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FOURTH COMMITTEE
11th meeting
held on
Wednesday, 30 October 1985
at 3 p.m.
New York

SUMMARY RECORD OF THE 11th MEETING

Chairman: Mr. CHAMORRO MORA (Nicaragua)

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The meeting was called to order at 3.40 p.m.

AGENDA ITEM 110: ACTIVITIES OF FOREIGN ECONOMIC AND OTHER INTERESTS WHICH ARE IMPEDING THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES IN NAMIBIA AND IN ALL OTHER TERRITORIES UNDER COLONIAL DOMINATION AND EFFORTS TO ELIMINATE COLONIALISM, APARTHEID AND RACIAL DISCRIMINATION IN SOUTHERN AFRICA: REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (continued) (A/40/23 (Part IV))

1. Mr. RASON (Madagascar), explaining that he had been unavoidably absent at the 10th meeting of the Committee, said he wished to record that, had he been present, he would have voted in favour of the draft resolution and decision contained in document A/40/23 (Part IV).

Requests for hearings (A/C.4/40/2/Add.7; A/C.4/40/4/Add.4-7)

2. The CHAIRMAN drew attention to a communication containing a request for a hearing concerning the Trust Territory of the Pacific Islands (A/C.4/40/2/Add.7).

3. Mr. FELDMAN (United States of America) observed that the question of the Trust Territory of the Pacific Islands was not properly before the Fourth Committee or the General Assembly. Article 83 of the Charter made it plain that all responsibilities for Trust Territories should be exercised by the Security Council and by the Trusteeship Council acting on its behalf. Where strategic Trusts were concerned, no provision had been made in the Charter - and that, by design - for action by the General Assembly. It was therefore beyond the competence of the Committee to hear petitioners on the question.

4. Mr. ROCHER (France) recalled that the Security Council and the Trusteeship Council were, in accordance with article 83 of the Charter, the only United Nations organs competent to deal with the question of Trust Territories. Therefore the Committee was not empowered to do so.

5. Accordingly, France would not respond to the requests for the hearing of such petitioners nor would it question such petitioners. As a member of the Trusteeship Council, it would on the other hand continue to maintain a dialogue with them in that body, as it had done for years.

6. The CHAIRMAN said that he would take it, if he heard no objections, that the Committee decided to grant the request, it being understood that the reservations expressed would be reflected in the record of the meeting.

7. It was so decided.

8. The CHAIRMAN said that he would take it if he heard no objection, that the Committee wished to grant the requests for hearings relating to the question of Western Sahara, contained in documents A/C.4/40/4/Add.4-7.

9. It was so decided.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (A/40/23 (Part VII), 113, 121, 429, 529, 692 and Corr.1; A/C.4/40/L.2; A/AC.109/801 and Corr.1, 802-807, 808 and Corr.1, 809-815, 816/Rev.1, 817-820, 823, 827 and Corr.1, 829, 832, 834)

(a) REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

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10. The CHAIRMAN drew attention to the relevant chapters of the report of the Special Committee on decolonization and the various relevant reports of the Secretary-General, as well as other communications relating to the items under consideration; and to draft resolution A/C.4/40/L.2 on the question of Western Sahara, which was being sponsored also by Botswana, Burkina Faso, Cyprus, Democratic Yemen, Ghana, Guinea-Bissau, India, Lesotho and Mali.

11. Mr. ARNOUSS (Syrian Arab Republic), speaking as Rapporteur of the Special Committee, introduced the chapters of the Special Committee's report relating to agenda items 18, 109 and 111, contained in documents A/40/23 (Part V) and (Part VII).

12. In response to the requests made in General Assembly resolution 39/91, paragraphs 12 and 12 (d), the Special Committee had extensively reviewed the situation of the small Territories and adopted specific recommendations and proposals for their full and speedy decolonization. In so doing, the Special Committee had reiterated that it was the obligation of the administering Powers to create conditions in the Territories enabling their peoples to exercise their right to self-determination and independence, and at the same time to foster an awareness among the people of the possibilities open to them in the exercise of that right. Reaffirming as well that it was the responsibility of the administering Powers to promote the economic and social development of the Territories concerned, the Special Committee had called upon them to take all necessary steps to strengthen and diversify their economies with a view to reducing their dependence on the administering Powers.

13. The Special Committee had continued to receive the co-operation of the administering Powers of most of the Territories.

