have been depressed. The production of copra has also been retarded by the damage done to coconut trees by a severe drought in 1983.

In addition to the copra processing plant, there has been a modest development of light industry in the Marshall Islands. During the past month a factory that reconstitutes milk and ice-cream has begun operations, with help from the Danish Government. An expansion of the tourist industry has become possible with the construction and opening of new hotels. Retail and wholesale commercial activities remain strong and competitive in the Marshall Islands, with extensive private-sector capital investment from domestic and foreign sources.

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President Kabua has declared 1986 "Outer Island Development Year" in my country. During the course of the year special emphasis will be given to developing the natural resource potential of our outer islands, particularly the potential for commercial fisheries, through infrastructure development.

In summary, our Government, with the assistance of the Administering Authority and other nations, has created a climate that is very supportive of economic development.

I turn now to social development and beg the Council's indulgence since, as I have said, this may be our last opportunity to speak before it.

A special concern of our Government and the Administering Authority has been to foster the health and education services in the far-flung islands of the Marshalls. In the early days of its administration of the Marshall Islands the United States began to establish village dispensaries and schools and to train health aides and teachers. Today the Government of the Republic of the Marshall Islands operates elementary schools and dispensaries in 69 villages, as well as hospitals at Majuro and Ebeye and high schools at Majuro and Jaluit.

We should like to report briefly on recent efforts to improve the health services programme in the Marshall Islands. The new 81-bed hospital in Majuro - as mentioned earlier by High Commissioner McCoy - constructed with a grant from the Administering Authority, is being readied for operation. Our Government has contracted with Mercy International Health Services to assist us in making the transition to the new facility. The Mercy group is currently on site and training our health services staff in hospital maintenance, nursing procedures and operation of the new equipment. Our Government has also greatly increased the operation and maintenance budgets for the new hospital in order to obtain full benefit from the facility and ensure serviceability. Further, we anticipate that the Nursing School

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of the College of Micronesia will relocate to Majuro in September 1986. Such a move will strengthen our medical services and help us develop trained health-care professionals.

Our outer-islands dispensary programme has been expanded. In 1986 medical teams will visit each of the dispensary sites at least three times and the single side band radio communications will be established to link the dispensaries with the Majuro General Hospital for medical consultations and other training aspects of the health-services programme.

The Government of the Marshall Islands also operates a system of free universal education for eight years of elementary school. Approximately three fourths of our eighth-grade graduates proceed to four-year high schools. For post-secondary training Marshallese students attend the Community College of Micronesia in Pohnpei and the Micronesian Occupational College in Palau. Continuing education programmes are offered by the College of Micronesia in Majuro or colleges overseas.

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Basic educational services will surely continue for Marshallese students in the years ahead, and under the Compact of Free Association there will be sufficient scholarship funding for post-secondary studies.

We are confident that the Marshall Islands will continue to advance in its health services and educational system in the years ahead. With the Compact of Free Association, the United States will provide financial assistance for these very purposes. The relationship of free association will benefit our nation in ways that will ensure autonomy and self-government. The aid from the United States will come in the form of block grants that will allow our Government maximum flexibility in determining which government services and developmental projects will be funded. In the past we have often received assistance from agencies of the Administering Authority in the form of categorical programmes better suited to situations in the United States. We will now be in a position to devise programmes for social services and economic development that are appropriate for our own special needs. We shall exercise self-determination in forming our own governmental programmes, just as we have exercised self-government in selecting our political status.

An additional feature of the Compact of Free Association, which our Government has previously reported to the Trusteeship Council, is the settlement of the claim arising from the United States nuclear testing programme that was conducted in the Marshall Islands from 1947 through 1958. When the Compact of Free Association goes into effect the United States will pay the Marshall Islands \$150 million. This sum will be invested in a perpetual fund for the benefit of the inhabitants of the atolls affected by the testing programme and for the benefit of their descendants. It is the position of our Government that this is a fair way to compensate for the consequences of this sorry episode in the history of the trusteeship.

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In testimony before the Council last year we stated that it was the desire of the Marshall Islands to enter into free association with the United States simultaneously with termination of the Trusteeship. This remains the position of our Government. The Compact of Free Association was approved by the citizens of the Marshall Islands by a 58-per-cent majority in a plebiscite held on 7 September 1983. The Government of the Republic of the Marshall Islands accepted the Compact as a treaty in October 1983. After a lengthy process of amendment and approval by the United States Congress, the President of the Administering Authority signed the Compact legislation into law, and the Compact was ratified by the Nitijela, our national Parliament, on 20 February 1986. Throughout the protracted national debate regarding free association with the United States, it was understood that we would advance from the subordinate relationship of being a jurisdiction of the Trust Territory to the position of being a sovereign nation. We ask the Trusteeship Council to recognize our political advancement and self-determination and terminate the trusteeship.

At the same time our Government wishes to acknowledge its gratitude to the Trusteeship Council. We are grateful to the Council for its long-standing dedication to our well-being. Through its regular visiting missions and the special missions to observe voting on the question of self-determination, and through its annual reports and hearings, it has provided an important oversight function that has been of benefit to the people of the Marshall Islands, a freely associated State. Its observations and suggestions have given valuable guidance to both the Administering Authority and my own Government. As we stated previously, we are also grateful to the many agencies of the United Nations that have helped us with different aspects of the developmental process, especially our national development plans, and we look forward to working with agencies of the United Nations in the years ahead.

This is also an appropriate time to express our thanks to the Administering

Authority. The process of nation building has been difficult, and we have not always agreed with the action taken by the Administering Authority. However, by working with the Administering Authority, by reasoning with it and with the people of the Marshall Islands in the exercise of their inherent right to self-determination, we have established a constitutional Government and are now self-governing people.

In closing we appeal to each member's nation to support the Marshall Islands as a freely associated State, as it gains freedom from the restriction of a territorial relationship and becomes a nation that is self-governing and responsible for its own internal and foreign affairs. We especially appeal to those nations that have recently gone through a similar developmental process. Members realize that the creation of a modern nation is a continuing and incremental process.

Again, so that the Marshall Islands, as a freely associated State, can take its rightful position and place as a nation, we ask the Council to take action to terminate the trusteeship. We thank it for allowing us this opportunity to present this request on behalf of our Government.

I apologize for the length of this statement. As I have said, this is probably our last opportunity to address the Council, and we have taken advantage of it.

ORGANIZATION OF WORK

The PRESIDENT (interpretation from French): In accordance with the tentative timetable we adopted this morning, the Council will hear petitioners tomorrow in the course of its morning and afternoon meetings. The requests for hearings contained in documents T/PET.10/393, 394, 405, 407-409, 413, 418, 419 and 427 have already been granted in accordance with paragraph 2 of rule 80 of the Council's rules of procedure.

The meeting rose at 4.40 p.m.