

UNITED NATIONS
TRUSTEESHIP
COUNCIL



Distr.
GENERAL

T/PET.10/528
15 May 1987

ORIGINAL: ENGLISH

PETITION FROM MR. RICHARD ENG CONCERNING THE TRUST TERRITORY
OF THE PACIFIC ISLANDS

(Circulated in accordance with rule 85, paragraph 1, of
the rules of procedure of the Trusteeship Council)

11 Coso Avenue
San Francisco, CA 94110

3 May 1987

The President
Trusteeship Council
United Nations
New York, N.Y. 10017

Dear Sir,

I request the Trusteeship Council to pass a resolution urging the Administering Authority to negotiate a new agreement with the Government of Palau for the following reasons:

(1) The current agreement has been declared unconstitutional by the Appellate Division of the Supreme Court of Palau on 17 September 1986.

(2) Indigenous land rights will be violated by United States military requirements in the Compact of Free Association (i.e. the "Military Use and Operating Rights Agreement" pursuant to sections 321 and 322 of said Compact). This "subsidiary agreement" violates article XIII, section 7, of the Palau Constitution, which concerns the power of eminent domain. It states that "This power shall not be used for the benefit of a foreign entity".

(3) Palauan leaders have expressed concerns about the 50-year term of the Compact. For the Marshall Islands and the Federated States of Micronesia, it is 15 years.

(4) Currently, Palau is undergoing a financial crisis. Government workers were forced to take a 20 per cent wage cut. Public services have been reduced,