14. The Special Committee had once again stressed the importance of dispatching United Nations visiting missions to colonial Territories as an effective means of ascertaining the situation there and facilitating their speedy decolonization. In that regard, it had welcomed the joint invitation by New Zealand and the people of Tokelau to send a visiting mission in 1986 to Tokelau, the sole remaining Non-Self-Governing Territory under the administration of New Zealand, which had already received two visiting missions in 1976 and 1981.

15. He drew attention to a regional seminar held in March in Papua New Guinea in observance of the twenty-fifth anniversary of the Declaration on decolonization, where matters relating to the small Territories were discussed. A report on that seminar and another seminar held in April in Cuba were to be found in document A/AC.109/829.

16. The Special Committee continued to give close attention to assistance to the people of the colonial Territories by the organizations of the United Nations system. It had expressed deep concern that such assistance, particularly to the people of Namibia and their national liberation movement, the South West Africa People's Organization (SWAPO), had been far from adequate, and it had accordingly made specific recommendations to remedy that situation. The Special Committee had also expressed the view that the World Bank and International Monetary Fund should put an end to all links with the South African régime.

17. He hoped that the Committee would support the recommendations of the Special Committee.

AGENDA ITEM 18: IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (Territories not covered under other agenda items) (continued) (A/C.4/40/2 and Add.1, Add.4-7)

Hearing of petitioners

18. The CHAIRMAN drew attention to the requests for hearings relating to the Trust Territory of the Pacific Islands, contained in documents A/C.4/40/2 and Add.1, Add.4-7), which the Committee had decided to grant.

19. Mr. FELDMAN (United States of America) said that he again wished to point out the impropriety of the discussion of the question of the Trust Territory of the Pacific Islands by delegations or petitioners in the Committee or in any other General Assembly body. Article 83 of the Charter was absolutely clear in assigning competence for strategic Trusts only to the Security Council and the Trusteeship Council. The Trust Territory of the Pacific Islands was such a strategic Trust under a strategic trust arrangement agreed upon unanimously by the Security Council. It was equally clear that petitioners would be discussing political, economic, social and educational matters, the discussion of which Article 83 of the Charter specifically reserved to the Security Council and the Trusteeship Council. Since all Member States should take guidance from the Charter, the United States position on the matter was clear. Petitioners should be heard in the appropriate forums only.

20. Indeed, most of the petitioners now requesting hearings in the Fourth Committee had spoken repeatedly and at great length in the Trusteeship Council, most recently in May 1985. Most of them also were not even residents in the Trust Territory; nor were they Micronesians. They were persons who had arrogated to themselves the right to speak for Micronesians. The elected representatives of the Micronesian people who had been present at the Trusteeship Council meetings in May had without exception rebutted their statements and declared that they did not speak for Micronesia. Many of the petitioners' statements in the Trusteeship Council had contained very significant factual inaccuracies, to say the least, and they had been tendentious in the extreme, often espousing a distinct political standpoint. All such statements had been rebutted in the Trusteeship Council. Those rebuttals were contained in the verbatim records of the Trusteeship Council and he would make them available to interested delegations.

21. The United States would not take any further part in the Committee's proceedings at that meeting.

22. Mr. MORTIMER (United Kingdom) said that he associated himself with remarks of the United States delegate. The petitioners who had come to be heard by the Committee had already had ample opportunity to speak in the forums designated by the Charter in Article 83, namely, the Security Council and the Trusteeship Council. Far be it from his delegation to deny the right of petitioners to address the Committee on legitimate subjects; but there was no doubt where the responsibility for the Trust Territory of the Pacific Islands lay, and it was not with the Committee.

23. At the invitation of the Chairman, Mr. Alcalay (National Committee for Radiation Victims) took a place at the petitioners' table.

24. Mr. ALCALAY (National Committee for Radiation Victims) said that his organization was a non-profit public-interest organization working on behalf of persons exposed to radiation; hence its concern over the deficiencies in the Compact of Free Association, which gave United States national security interests priority over the human rights and health needs of the Micronesians, while leaving to their own fate thousands of radioactive fallout victims who still lived in a dangerously contaminated environment. Instead of honouring its pledge under the Trusteeship Agreement to protect the health of the inhabitants and against the loss of their lands and resources, the United States had intentionally created conditions conducive to the annexation and absorption of the Trust Territory and its continued use for military purposes.
25. United States intentions to assimilate that Territory into its sphere of influence had already been made evident in the public pronouncements of prominent figures as far back as the 1940s, and the tragic fate of the Bikini islanders in 1946 was well known. In 1954, a hydrogen bomb with an explosive power 1,000 times greater than that of the Hiroshima atomic bomb was tested in the Territory, causing radioactive contamination on many inhabited atolls. The people of Rongelap, who had been evacuated prior to the 1946 test at Bikini, in 1954 were left within the danger zone; perhaps it was no coincidence that the resulting medical findings provided the only knowledge available about the effects of radioactive fallout on human beings.
26. In the 1960s, the United States established an inter-agency task force which produced a still-classified report calling for financial assistance to the Territory which would influence upcoming plebiscites while not creating any self-sustaining development process in the area. That was a clear attempt to prevent the economic advancement and self-sufficiency of the inhabitants, and therefore contrary to the Trusteeship Agreement. It was not surprising under the circumstances that 90 per cent of the Territory's economy currently derived from annual cash infusions from the United States Treasury and that economic duress had clearly invalidated the results of the 1983 plebiscites. After 40 years of trusteeship, the Territory was even worse off than it had been under Japanese administration before the War.
27. It was significant that the United States sought termination of the trust before having the benefit of a truly non-governmental and independent radiation survey of the islands, and it was disturbing that one clause of the Compact called for the termination of all pending lawsuits brought against the United States by the more than 4,000 Marshallese who were claiming health and property damage from nuclear weapons tests, as well as of any future lawsuits for latent radiation disease. The Marshall Islands were still being used by the United States as the Pentagon's strategic laboratory as it pursued its obsession with a continuation of the relentless arms spiral, while the inhabitants were exploited as a pool of cheap labour, relegated to second-class status. It was also interesting that five plebiscites in which Belau had voted to uphold its nuclear-free constitution had been declared invalid because they ran counter to the Pentagon's nuclear policies and its future plans for Belau, whereas the single Marshallese plebiscite of 1983, which suited the Pentagon, was considered valid.

(Mr. Alcalay)

28. To correct the situation, the United States must remove from the Compact the clause which prevented the Marshallese from having their day in court; the United States leases for military bases in the islands should be renewable every five years; health care provisions should be written into the compact and given high priority; legitimate unilateral termination of the Compact at any time should replace the spurious unilateral termination presently stipulated in the Compact; and finally, the United States should offer the people of the Trust Territory an independence option with the same funding levels as provided for under the Compact.

29. Mr. Alcalay withdrew.

30. At the invitation of the Chairman, Senator Jeton Anjain (Marshall Islands) took a place at the petitioners' table.

31. Senator JETON ANJAIN (Marshall Islands) said that under the Trusteeship Agreement, the United States had a commitment to protect the inhabitants of the Trust Territories against the loss of their lands and resources and to protect their health. The United States had signed that Agreement a year after it had selected Bikini Atoll as the site to explode two atomic bombs. Since then, the United States had exploded a total of 66 atomic and hydrogen bombs in the islands, and the inhabitants continued to suffer from the radioactive legacy of those barbaric nuclear weapons tests. In 1954, the people of Rongelap became the world's first victims of radioactive fall-out from a hydrogen bomb.

32. Several days later the people of the island and of Utirik had been evacuated to Kwajalein atoll. But people had begun to suffer from sickness, and had been slowly dying ever since. Most women pregnant at the time had had miscarriages or had given birth to deformed babies; such problems still persisted, presumably because of lingering radiation.

33. In 1957 the people of Rongelap had been allowed to return home, but from 1963 onwards thyroid disease had become prevalent, reaching endemic levels, and had spread to Utirik, three hundred miles downwind, in 1969. In 1972 a nephew of his had died of leukemia; shortly afterwards the nephew's father and mother had developed thyroid tumours. He himself had had a cancerous tumour removed. The world community had surely not intended the 1947 Trust Agreement to give rise to such a legacy.

34. Despite the subsequent attention by United States doctors and scientists, the people of the islands had never been given even the basic facts about their unique exposure to radioactive fallout. A Department of Energy radiological survey of the northern Marshall Islands in 1978 had revealed dangerous fall-out levels on 12 atolls and islands in addition to Rongelap and Utirik, and in that year the United States Government had admitted for the first time that thousands more Marshallese had been exposed. Despite that, only Rongelap and Utirik had United States medical surveys - a mockery of article VI of the Trust Agreement, under which the United States had undertaken to protect the health of the inhabitants. The people of Rongelap, having been allowed to return home in 1957, had been told in 1978, following the survey, to abandon the northern half of their atoll because of dangerous radiation levels. It was understandable, therefore, that they had

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(Senator Jeton Anjain)

felt themselves used as a human experiment on the long-term effects of radiation, whose levels had proved as high as those at Bikini, which was to remain off-limits for a further 100 years. Those responsible for such callous disregard for human life should face a tribunal similar to that of Nuremberg.

35. The people of Rongelap, following the unanimous adoption of a resolution by its Parliament, had moved its entire community to Mejato Island in Kwajalein atoll, assisted by the Greenpeace flagship, the Rainbow Warrior - later blown up at Auckland by the French. He himself was currently helping to organize an international independent radiological and health survey of Rongelap so that its people could at long last take an informed decision about whether to abandon its home or return.

36. The United States was about to terminate the Trust Agreement and invite the region's peoples to enter into an ambiguous relationship with it under a Compact of Free Association, which, however, would prolong the United States military presence on Kwajalein for the next 30 years at least. The Compact's most disturbing feature was that, under the so-called espousal clause in its section 177, all lawsuits relating to radiation-induced damage would become null and void and no future lawsuits on such grounds would be entertained, although, in the absence of a truly independent health study, the extent and duration of the damage were unknown. United States eagerness to prevent any such judicial proceedings prompted fears that it was keeping silent about possible future health hazards, thus violating the letter and spirit of the 1947 Trust Agreement. He had submitted for the Committee's attention a copy of an analysis by the United States Congressional Research Service of the espousal clause, showing the clause to be unconstitutional and illegal.

37. The 40-year record of United States administration had been deeply disappointing. Under the eyes of the Trusteeship Council, the United States had done irreversible damage to health and the environment as well as creating cultural divisions. Suicide, unknown in Micronesia prior to United States rule, had become one of the highest rates in the world. He formally requested the Special Committee of 24 to send a special visiting mission to the islands; it would be appropriate, during the Organization's fortieth anniversary, to observe at first hand conditions in the last remaining Trust Territory before the Trust Agreement expired.

38. In August 1985 the members of the South Pacific Forum had called upon the French Government to cease nuclear testing in the Pacific, in an attempt to prevent a recurrence of what his own people had already suffered. That suffering served as a warning to all mankind about the effects on humans of nuclear weapons; for the sake of succeeding generations, the nuclear arms race must be replaced by international co-operation and a sane world order.

39. Senator Jeton Anjain withdrew.

40. At the invitation of the Chairman, Mr. Petersen (Department of Sociology and Anthropology, Bernard M. Baruch College) took a place at the petitioners' table.

41. Mr. PETERSEN (Department of Sociology and Anthropology, Bernard M. Baruch College) said that, although the Compact of Free Association had been approved by a large majority in the Federated States of Micronesia (FSM) as a whole, the State Government of Pohnpei had maintained its reservations. The Pohnpei people felt that their participation in the recent plebiscite had not been on a basis of sovereign equality vis-à-vis the United States, and that their inherent right to independence had not been recognized. They also felt that economic independence, a prerequisite of political independence, could be achieved only under self-Government.

42. Although the Compact of Free Association clearly stated that no military bases could be established without the FSM Government's consent, the Compact's military provisions had troubled the Pohnpei most. The threat of war in the region, it was felt, stemmed precisely from the United States military presence itself. The islands had suffered greatly during the Second World War; the cause had been Japanese military occupation. United States occupation created an equal hazard - perhaps greater, being under the guise of concern for the inhabitants' welfare.

43. The United States efforts to amend a carefully worked out treaty, and the FSM national Government's hasty holding of a plebiscite at the prompting of the United States, had given rise to disappointment, but not surprise; there was no assurance that the United States Congress would consider itself bound to an agreement which had never interested it much. A consensus had emerged, as news of the amendments spread, that the Compact of Free Association should be dropped. Pohnpei had supported the latter in the 1978 constitutional referendum, wishing to maintain close ties with the rest of Micronesia. But Pohnpei would not sacrifice independence for the sake of unity; its State Legislature had before it a bill calling for secession should the national Government accept the amendments to the Compact. The feeling had been reflected by Pohnpei's leadership, in a recent letter to the FSM President and a radio broadcast to the people of Pohnpei. The United States Congress was unlikely, despite State Department assurances, to discard all the amendments. Therefore, another plebiscite would have to be held, and it seemed that under no circumstances would Pohnpei agree to free association.

44. The tendency was to draw attention, in the United Nations and the United States, to the nuclear issues on violence in Belau and the Marshall Islands, but support for free association within FSM was beginning to wane. The people of Pohnpei would continue to seek self-government and sovereignty, with FSM or without it. It was perhaps time for the General Assembly and the Special Committee of 24 to supervise decolonization in the United States Trust Territory of the Pacific Islands.

45. Mr. Petersen withdrew.

46. At the invitation of the Chairman, Mr. Bedor took a place at the petitioners' table.

47. Mr. BEDOR said that the right of self-determination of the people of Belau, of which he was a citizen, was being violated by the Administering Authority, the United States. In 1979 the people of Belau, through their duly elected representatives in the Constitutional Convention, had created their own nation and Government and drafted a Constitution, which, inter alia, prohibited the use, storage, testing and transit of nuclear weapons in the islands. The provisions reflected the bitter experience of the region's colonial past and its sufferings as a battlefield during the Second World War. The Constitution had been ratified by 92 per cent of the electorate in the referendum of 9 July 1979. Shortly afterwards, however, the United States Trust Territory Court had ruled the referendum unofficial, and by the time a second referendum was called the Constitution had been amended to suit United States military plans. The amended Constitution had been rejected, and the original Constitution again ratified at a third referendum.

48. Since then, however, the United States had been threatening to amend the Constitution; it had submitted a Compact of Free Association, the aim being to use Belau for military purposes, disregarding the Belau people's desire for a nuclear-free society. Despite United States assertions about his nation's need for protection, the biggest threat stemmed from colonialism and militarism imposed in the guise of defence.

49. The United States, in furthering its military aims in the area, was violating the Trusteeship Agreement. Pursuant to that instrument, both the United States and the United Nations were responsible for protecting the Constitution of Belau. The United Nations should either force the United States to recognize that Constitution or terminate the Trusteeship Agreement, which had been breached by the United States, while ensuring that Belau was not submitted to another form of colonialism, such as that implicit in the notion of free association. Its people's wishes, already clearly expressed in five referendums, should be heeded.

50. Mr. Bedor withdrew.

51. At the invitation of the Chairman, Mrs. Quass (United Methodist Church) took a place at the petitioners' table.

52. Mrs. QUASS (United Methodist Church) said that the United Methodist Church, with 10 million members in 24 countries in North America, Africa, Asia and Europe, was deeply concerned about and involved in mission activities which sought justice for all colonized peoples. It saw the final authority and responsibility for decolonization as lying equally with the colonized people and with the world community gathered together in the United Nations. The standards for decolonization set out in United Nations resolutions should be the pattern for any Compact of free association applicable to the Trust Territory of the Pacific Islands.

53. The United Methodist Church considered that the Micronesian States concerned would continue to be the responsibility of the United Nations. Since the proposed free association status did not transfer all powers to the people, General Assembly resolution 35/118 constituted a mandate for the United Nations to continue to be involved. Evidence that all powers had not been transferred to the people was to

(Mrs. Quass)

be found in the proceedings of a United States Congressional Committee concerned and in the terms of the Compacts themselves which gave the United States power of veto over Micronesian actions and military control of and access to Micronesian Territory.

54. Although the United Methodist Church supported the rights of the administering Power and the governments of the various Micronesian States to enter into any agreement that was consistent with their respective constitutions and laws, any such agreement, if it was to be the instrument for full and final decolonization, must meet the standards of the United Nations. Over the years since the founding of the United Nations, international standards for decolonization had evolved and there had been some question in the May 1985 sessions of the Trusteeship Council over whether the provisions of United Nations resolution 1541 (XV) applied to Micronesia or whether that Territory was covered only by the terms of the Trusteeship Agreement and the Charter's definition of the Council's functions. The United Methodist Church considered that the Council would retain responsibility for the Territory even if the Compact were ratified and implemented.

55. With regard more specifically to the situation of the Republic of Belau, the United Methodist Church was aware that, because the Trusteeship Agreement provided not only for the rights of the people of the Trust Territory but also for the security interest of the administering Power, there might be a conflict of interest between the Trusteeship Council and the Security Council. That conflict of interest, however, did not extend to the Fourth Committee which took as its terms of reference the United Nations resolutions on decolonization.

56. In the view of the United Methodist Church, implementation of the Compact was prevented by the pre-conditions set by the administering Power for Belauan self-determination, which contradicted key provisions of the Constitution of Belau. Proposals for changes to that Constitution had been rejected by Belauans in five United Nations observed plebiscites. The will of the people had thus clearly been expressed. The conflict was thus between the right of the Belauans to self-determination and the administering Power's privilege to pursue its security interests. The Trusteeship Council and the United Nations as a whole were therefore in the position of having to determine whether one country's security interest could take precedence over another people's right to self-determination.

57. The key provisions of the free association status negotiated after 1969 no longer reflected emerging attitudes in Belau, as evidenced by the results of the five plebiscites since 1979. If the United Nations continued to permit plebiscites in Belau, the United Methodist Church believed it would be supporting not the will of the people but the interest of the administering Power. The Committee was urged to study the specific provisions of the Compacts to see for itself their inconsistencies with United Nations evolving standards for decolonization. The United Methodist Church had faith that the Committee would carry out its responsibility successfully and that colonialism would eventually be abolished from the earth.

58. Mrs. Quass withdrew.

59. At the invitation of the Chairman, Miss Roff (Minority Rights Group) took a place at the petitioners' table.

60. Miss ROFF (Minority Rights Group) said that the Minority Rights Group took as its mandate the Universal Declaration of Human Rights and was particularly mindful of its article 2. It was therefore committed to the realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples for the effective guarantee and observance of human rights.

61. The Group was at present particularly concerned with events in various small territories of the Pacific. The Group therefore wished to express to the Committee, as it had the year before, its apprehensions about the arrangements being proposed for the Trust Territory of the Pacific Islands, whereby so-called "compacts of free association" were being offered by the administering Power, comprising a limited economic package in return for handing over their powers of defence to the United States effectively in perpetuity. Most Micronesians felt the resulting sequestration of vast tracts of land for military purposes would put them, their children and their ancestral lands in the frontline in any nuclear holocaust.

62. The claim by the administering Power that its proposals were modelled on the relationship between the Territories of Cook and Niue and New Zealand was invalidated by the fact that they failed to envisage giving the Territory the power to control its foreign affairs, to terminate the relationship unilaterally or to request the administering Power to sponsor it for United Nations membership, all rights which Cook and Niue had. Hence the proposed arrangements did not amount to "associated status" as defined by earlier United Nations precedents. In the Group's view, the nearest parallel was given by the illegal bantustans of South Africa.

63. The United States had not offered the people of Micronesia independence, sovereignty, statehood or commonwealth status; what it had offered was a status that would permit foreign military intervention and occupation at less cost than at present and without the spectre of United Nations scrutiny.

64. The Group had several times expressed to the United Nations its concern over the administering Power's refusal to accept the results of the plebiscite of 10 February 1983, which the Group, like the Supreme Court of Belau, held to be the binding vote of the people of Belau on the Compact of the Association.

65. The Belauan people did not want to participate in the build-up of nuclear weapons, which could only result in holocaust. The result of the plebiscite of 10 February 1983 thus signified Belau's rejection of a nuclear Compact. That rejection had been embodied in the documents submitted to the Congress debate on Micronesia but that body had made such substantial changes to them that a further plebiscite on the matter was needed. The Group knew that the Committee would not fail to investigate the situation and give direct support to the people of Micronesia in their future negotiations with the administering Power.

(Miss Roff)

66. Similarly, the Group knew that the Committee would never apply double standards in the Pacific, and, in particular, would protect the rights of the Melanesian peoples not to be rendered a minority in their own ancestral territories by deliberate immigration programmes. It also knew that the Committee would not permit the military and strategic requirements of occupying powers to override the universal realization of the right of peoples to self-determination and to an effective guarantee of the observance of human rights.

67. The Committee was also asked to continue to wage a vigorous and sustained campaign against the activities and practices of foreign, economic, financial and other interests operating in colonial Territories, where such practices were detrimental to the interests of the population's of those Territories, especially when they were undertaken on a bilateral basis between Member Governments, as in the case of East Timor. The United Nations was asked to exert its moral force through the good offices of the Committee and the Secretary-General to bring about negotiations that would permit the reconciliation of the Timorese people.

68. The Group, like many other non-governmental organizations, had unfortunately lost confidence in the good faith of one organ of the United Nations. It was disquieted to see that three major nations that had tested, or were continuing to test, nuclear weapons in the Pacific had been set the task of presiding over the termination of the only strategic trust in the world's history. That disquiet was reported to the Committee since the Group recognized that the implementation of the Charter, the Declaration on Decolonization and the United Nations resolutions, in all of which the Group continued to have faith, rested ultimately on the resolve of the Member States of the Organization.

69. She announced that the Group had available a film about the situation in the Pacific and some articles containing useful information.

70. Miss Roff withdrew.

71. The CHAIRMAN drew attention to the request for a hearing on the question of Guam contained in document A/C.4/40/3/Add.1 which the Committee had decided to grant.

72. At the invitation of the Chairman, Mr. Teehan, speaking on behalf of Mrs. Cristobal (Organization of People for Indigenous Rights), took a place at the petitioners' table.

73. Mr. TEEHAN, speaking on behalf of Mrs. Cristobal (Organization of People for Indigenous Rights), said that the Organization of People for Indigenous Rights was a non-profit-making non-governmental organization solely concerned with the issue of self-determination for the indigenous inhabitants of Guam, the Chamorros. It firmly believed that the Chamorros people were the only inhabitants of Guam with the right to change Guam's status from a Non-Self-Governing Territory to one with a full measure of self-government.

(Mr. Teehan)

74. The Organization of People for Indigenous Rights was once more appearing before the Committee because the United States as the administering Power of the Non-Self-Governing Territory of Guam had not fulfilled its obligation to inform the Chamorro people of their right to self-determination. In view of the injustice being done by misinformation, the Committee was urged in its consideration of the question of Guam not to rely solely on United States reports to the United Nations on the matter, but also to take account of what non-governmental organizations had to say.

75. The United States view of the military presence on Guam was a partial one. While the people of Guam tolerated the military, no one was happy with the fact that the land had been taken under false pretences by the Federal Government and the fact that the military were on Guam by unilateral decision. The representatives of the Organization of People for Indigenous Rights and the Guam Landowners' Association had been accused by the United States of presenting an unbalanced picture to the United Nations, but the boot was in fact on the other foot. It was clear that the United States Ambassador's fact-finding tour of Guam had not been one where he listened to the concerns of the people but rather one where he selected the facts which would represent the United States Government in the best possible light.

76. Since the representatives of the Organization of People for Indigenous Rights had first appeared before the United Nations, a new administration had come into office on Guam and a second Commission on self-determination had been established which had drawn up a Guam Commonwealth Act. A copy of the current draft of the Act was included in the report of the Organization of People for Indigenous Rights and the Committee was requested to give it the attention it deserved and to monitor its progress.

77. Any attempt to deny the Chamorro people their right to self-determination was in itself discrimination. The past relationship of the Chamorro people with the United States Government has been anomalous and unclear and they have never participated in a binding plebiscite on their own future. The Committee was requested to encourage the United States to implement a programme to educate all the people of Guam as to the rights of the Chamorros to self-determination.

78. The Committee was requested to note that the Guam Commission on Self-Determination was a misnomer since its purpose was not self-determination but a political status change; that Guamanian and Chamorro were synonymous terms when referring to the rights of the people; that allowing United States military personnel and their dependants to vote in a political status process was contrary to the views of the Special Committee; and that the Commonwealth Act as it was being drafted was not a self-determination document because it was not based on the wishes of the Chamorro/Guamanian people.

79. Mr. Teehan withdrew.

80. In reply to requests from Mrs. BERMUDEZ GARCIA (Cuba) and Mr. LEVCHENKO (Union of Soviet Socialist Republics) for the statements of the petitioners to be reproduced in extenso in the record of the meeting, the CHAIRMAN reminded members of the Committee that, at its third plenary meeting on 23 September 1985, the General Assembly had, at the recommendation of the General Committee, decided that its decision not to reproduce in extenso or as a separate document statements made in a Main Committee should be maintained for the fortieth session. The Committee Secretariat would, when preparing the record of the present meeting, ensure that the statements made by petitioners were duly recorded.

81. Mr. LEVCHENKO (Union of Soviet Socialist Republics), noting that one petitioner had indicated that a report on the present situation on Rongelap Island would be presented to the Chairman and that another had referred to a film on the situation in the Pacific, requested that arrangements be made available to members of the Committee the report and the film.

82. The CHAIRMAN said that the Soviet Union's request was noted.

The meeting rose at 7 p.m.